

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL INFORMAL MEETING
DATE: February 4, 2003
DAY: Tuesday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- | | | | |
|-----------|----|--|--------|
| 2:00 p.m. | 1. | SALEM LEGISLATIVE REPORT | Cooper |
| 2:15 p.m. | 2. | DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, FEBRUARY 6, 2003. | |
| 2:30 p.m. | 3. | SOLID WASTE ADVISORY COMMITTEE (SWAC) ISSUES | McLain |
| 3:45 p.m. | 4. | COUNCILOR COMMUNICATION | |

ADJOURN

**2003 – 72nd Oregon Legislative Assembly—Regular Session
 Metro Review Log as of 2/4/03 9:53 AM
 [PROPOSED] SENATE / HOUSE BILLS**

#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
1.		Conservation Incentives						1/24/03: Washington County has indicated that they were pursuing a similar effort. Thus, we will join forces to work on the legislation.
2.		Revenue Task Force	Metro					2/04/03: Senator Deckart will have the bill drafted by legislative counsel.
3.	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	1/26/03: Do pass with amendments and be printed A-Engrossed 1/24/03.
4.	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
5.	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.	METRO	1	Support	Referred to Environmental and Land use with subsequent referral to Ways and Means 1/14/03.
6.	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.	METRO	1	Support	Referred to Environmental and Land use with subsequent referral to Ways and Means 1/14/03.
7.	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.	METRO	1	Support	Referred to Transportation with subsequent referral to Ways and Means 1/14/03.
8.	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.				

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9.	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.				
10.	HB 2100	Land Use Planning For High Technology Industry	House Special Task Force on Jobs and the Economy	Requires local governments to adopt 20-year forecast of land and public facility needs for high technology industry. Requires corresponding amendments to local comprehensive plans, functional plans and land use regulations to accommodate needs identified in forecast.	N/A	1	N/A	1/31/03: Has been taken off the schedule indefinitely.
11.	HB 2123	Local coordinated comprehensive plans; creating new provisions; and amending ORS 417.775 and 417.797	Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Health and Human Resources)	Directs State Commission on Children and Families to convene review team to develop processes and criteria for evaluating local coordinated comprehensive plans and reviewing plans for deficiencies. Requires commission and Oregon Progress Board to lead process to identify common outcomes, common measures and common measurement tools for certain programs and to report progress to Joint Legislative Audit Committee.	N/A	1	N/A	1/24/03: House Health and Human Services public hearing 02/03/03, 8:30 am
12.	HB 2130	Health Insurance For Retirees Of Local Government; Creating New Provisions; amending ORS 243.303	Rep. Backlund	Eliminates requirement that retired local government employees be charged health insurance premium according to certain categories				
13.	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.	N/A	N	N/A	1/26/03: House General Government Public Hearing 1/28/03, 8:30 am

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#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
				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.				
14.	HB 2136	Investment Maturity; amending ORS 294.135	State Treasurer Randall Edwards	Clarifies maturity date restrictions of certain investments made by local governments.				
15.	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 Committee Chair Bill Garrard has appointed Dan Cooper to be a member.
16.	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.
17.	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.
18.	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	N/A	N	N/A	Referred to Environmental and Land Use with subsequent referral to Ways and Means 1/15/03.

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#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
				plan for Legislative Assembly. Deletes provisions concerning use of revenues or savings realized from recycling programs.				
19.	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.				1/24/03: The City of Portland lobbyists have indicated that they would likely support our bill, as originally drafted. (SB 906 from 2001 71 st Oregon Leg. Assembly and SB 140 from 1999 70 th Oregon Leg. Assembly Regular Session)
20.	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.
21.	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.				
22.	HB 2218	Flat Fees [vs. weight-mile tax; transportation]; 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.
23.	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	N/A	N	N/A	Referred to Transportation 1/20/03.

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				expedited land division.				
24.	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.
25.	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	1/29/03: House General Government public hearing and possible work session, 1/30/03, 8:30 am
26.	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 structure. Allows 45 days to submit payment after emergency authorization. Establishes fee for action taken under general authorization. Declares emergency, effective July 1, 2003.	N/A	N	N/A	Referred to Water with subsequent referral to Ways and Means 1/20/03.
27.	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;	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				

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		and Providing For Revenue Raising That Requires Approval By A Three-Fifths Majority.		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.				
28.	HB 2278	Public bodies; creating new provisions; and amending ORS 174.116, 223.001, et al., 261.010, et al., 264.110, et al., 265.010, 265.140, 267.200, et al., 268.020, 268.300, 268.393, 285A.603, et al., 310.140, 357.261, 371.060, et al., 372.140, 401.842, 440.320, et al., 450.075, et al., 451.410, et al., 478.300, 478.990, 523.030, et al., 543.660, 545.057, 545.257, 547.045, 552.113, 552.305, 552.320, 553.010, et al., 565.275, 568.210, et al., 777.005, et al., and 838.035 and section 19, chapter 607, Oregon Laws 1987	Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Oregon Law Commission)	Provides consistent terminology for public bodies in laws relating to districts.	N/A	N	N/A	1/26/03: House General Government public hearing and possible work session on 1/28/03, 8:30 am.
29.	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.				
30.	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.	N/A	1	N/A	1 st Reading; referred to Speaker's desk 1/15/03.

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				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.				
31.	HB 2305	Health Information; creating new provisions; amending ORS 197.667, 353.117, 433.009, et al. 441.117 and 634.550; repealing ORS 192.525 and 192.530; and declaring an emergency	Pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Advisory Committee on Privacy of Medical Records and Information)	Revises state policy and requirements for use and disclosure of certain health information. Declares emergency, effective on passage.	N/A	N	N/A	1/31/03: House health and Human Services public hearing and possible work session 2/07/03, 9:00 am
32.	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.				
33.	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	2/03/03: House Environment and Land Use public hearing., 2/04/03, 8:30 am Doug Riggs to attend.
34.	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	1/26/03: Referred to Ways and Means 1/24/03.

