

MINUTES OF THE METRO COUNCIL MEETING

Thursday, August 18, 2005
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Robert Liberty, Rex Burkholder, Rod Park, Brian Newman

Councilors Absent: Carl Hosticka (excused)

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

1. INTRODUCTIONS

Councilor Newman introduced Mayor Judie Hammerstad, Lake Oswego.

2. CITIZEN COMMUNICATIONS

There were none.

3. MEASURE 37 TASK FORCE REPORT

Councilor Liberty said the Council was now receiving a report from the Measure 37 Task Force. He explained task force goals and membership. He noted Council liaisons were Councilor Hosticka and himself. He thanked the committee for their contributions and acknowledged Lydia Neill's staffing work for the Task Force.

Judie Hammerstad, Measure 37 Task Force Chair, provided an overview of her report on the Measure 37 Task Force Recommendation to the Metro Council (a copy of which is included in the meeting record). She noted that the work they did on the task force was both interesting and challenging. They were not there to debate the measure. Their charge was to assess the impact of Measure 37 on the 2040 Growth Concept. She spoke of the variety of claims that had been received. She explained why the true impact of the Measure couldn't be assessed.

Councilor Liberty asked about access to water and sewage disposal. Chair Hammerstad responded to his question. She spoke to the difficulties of transfer of development rights. She noted the cumulative impacts on the environment. Councilor Newman asked about the sewage treatment standards. Chair Hammerstad responded to his question. Councilor Park asked about density and reserve sewer capacity. Chair Hammerstad responded to his question and talked about properties inside versus outside the Urban Growth Boundary. She talked about farm and forestlands and the request to use agricultural lands instead of farm and forestlands. She suggested forwarding this report to Metro Policy Advisory Committee (MPAC). She also noted possible funding mechanisms. She said Councilor Liberty was eager to start a work group to address some of the Task Force's recommendations. She spoke to long-term recommendations.

Sheila Martin, Director of Institute of Portland Metropolitan Studies, thanked Chair Hammerstad for her efforts and looked forward to working on the work group. Jim Chapman, Home Builders Association said they favored planning. Keith Fishback, Farm Bureau, said the unplanned development in the rural areas were of no benefit to the agricultural community. David Whitehead, Realtor Association, said they felt this was a great start on helping solve a problem that could be quite serious. He suggested conservation zones and clustering would be worth more study. Councilor Park talked about road

impacts. Chair Hammerstad said they didn't examine transportation issues in detail. She also talked about prime farmland versus farmland that wasn't as good of quality. Mr. Fishback talked about preservation of farmland. Councilor