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35.	HB 2363	Limits on technical assistance funds from Special Public Works Fund ; amending ORS 285B.455	Rep. G. Smith	Increases size of municipality eligible for technical assistance grant or loan from Economic and Community Development Department from 5,000 to 15,000 residents.				
36.	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	1/26/03: Referred to Transportation with subsequent referral to Revenue 1/24/03.
37.	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	2/03/03: House Environment and Land Use Public Hearing 2/06/03, 8:30 am
38.	HB 2375	PERS 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.				
39.	HB 2389	Residential construction claims	Rep. Butler; Close, Knopp, Schaufier, Scott, Sen. MORSE (at the request of Oregon Building Industry Association, Professional Insurance Agents of Oregon/Idaho)	Establishes notice of condition procedure as prerequisite to compelling arbitration or commencing court action to recover damages for residential construction defect.				
40.	HB 2396	Pesticide use reporting ; creating new provisions; and amending sections 4 and 8, chapter 1059, Oregon Laws 1999	Rep. Close	Provides that pesticide use reports shall identify location of use by zip code. Provides for publication of summary of use				

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				on basis of areas comprised of one or more zip codes. Applies to data reported for pesticide use that occurs on or after January 1, 2004. Requires State Department of Agriculture to allow filing of pesticide use reports in paper form.				
41.	HB 2400	Benefits Payable To Members Of PERS	PERS Committee	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.				
42.	HB 2421	PERS	Rep. Backlund; Brown, Doyle, T Smith, Williams, Zauner	Allows public employer participating in Public Employees Retirement System to employ retired member of system for period not to exceed five years without limitation on number of hours worked by retired member in calendar year. Requires that retired member contribute six percent of salary for deposit to employer reserves. Prohibits employer contributions for retired members so employed. Limits number of retired members that may be employed to 10 percent of all employees of public employer.				
43.	HB 2425	Disclosure of information about security; creating new provisions; amending ORS 1.760, 9.568, 161.390, 192.501, 192.502, 192.690, 418.747, 469.030, 469.080, 469.410 and	Judiciary Committee	Exempts from disclosure under public records law public body's plan in connection with threat against individual or public safety. Exempts from disclosure under public records law records or information				

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		757.720; and declaring an emergency		that would identify measures pertaining to security of individual or property and about review or approval of security programs for sources of energy, communications and dangerous substances. Excepts from public meetings law portions of meetings that discuss information about review or approval of security programs for sources of energy, communications and dangerous substances. Declares emergency, effective on passage.				
44.	HB 2431	Wetlands; creating new provisions; and amending ORS 196.615, et al.	Rep. Kropf	Allows person seeking permit to remove material from or fill waters of state to pay money into Oregon Wetlands Mitigation Bank Revolving Fund Account instead of obtaining permit. Specifies replacement ratio for mitigating wetland loss. Specifies that Director of Division of State Lands has burden to prove that wetlands exist on property for which permit is sought. Allows person to seek writ of mandamus to force Division of State Lands to make final decision on permit application after 90 days.				
45.	HB 2456	Allocation of conserved water; creating new provisions; amending ORS 537.460, et al. and declaring an emergency	Rep. Jenson	Modifies provisions relating to voluntary program for allocation of conserved water. Allows person or group of persons implementing measures prior to application for allocation of conserved water to apply for allocation if measure was implemented within five years of application. Declares emergency, effective on passage.				
46.	HB 2464	Fees for vehicle title; creating new provisions; and amending ORS 803.090	Rep. Hansen	Imposes additional fee for issuance of first Oregon title for certain vehicles. Requires moneys to be deposited in State Highway Fund				
47.	HB 2515	Soil and water conservation districts; creating new provisions; and amending ORS 541.379	Sen. Kruse	Directs Oregon Watershed Enhancement Board to provide funding from Watershed Improvement Operating Fund for positions in soil and water conservation districts.				

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				Specifies that persons employed in positions funded by board perform functions relating to restoration and protection of native salmonid populations, watersheds, fish and wildlife habitats and water quality				
48.	HB 2533	Hazardous substances; creating new provisions; and amending ORS 453.402	Rep. BUTLER (at the request of Northwest Propane Gas Association, Pacific Northwest Paint Council)	Exempts persons not required to file toxics use reduction and hazardous waste reduction plan from payment of fee for possession of hazardous substances.				
49.	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				

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				amendments to Constitution. Refers proposed amendment to people for their approval or rejection at next regular general election.				
50.	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.				
51.	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.				
52.	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.				
53.	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.				
54.	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.				

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55.	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.				
56.	SB 083	Fees For Pilot Programs Of Department Of Transportation; amending Section 3, Chapter 862, Oregon Laws 2001; & Prescribing An Effective Date	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.
57.	SB 094	Applications for action by city; amending ORS 227.178 and 227.179	Sen. Ferrioli	Adds criteria for determining when application to city for discretionary permits and zone changes is deemed complete for purposes of time limit for action by city.				
58.	SB 095	Infectious Waste Disposal; amending ORS 459.386	Sen. Beyer	Exempts reusable syringes used in animal husbandry from infectious waste disposal requirements.				
59.	SB 096	Public Agencies [contracts from competitive bid and proposal req.; 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.	N/A	N	N/A	2/03/03: Senate General Government public hearing and possible work session, 2/03/03 3:00 pm
60.	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.				
61.	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.
62.	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	N/A	N	N/A	Referred to Agriculture and Natural Resources, then Ways and Means 1/20/03.

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[PROPOSED] SENATE / HOUSE BILLS**

#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
				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.				
63.	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.
64.	SB 222	Taxation; creating new provisions; amending ORS 308.166; and prescribing an effective date	Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of Revenue)	Corrects inconsistency in determining maximum assessed value for property tax purposes when new property or new improvements to property are added to roll and other exception value adjustment also applies in same tax year. Applies to tax years beginning on or after July 1, 2002. Takes effect on 91st day following adjournment sine die.	N/A	N	N/A	1/31/03: Senate Revenue public hearing and possible work session, 2/04/03, 1:00p

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[PROPOSED] SENATE / HOUSE BILLS

#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
65.	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.
66.	SB 232	Taxation; amending ORS 311.795 and 311.796; and prescribing an effective date	Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of Revenue)	Provides that property taxes deferred under certain deferral programs may not be canceled by county governing body upon donation of property to state or local government or nonprofit corporation. Takes effect on 91st day following adjournment sine die.	N/A	N	N/A	1/31/03: Senate Revenue public hearing and possible work session, 2/04/03, 1:00 pm
67.	SB 239	System development charges [SDCs]; creating new provisions; and amending ORS 223.299	Sen. Schrader	Adds schools and classrooms providing primary and secondary education to definition of capital improvement for which system development charges may be imposed. Allows system development charges collected as school improvement fee to be used to acquire land and construct school buildings and classrooms for development from which fee is collected. Allows exemption for affordable housing.				
68.	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 st Reading; referred to President's desk 1/16/03.

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[PROPOSED] SENATE / HOUSE BILLS

#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
69.	SB 251	Applicability Of Needed Housing Requirements Based On Population Of City; amending ORS 197.296	Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for DLCD)	Applies provisions related to needed housing within urban growth boundary to cities outside metropolitan service district with population of fewer than 25,000.	N/A	N	N/A	Senate Water & Land Use public hearing and possible work session, 1/29/03 3:00 pm 1/29/03: Water and Land Use Committee includes: Sen. Ferrioli, Chair, Ringo, Vice-Chair, Atkinson and Metzger
70.	SB 254	School facility planning; amending ORS 195.110	Sen. Schrader	Removes provision providing that school capacity cannot be sole basis for approval or denial of residential development application.				
71.	SB 257	Expedited land divisions; amending ORS 197.360 and 197.380	Sen. Schrader	Limits requirements for expedited land divisions to qualified land divisions within metropolitan service districts.				
72.	SB 258	PERS	Sen. Ferrioli and Knopp	Allows member of Public Employees Retirement System who is vested but inactive to receive 150 percent of member account balance if member withdraws account on or after _____ and before _____.				2/03/03: Senate General Government public hearing, 2/03/03, 3:00 pm
73.	SB 259	Notice to public body about request to inspect public record that relates to claim against public body; creating new provisions; and amending ORS 192.420	Sen. Burdick (at the request of City of Portland)	Requires person requesting inspection of public record that person knows relates to claim against public body to notify attorney for public body of request.				

**2003 – 72nd Oregon Legislative Assembly—Regular Session
Metro Review Log as of 2/4/03 9:53 AM
[PROPOSED] SENATE / HOUSE BILLS**

#	Bill #	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Status
74.	SB 293	State waterways; creating new provisions; and amending ORS 274.404 and 274.406	Sen. Ferrioli	Establishes process for development of recreational management plans with goal of reducing or eliminating conflict between recreational users of waterways and riparian landowners. Directs Division of State Lands to gather information on conflicts between recreational users and riparian landowners. Directs Division of State Lands to establish local working group to develop draft plan if pattern of conflict exists. Specifies membership of working groups. Prohibits State Land Board from directing Division of State Lands to make determination of navigability if division is developing or implementing recreational management plan.				
75.	SB 294	Wetlands; amending ORS 196.810	Sen. Ferrioli	Modifies provisions relating to permit requirements for removal and fill activities conducted within essential indigenous anadromous salmonid habitat.				
76.	SB 295	Recreational use of waterways; creating new provisions; and amending ORS 105.672	Judiciary Committee	Specifies public right to recreational use of waterways. Establishes categories of waters. Delineates extent of right of use for each category. Allows State Land Board to adopt rules governing recreational use of waterways.				

M E M O R A N D U M



METRO

DATE: February 4, 2003
TO: Council Informal
FROM: Councilor McLain
RE: Policy Areas in Solid Waste

1) RSWMP Update and Revision

Mission: Contribute to the livability and conservation of the Metro region's environmental resources by taking actions that reduce and manage the region's solid waste in an effective, economical, and environmentally sound manner.

- Update/incorporate waste reduction initiatives
- Grants
- Programs
- Partnership with industry and others
- DEQ requirements
- Performance measures
- Review full programs for target goal

2) Waste Reduction Issues

- Contamination and loss of recyclables
- 14-year program approach
- Three strands: organic, commercial, construction debris
- Programs/grants
- Multi-family

3) Solid Waste Regulation

- Certification, permit, licenses, franchises
- Clear process and pathway
- Equity of review

4) Enhancement Fee Program

- Committee criteria review – Central, Forest Grove and Oregon City
- Enhancement fee(s) based on tonnage
- New host fee(s) other facilities

5) Reserve Accounts and Rates

- Bonds – 110% covenant
- Source of revenue
- Debt – reduction
- Rate Review Committee

6) Other

- Hazardous waste fee waiver
- Strategic plan update
- Systems issues – capacity and efficiency

The Context of the Plan

The Regional Solid Waste Management Plan (RSWMP) gives the metropolitan region direction for meeting solid waste needs during the next decade (1995-2005). Population in the region is expected to increase by nearly 200,000¹ people by the year 2005. If orderly growth is to occur, our ability to provide solid waste services is critical. With growth in solid waste, the current system, already nearing capacity in some areas, is likely to be overloaded.

The region has two basic options for dealing with future solid waste: One is to provide more disposal capacity, either by building new disposal facilities, or modifying ones that already exist. The second option is to reduce the demand for disposal services by expanding existing waste reduction programs.

The complexity of developing a balanced mix of waste reduction and disposal options makes regional coordination essential. A mixture of jurisdictions and private businesses own, regulate and operate our solid waste system. Twenty-four cities, three counties, Metro, the Oregon Department of Environmental Quality, private waste haulers and private owners of solid waste facilities are involved in the system.

With the RSWMP, our region will have a unified blueprint to ensure that efforts of all parties are coordinated and that individual parts of the system function properly as a whole. The Plan will also give city and county officials a regional guide to help implement their local solid waste programs.

Why a Regional Solid Waste Management Plan?

The daily movement of solid waste in the metro area results in issues that extend beyond individual jurisdictional boundaries and creates a need for coordination and cooperation.

The RSWMP is a document that:

- Serves as a regional framework for the coordination of solid waste practices.
- Provides the region with a prioritized program of solid waste system improvements during the coming decade.
- Establishes regional solid waste goals and objectives, including a waste reduction goal and a benchmark system to monitor progress toward the goals.

¹Source: Metro Data Resource Center, May 1995. Includes growth forecasts for Clackamas, Multnomah and Washington counties.

Chapter 1

Introduction

Our region will have 200,000 more people by the year 2005. The challenge is to reduce the amount of waste or pay more and more for disposal.

The complex mix of public and private involvement in solid waste in our region makes cooperative planning essential.

The RSWMP provides the framework within which regional solid waste practices can be coordinated.

- Satisfies state law requiring the development of a waste reduction plan for the Metro region (ORS 459). Chapters 5 through 9 are the primary part of this Plan that deal with waste reduction.

Adoption of the RSWMP represents:

- Completion of a state requirement for development of solid waste management plans.
- Endorsement of the overall level of investment in solid waste facilities and programs needed to serve the region during the next decade.
- Endorsement of a set of 10-year regional priorities for improving the solid waste system.
- Endorsement of the interrelated roles of investments in disposal capacity and waste reduction and recycling efforts.
- Endorsement of the regional elements of the solid waste system and the extent of Metro's interests in the subregional systems.
- Replacement of the 1988 Regional Solid Waste Management Plan including its amendments: Waste Reduction Chapter, Plan Development and Amendment Chapter, Special Waste Chapter, Yard Debris Plan, Local Government Facility Siting Standards, Illegal Dumping Chapter, Metro West Transfer and Material Recovery System Chapter and Household Hazardous Waste Chapter.

Landfill capacity has diminished as a primary issue. It has been replaced by the issues of transfer station capacity, waste reduction, flow management and financing.

There are several solid waste management areas in which long-term recommendations have not yet been fully developed and integrated into the Plan. These are:

- Household hazardous waste
- Disaster debris management
- Illegal dumping
- Local government land-use facility siting policies

Incorporation of these elements into the 1995-2005 RSWMP is expected to be completed during FY 1995-96. Information in the previous RSWMP regarding illegal dumping and facility siting policies should continue to be referred to for guidance until this work is completed.

Solid Waste Issues Addressed by the Plan

Since the start of this region's cooperative solid waste planning efforts, the issues have grown in complexity. The initial emphasis

was on siting and ownership of landfills and transfer stations. The majority of coordination occurred among Metro, local governments and the state to solve the immediate problem caused by the closure of St. Johns Landfill in North Portland. During the late 1980s, a waste reduction plan was developed that was designed to lead the region to a recycling level of more than 50 percent.

The issues faced by the region now are substantially different. With more than 15 years remaining on the existing contracts for transport and disposal of much of the region's waste at Columbia Ridge Landfill, landfill capacity is not a crisis issue (of course, conserving landfill capacity remains a high priority). The long-term capacity of the existing transfer system to handle the region's growth is more of a key issue in 1995. In particular, can waste reduction practices be implemented that forestall the need for additional transfer capacity?

Although there has been significant progress overall in waste reduction, many difficulties were experienced with large-scale "post-collection" recovery technologies that were to be substantial contributors to the region's long-term recycling goals. The goal now is to build on these experiences to best manage the region's waste during the next 10 years.

Funding and solid waste rates are also more of an issue than they were in the 1980s. Essentially all Metro solid waste activities are paid for through tip fees collected at disposal sites. As certain users take actions to avoid the high cost of disposal, the cost of Metro's waste reduction programs, hazardous waste management, solid waste planning and other non-disposal activities are paid by fewer and fewer ratepayers. Is there a more equitable and stable way to pay for certain solid waste services? Does the revenue system send the right "signals" to consumers and others to help accomplish policy objectives such as waste prevention?

Metro's Role in Solid Waste Planning

Metro is responsible for solid waste planning within the tri-county region of Multnomah, Washington and Clackamas counties. Following is a summary of the legislative authority under which Metro has developed the RSWMP. Metro's authority to develop an RSWMP derives in part from ORS 459.017 (b), which states that "local government units have the primary responsibility for planning for solid waste management." Metro was designated the local government unit responsible for solid waste planning for the local area under State of Oregon Executive Order 78-16.

The RSWMP was adopted by Metro to be a functional plan as specified in ORS 268.390. A functional plan is one that sets out detailed information, policies and standards for a specific function of government, such as transportation, water resources or solid waste. In addition, ORS 459.095 states that local government solid

Metro is the local government unit responsible for solid waste planning within the urban portion of the tri-county region.

waste contracts, resolutions and ordinances must be consistent with the Plan. Metro is also required by ORS 459.055 and ORS 459.340 to develop and implement a waste reduction program.

The Regional Solid Waste Management Plan formally establishes Metro's and local governments' commitments to a waste reduction program for the next ten years. While all local governments, including cities, counties and Metro have solid waste management authority, Metro is specifically responsible for preparing, adopting and enforcing the regional plan.

Every local government within the metro region has an obligation to be actively involved in the implementation of the Plan's waste reduction efforts. The Plan ensures local government adoption of the Plan's waste reduction recommendations through an annual review and approval process of local governments annual waste reduction work plans.

It is expected that local governments will voluntarily participate in this process since availability of Metro Challenge funds are contingent on this approval. However, in the event a local government decides not to participate in the process or to adopt or fail to adopt waste reduction practices consistent with the Plan, Metro will take appropriate action to ensure that the jurisdiction fulfills its waste reduction obligations.

In 1994 Oregon adopted a statewide solid waste management plan. This plan includes the statement that "local jurisdictions should prepare and regularly update solid waste management plans."

The Organization of the Regional Solid Waste Management Plan

The Introduction has provided the planning, statutory and decision-making context of the RSWMP. The remaining chapters are organized as follows:

- Chapter 2 provides background information on the metro region including a recap of key solid waste legislation, a discussion of Metro and local government roles in delivering services and a discussion of current solid waste practices in the region.
- Chapter 3 includes projections about the future growth of the region and how that growth could affect the solid waste system.
- Chapter 4 summarizes the current key issues relating to waste reduction, transfer stations, other solid waste services and

facilities (including household hazardous waste), revenue equity and stability and changing collection and disposal technology.

- Chapter 5 states the goals and objectives to be accomplished by adoption of the new regional plan. Goals and objectives are included for the entire solid waste system: solid waste facilities (such as transfer stations, landfills and recovery facilities), waste reduction, the revenue system and household hazardous waste.
- Chapter 6 outlines an implementation plan for the solid waste practices recommended in Chapter 7.
- Chapter 7 contains recommended solid waste practices for the next 10 years regarding waste reduction, waste transfer and disposal and household hazardous waste that will achieve the RSWMP goals and objectives.
- Chapter 8 describes possible planning solutions to achieve an equitable and stable Metro solid waste financing system that will achieve the RSWMP goals and objectives.
- Chapter 9 describes the future performance of the solid waste system once the recommended practices are implemented. Included are target benchmarks and a description of a system measurement program for monitoring plan performance that includes periodic waste characterization studies and recycling level surveys.
- A glossary of terms and technical appendices are provided at the end of this document.

Year 13 (FY 2002-03)

Metro and Local Government Partnership Plan for Waste Reduction

A. Background:

Since 1990, Metro and its local government partners have developed cooperative plans to implement the region's waste reduction and recycling programs.

These plans, implemented by both Metro and local governments, are designed to:

- build on the foundation of the Regional Solid Waste Management Plan,
- contribute to accomplishing state and regional waste reduction goals,
- provide regional continuity among the various local government and Metro programs.

Through this and other programs, Metro and local governments have worked together to provide programs and services including:

- single and multi-family residential recycling services,
- curbside yard debris collection,
- home composting education,
- waste reduction consultations to businesses,
- in-school programs for students and teachers,
- hazardous waste public outreach and education, and many other valuable programs and services.

Despite demonstrated successes in the residential sector, findings from the State of the Regional Solid Waste Management Plan Report indicated a need to place more emphasis and resources on three critical areas: Commercial waste reduction and recycling; construction and demolition debris management; and recovery of organic wastes. Substantial changes were made to the Annual Plan during 1999-2000, with the Year 11 (2000-01) Plan as the inaugural year for the new format. Year 13 begins the third year of this new structure, a focused approach to the three critical areas (commercial, organics and C&D) and continued support and maintenance of existing regional programs.

In rethinking the manner in which programs are planned and implemented, Metro, DEQ and local government partners chose to take a true team-oriented approach to developing new programs and initiatives. Intergovernmental work groups were formed to plan the new strategies and will implement and measure these new strategies as a team—a truly regional effort. Local jurisdictions and Metro will also continue to maintain and report on independent activities.

This plan brings together three integral pieces of the region's waste reduction and recycling system: New and focused efforts to recover more from the commercial, construction/demolition debris (C&D) and organics sectors; continuation of competitive grants for innovative waste reduction programs; and the maintenance of programs that form the foundation of the region's recycling infrastructure.

B. Plan Structure and Format:

The Year 13 Partnership Plan is divided into the following three program areas:

- Part I: New Initiatives in Commercial, C&D, and Organics
- Part II: Targeted Competitive Grant Program
- Part III: Maintenance Programs

Part I is composed of initiatives in the three focus areas: Commercial, C&D, and commercial organics. These initiatives, now in their third year of implementation, form the core of the work and activities to be implemented in the region. Each of the three programs was identified as lagging in recovery levels necessitating intensive, focused planning and implementation efforts over the next few years.

Part II provides competitive grant funds and a structure to target RSWMP practices that are not otherwise addressed in other program plans and for which other sources of funding are not available. This portion of the program also seeks to support creative methods for addressing solid waste issues. Each year, an area or areas of focus will be developed based upon targeted needs or regional priorities.

Part III tracks the backbone of established programs in the region that must be continually maintained by local government and Metro services. These programs form the foundation of the region's waste reduction and recycling system and include single and multi-family residential recycling services, regular outreach and education to all residents and businesses, school education programs, household hazardous waste education and outreach, home composting programs, and regional planning support.

C. Link to the Regional Solid Waste Management Plan Recommended Practices:

The Regional Solid Waste Management Plan (RSWMP) presents a set of recommended solid waste management practices designed to meet the overall goal of the RSWMP: Continue to develop and implement a Solid Waste Management Plan that achieves a regionally balanced, environmentally sound and publicly acceptable solid waste system.

The RSWMP recommended practices embody six broad, integrated strategies:

1. Invest in waste reduction before building additional transfer and disposal capacity.
2. Expand the opportunity to recycle.
3. Emphasize the waste reduction hierarchy.
4. Maintain flexibility and encourage innovation.
5. Set interim target dates, define roles and responsibilities, and focus on implementation issues.
6. Advance cost-effective practices for managing the region's waste.

The RSWMP-recommended practices were developed for particular areas of the solid waste system: Residential waste reduction, business waste reduction, building industries waste reduction, solid waste facilities regulation and siting, and transfer and disposal facilities.

Specific activities in this annual partnership plan will be tied to the recommended practices through the annual State of the Regional Solid Waste Management Plan Report published by Metro at the end of each calendar year. The Year 13 Partnership Plan addresses all areas of the RSWMP recommended practices through maintenance of established programs, a new emphasis on commercial waste reduction and recycling, construction & demolition debris recovery, and commercial organic waste reduction and recovery.

D. Measurement and Evaluation:

Each of the three sections in this partnership plan for waste reduction has an independent progress measurement and reporting scenario tied to the specific tasks involved. At the end of the fiscal year, progress reports for each section will be produced independently. These reports, combined with other important measures such as the State of the Regional Solid Waste Management Plan Report and the Annual DEQ Recycling and Recovery Report will be combined and used to assess regional waste reduction and recycling progress. See Appendix A, attached.

Appendix A
Performance Measures Overview

**Metro and Local Government Partnership Plan for Waste Reduction-Year 13
FY 2002-2003**

Evaluation is built in to all programs and projects managed and implemented in the Waste Reduction Division. In addition, several measures are built in to the budget. In recent months, new performance measures have been designed, developed and built in to the Partnership Plan for Waste reduction specifically to address concerns brought forth during the plan review last fiscal year.

Staff's goal for the new performance measures was to develop meaningful and appropriate quantitative monitoring techniques for each Partnership Plan category and sub-category. Meaningful and appropriate measures are defined as those which:

- reflect specific objectives, program elements and outcomes;
- provide data to assist in evaluating existing program elements and developing new program elements; and
- require a limited amount of resources to implement so that the cost of measurement does not exceed that of the programs themselves.

These overall and category-specific measures are listed in the tables that follow.

Overall Program Goals and Performance Measures

Long-term goal
<ul style="list-style-type: none"> • To reduce the amount of materials generated and disposed in the Metro watershed.
Secondary goals
<ul style="list-style-type: none"> • To develop and implement new, focused Metro and local government waste prevention and recycling programs aimed at the largest waste substreams via Waste Reduction Initiatives. • To target special waste prevention and recycling areas for increased attention via targeted competitive grants. • To maintain and increase existing Metro and local government waste prevention and recycling programs via foundation support grants.
Measurement (effectiveness)
<ul style="list-style-type: none"> • Increased regional recovery in total and by RSWMP recommended practice determined by total tons and per capita tons recovered and disposed. [DEQ recovery and disposal data; DEQ waste composition study (bi-annual); State-of-the-Plan Report.]

Each of the three sections in the Partnership Plan for Waste Reduction has an independent progress measurement and reporting scenario tied to the specific tasks involved. At the end of the fiscal year, progress reports for each section will be produced independently. These reports, combined with other important measures such as the State of the Regional Solid Waste Management Plan Report and the Annual DEQ Recycling and Recovery Report will be combined and used to assess regional waste reduction and recycling progress.

Performance Measures Overview Program Breakdown

Waste Reduction Initiatives				
Initiative	Objectives	Method	Measurement (accountability)	Measurement (effectiveness)
<u>Organics</u>	<ol style="list-style-type: none"> 1. Reduce the generation of organic wastes through waste prevention. 2. Recover an additional 52,000 tons of organics. 	<ol style="list-style-type: none"> 1. Increase donation of edible food to food rescue agencies. 2. Develop processing infrastructure for food waste. 	<ol style="list-style-type: none"> 1. Work group will complete 90% of its annual work plan. 	<ol style="list-style-type: none"> 1. Increased capacity for donation of edible food and increased levels of donation (increases reported by food rescue agencies). 2. Increased organics processing infrastructure (number of facilities and tons processed per facility).
C&D	<ol style="list-style-type: none"> 1. Reduce generation of C&D wastes through waste prevention. 2. Recover an additional 130,000 tons of C&D materials. 	<ol style="list-style-type: none"> 1. Increase salvage and deconstruction of usable building materials. 2. Increase source-separated recycling and post-collection recovery of C&D. 	<ol style="list-style-type: none"> 1. Work group will complete 90% of its annual work plan. 	<ol style="list-style-type: none"> 1. Increased salvage and deconstruction of C&D (reported by used building material infrastructure). 2. Increased recovery of C&D materials (determined by DEQ data, Metro facility reports, survey of contractors).
Commercial	<ol style="list-style-type: none"> 1. Reduce the generation of commercial wastes through waste prevention. 2. Recover an additional 168,000 tons of commercial materials. 	<ol style="list-style-type: none"> 1. Increase business waste prevention practices and diversion. 2. Increase opportunity to recover commercial materials. 	<ol style="list-style-type: none"> 1. Work group will complete 90% of its annual work plan. 	<ol style="list-style-type: none"> 1. Increased waste prevention activities in businesses via targeted projects (diversion, participation). 2. Increased technical assistance to businesses for waste prevention, recovery & buy recycled (baseline data and follow-up visits). 3. Increased recovery of commercially generated materials (DEQ data).

Targeted Competitive Grants

Objective	Method	Measurement (accountability)	Measurement (effectiveness)
1. Target RSWMP recommended practices and waste reduction initiative efforts not addressed in other program areas.	1. Targeted competitive grants.	1. Grant recipients will identify and undertake specific recycling or waste prevention projects (verified by progress and final reports by grant recipients that describe the planned and actual activities for each grant; annual report produced by REM staff summarizing results of all grants).	1. Each grant application and resulting scope of work will identify goals, objectives, activities, measurement and anticipated results. Data are submitted in a final report to Metro 30 days after project completion.

Foundation Support/Maintenance Programs

Objectives	Method	Measurement (accountability)	Measurement (effectiveness)
1. Maintain and increase recovery through existing local government waste reduction and recycling programs. 2. Continue to ensure region is meeting (and exceeding) required state program elements for waste reduction and recycling programs. 3. Provide an incentive for local governments to participate in regional waste reduction planning activities.	1. Per-capita grant allocations to participating jurisdiction within the region.	To be provided in annual reports to Metro: 1. Local governments will identify and undertake a specific curbside recycling outreach activity for an existing program. 2. Local government representatives will participate in at least one regional waste reduction planning group (larger jurisdictions will tend to participate in more than one group). 3. Local governments will provide jurisdictional solid waste and recycling budget information.	1. Maintained or increased curbside recovery (total tons per capita recovered and disposed as reported by DEQ recovery and disposal data annual report and bi-annual waste composition study).

HISTORY OF METRO'S WASTE REDUCTION ASSISTANCE TO LOCAL GOVERNMENTS

1990:

Annual Waste Reduction Program for Local Government (AWRP) adopted by res: 90-1246. Was designed to help fund the establishment and implementation of WR programs as dictated to Metro by state EQC unilateral order to Metro (SW-WR-89-01) and RSWMP. Original funding was \$681,000 and allocated per capita to make sure it was equitable. the \$681 K was the estimated avoided disposal savings the region would recognize if we were to meet our 50% goal. Most of the \$\$ went to hiring WR staff, providing basic outreach.

We also had a matching grant program begun in that year for MF recycling container systems and residential curbside containers (\$500K) This was a short-term program (2-3 yrs)

1996:

RSWMP adopted, and AWRP was incorporated into the plan. Measurement of effectiveness was to be determined by benchmarks established in the RSWMP. The importance of continuing to support local gov per capita grants for foundation/maintenance programs was emphasized as without the curbside service and outreach, we cannot reach goals. Local governments have primary responsibility for collection programs, AWRP designed as a framework to guide programs and allow local flexibility for differing local circumstances.

1997:

Auditor reviewed the program and recommended that it be seen as a modified form of revenue-sharing rather than a grant program as it is traditionally listed in the budget (as it does not fit the standard "grant administration profile"). A white paper was written about the program and suggested three alternatives to changing how it is administered.

1. retain existing ,improve measurement, define as "revenue sharing"
2. transition to 100% competitive grant (rejected as unfair to smaller jurisdictions that did not have the staff or other resources to compete with larger jurisdictions for funding, and goal was to find most equitable way to share revenue collected per capita by Metro for recycling and WR programs).
3. hybrid program of revenue sharing and competitive
The hybrid was adopted and \$184,000 was diverted into a competitive grant program. This allowed for jurisdictions of all sizes to still receive basic support funding per-capita, but also rewarded innovative and progressive programs that would boost recovery further. Spent significant time and resources "revamping" the program during this FY)

1998-99: (Year 9)

New hybrid program implemented. Also continued to examine different methods of \$\$ allocation (such as block grants).

1999-2000: (Year 10)

Final year of current format used (Year 10). New format developed for Yr 11 as direct response to Councilor McLain's request. Shifted to a focus on the three WR Initiatives. Substantive changes to program made for implementation in Yr 11.

2000-01 (Year 11): Plan significantly changed. Streamlined maintenance section and incorporated 3 new WR initiatives. Added performance measures, retained per-capita and competitive portions. Council agreed on the importance of maintenance support and also agreed to the performance measures implemented.

2001-02 (Year 12): Performance measures refined, first year for report (utilizing performance measures adopted by council)

Other:

Local governments have matched the per capita funds at ratios ranging from a low of 2:1 to a high of 10:1.

Funding history: Note that funds have not increased over time, in fact they have decreased (in some years significantly). Funds do not keep up with rate of inflation or CPI. In the scheme of things LGs receive a lot less "value" in the \$\$ than they used to. We just started adding in CPI here and there.

YR 1: \$681,000

YR 2: \$681,000

YR 3: \$360,900 (big WR budget cut year)

YR 4: \$350,000 (big WR budget cut year)

YR 5: \$447,624

YR 6: \$550,000

YR 7: \$600,000

YR 8: \$600,000

YR 9: \$600,000

YR 10: \$600,000

YR 11: \$600,000

YR 12: \$618,000 (added in 3% CPI adjustment for the first time)

YR 13: \$618,000

YR 14 proposed: \$ 636,540 (3% CPI increase)

Competitive grant has ranged from a high of \$200K to low of \$185K.

Regulatory Framework for Solid Waste Activities

Regulatory Tools

Solid Waste Activities

	Inside Metro Region				Outside Metro Region	
	Exemption	Certificate	License	Franchise	Non-System License (NSL)	Designated Facility Agreement (DFA)
Inside the Metro Region¹						
<i>Minimum Regulatory Oversight</i>						
▪ Non-putrescible source separated recycling	X					
▪ Processing petroleum contaminated soil		X				
<i>Moderate Regulatory Oversight</i>						
▪ Yard debris reloading			X			
▪ Yard debris composting			X			
▪ Material recovery			X			
<i>Maximum Regulatory Oversight</i>						
▪ Food waste composting				X		
▪ Local Transfer Station ²			X	X		
▪ Regional Transfer Station				X		
Outside the Metro Region³						
▪ Hauling solid waste to a facility ⁴ outside the region.					X	
▪ A landfill or facility outside the region accepting waste from the region.						X

¹ Refer to Metro Code Chapter 5.01

² A Local Transfer Station is franchised if direct hauling putrescible waste to Columbia Ridge.

³ Refer to Metro Code Chapter 5.05.

⁴ To a facility without a Designated Facility Agreement (DFA) with Metro.

02040321-06

Summary of Regulatory Tools

Regulatory Tools		Purpose	Approval	Status	Issues
Inside Region	▪ Certificate	Minimum regulatory oversight.	✓ No Council approval required.	One certificate has been issued.	Review the regulatory process and criteria for decision-making (issuance of solid waste regulatory instruments).
	▪ License	Moderate regulatory oversight.	✓ Requires Council approval (via resolution).	19 licenses have been issued.	
	▪ Franchise	Maximum regulatory oversight.	✓ Requires Council approval (via ordinance).	5 franchises have been issued.	
Outside Region	▪ Non System License (NSL)	Grants authority to a hauler to transport waste outside the region (to a facility without a DFA) ¹ . Collect fees & taxes.	✓ No Council approval required.	18 NSLs have been issued.	Under what conditions should Metro approve or deny wet waste NSLs? Should NSLs require Council approval? Should NSL approval criteria be revised?
	▪ Designated Facility Agreement (DFA)	Grants authority to a facility located outside the region to accept waste generated from inside the region ² . Collect fees and taxes.	✓ Requires Council approval (via ordinance).	5 DFAs have been issued. 1. Columbia Ridge Landfill 2. Grabhorn/Lakeside Landfill 3. Hillsboro Landfill 4. Finley Buttes Landfill 5. Roosevelt Landfill	Should new types of designated facilities be subject to the same Metro Code provisions as in-region facilities of a similar type (e.g., for MRFs: recovery rate, inspection/audit, fines)?

¹ Metro Code 5.05.025 prohibits unlicensed transport of solid waste generated from within the region.

² Metro Code Section 5.05.027 states that a license is not required to transport solid waste to designated facility of the system.



Place
stamp
here

Metro Central Enhancement Committee
c/o Metro
600 NE Grand Ave.
Portland, OR 97232-2736

020403ci-07

METRO CENTRAL STATION

Community Enhancement Grants

2002-2003



*Enhancement grants support
an internet center at Friendly House.*



METRO
PEOPLE PLACES
OPEN SPACES

Since 1985, when the community enhancement grants program was established, Metro has invested more than \$6 million in projects that benefit areas directly affected by Metro's garbage disposal facilities. Projects that help protect the nature of our region involve hundreds of people in community improvement efforts.

One of four enhancement grant target areas, the Metro Central program attempts to compensate the community affected by Metro Central Station, the garbage transfer station at 6161 NW 61st Ave., Portland. The enhancement fund is provided by a 50-cent per ton surcharge collected on garbage disposed of at the station.

Some 160 projects have been funded to date. Grant awards that benefit residents and the natural habitat in the area include:

- track rehabilitation at Skyline Elementary School
- landscaping and beautification in Linnton and at I-405 and Northwest 23rd Avenue
- a Latino cultural and resource center in St. Johns
- multicultural performances in area schools
- a pedestrian/bicycle safety and landscape "gateway" project for Highway 30
- outdoor play structure at Friendly House
- auditorium refurbishment at James John Elementary School
- full-day kindergarten program for low-income students
- Forest Park ivy removal/restoration
- tutorial and reading programs
- musical events in Cathedral Park.

About the committee

The purpose of the Metro Central Enhancement Committee is to:

- Develop a program for administering the funds generated by enhancement fees at Metro Central Station. (Currently there is approximately \$190,000 available in the trust fund for projects.)
- Promote enhancement programs through neighborhoods, civic organizations and associations, the businesses of the area and environmental groups that have or will have an interest in the enhancement area.
- Solicit project proposals from the community.
- Solicit and fund projects on an annual basis.
- Evaluate performance of funded projects and prepare an annual report.
- Solicit public review and comment pertinent to enhancement programs.

Rex Burkholder, the Metro councilor from District 5, chairs the six-member committee. Five members are nominated from their respective neighborhood associations: Forest Park Neighborhood Association, Friends of Cathedral Park Neighborhood Association, Linnton Neighborhood Association, Northwest District Neighborhood Association and Northwest Industrial Neighborhood Association. One member represents environmental groups. Members are appointed by Metro Executive Officer Mike Burton and confirmed by the Metro Council.



How does an organization qualify for a grant?

Projects submitted for funding must directly benefit the Metro Central grant target area. Priority is given to projects or programs that best meet the criteria listed below and benefit the area most directly impacted by Metro Central Station.

Proposals are accepted only from nonprofit organizations including, but not limited to, a neighborhood association or a charitable organization with 501(c)(3) status under the Internal Revenue Code.

What criteria will be used to choose projects for funding?

The fund is to be used to create real changes in the community that may also improve neighborhood image. The committee will consider projects that meet one or more of the following goals (the order of the list does not imply ranking nor weighting):

- rehabilitation, upgrading or direct increase in the real and or personal property owned or operated by a nonprofit organization with Internal Revenue Code 501(c)(3) status
- the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas; improved public awareness of these resources and opportunities to enjoy them
- improvement to, or increase in, recreational areas and programs
- improvement in the safety of the area
- improvement of the appearance, cleanliness or environmental quality of the area neighborhood
- benefits to youth and seniors
- benefits to low-income persons
- recycling opportunities.



What is the Metro Central enhancement area boundary?

The boundary generally encompasses the neighborhoods of Forest Park, Cathedral Park, Linnton, Northwest District Association and the Northwest Industrial areas. It begins at the intersection of Newberry Road with the shore of the west bank of the Willamette River; proceeds south along the west bank to Interstate 405 at the Fremont Bridge; south on Interstate 405 to Pettygrove Street; west on Pettygrove Street onto Cornell Road; west on Cornell Road to Northwest Thompson Road; north on Northwest Thompson Road to Skyline Boulevard; north on Skyline Boulevard to Newberry Road and east on Newberry Road to the shore of the west bank of the Willamette River.

The program area also includes the St. Johns Bridge and an area bounded by the shore of the east bank of the Willamette River to Baltimore Street; east on Baltimore Street to Lombard Street; south on Lombard Street to Richmond Street; and west on Richmond Street to the shore of the east bank of the Willamette River.

How can I learn more?

Applications are due

5 p.m. Wednesday, Jan. 22, 2003
Metro Regional Center
600 NE Grand Ave.
Portland, OR 97232-2736

For more information about guidelines for submitting proposals, the workshop, application, or speaker to address your organization, call the Metro community enhancement office at (503) 797-1506 or (503) 797-1643. Information and the application are posted on Metro's web site, www.metro-region.org

Metro

People places • open spaces

Metro serves 1.3 million people who live in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area. The regional government provides transportation and land-use planning services and oversees regional garbage disposal and recycling and waste reduction programs.

Metro manages regional parks and greenspaces and owns the Oregon Zoo. It also oversees operation of the Oregon Convention Center, the Portland Center for the Performing Arts and the Portland Metropolitan Exposition (Expo) Center, all managed by the Metropolitan Exposition Recreation Commission.

For more information about Metro or to schedule a speaker for a community group, call (503) 797-1540.

Metro's web site: www.metro-region.org

Your Metro representatives

Executive Officer – Mike Burton; Auditor – Alexis Dow, CPA; Metro Council – Presiding Officer Carl Hosticka, District 3; Deputy Presiding Officer Susan McLain, District 4; Rod Park, District 1; Bill Atherton, District 2; Rex Burkholder, District 5; Rod Monroe, District 6; David Bragdon, District 7.

For more information

Please send me information about:

- dates and guidelines for submitting proposals
- a speaker to address my organization
- grant applications

Other _____

Name _____

Organization _____

Address _____

Phone _____

E-mail _____



A G E N D A

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



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
 DATE: February 6, 2003
 DAY: Thursday
 TIME: 2:00 PM
 PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. AUDITOR COMMUNICATIONS

- Presentation of the Comprehensive Annual Financial Report (CAFR)

4. CONSENT AGENDA

- 4.1 Consideration of Minutes for the January 30, 2003 Metro Council Regular Meeting.

5. RESOLUTIONS

- 5.1 **Resolution No. 03-3274**, For the Purpose of Eliminating Unclassified Job Classifications of Council Assistant I, Council Assistant II, Council Assistant III, and Council Clerk/Administrative Analyst; adding new classified job classifications of Council Support Specialist and Council Clerk; and Placement of Council Assistant I duties as revised on the Existing Classified Job Classification of Administrative Assistant II. Park
- 5.2 **Resolution No. 03-3277**, For the Purpose of Confirming Tim Crail as a Citizen Alternate for Multnomah County to the Metro Policy Advisory Committee (MPAC). Burkholder

6. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for February 6, 2002 Meeting (PCA)

	Sunday (2/9)	Monday (2/10)	Tuesday (2/11)	Wednesday (2/12)	Thursday (2/6)	Friday (2/7)	Saturday (2/8)
CHANNEL 30 (TNTV) (Washington County, Lake Oswego)							
CHANNEL 30 (CityNet 30) (most of City of Portland)		2:00 PM					
CHANNEL 30 Willamette Falls Television (West Linn, Rivergrove, Lake Oswego)	4:00 PM						10:00 AM
CHANNEL 23/18 Willamette Falls Television (23 -- Oregon City, West Linn, Gladstone; 18 -- Clear Creek)	4:00 PM						10:00 AM
CHANNEL 23 Milwaukie Public Television (Milwaukie)			10:00 AM 9:00 PM				

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.

<i>Portland Cable Access</i>	www.pcatv.org	<i>(503) 288-1515</i>
<i>Tualatin Valley Television</i>	www.tvca.org	<i>(503) 629-8534</i>
<i>Willamette Falls Television</i>	www.wftvaccess.com	<i>(503) 650-0275</i>
<i>Milwaukie Public Television</i>		<i>(503) 652-4408</i>

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).

020403ci-09

From: Brenda Bernards
To: David Bragdon
Date: 2/4/03 2:13PM
Subject: City of Beaverton - proposal to allow vehicle storage in Station Communities

David,

Attached is a draft letter, for your review and signature, to Mayor Drake. The City received a request for an amendment to the Station Community zoning to allow vehicle storage as a conditional use in station communities.

The Beaverton staff recommended denial of the application. I wrote a letter supporting the staff position. The Beaverton Planning Commission recommended denial to the Beaverton City Council. The Beaverton City Council had the option to adopt the recommendation without a hearing but decided instead to hold a public hearing on the matter.

The attached letter reiterates the Metro position that this application should be denied as the storage of vehicles is not conducive to a compact, walkable, mixed-use station community.

The public hearing on the matter will be held on February 10, 2003.

Brenda

Brenda Bernards, AICP
Senior Regional Planner
Planning
Metro
600 NE Grand Ave
Portland OR 97232
(503) 797 1736
bernardsb@metro.dst.or.us

CC: Jeff Stone - Council; Mary Weber; Pat Mannhalter; Richard Benner

February 4, 2003

The Honorable Rob Drake
Mayor of the City of Beaverton
P. O. Box 4755
Beaverton, OR 97076-4755

Dear Mayor Drake:

Re: TA 2002-0006 (Precision Holdings, LLP Chapter 20 Text Amendments)

With this letter, I would like to reiterate Metro's support of the Beaverton staff and the Beaverton Planning Commission's recommendation to deny this application.

The Station Communities designated on the 2040 Growth Concept map are a key element of the success of the region's vision for managing growth. As an active participant in shaping Metro policy direction, I know you share this vision. The Station Communities are mixed-use, pedestrian friendly areas generally within a one-quarter to one-half mile radius of a light rail station. These areas are characterized by higher densities such as the Station-Community-High Density district which supports the major public investment this region has made in the Westside Light Rail Line.

The City has worked hard to put in place a framework for achieving the densities and mix of uses to create a pedestrian friendly, transit supportive districts. The addition of storage yards for vehicles as a conditional use will not promote the desired high density, pedestrian-oriented development that would support the high level of transit service available in the Station Communities. I urge the Beaverton City Council to deny this application.

Thank you for the opportunity to comment on the Precision Holdings, LLP proposed Chapter 20 text amendment. Please include this letter in the record on this matter.

Sincerely,

David Bragdon.
Metro President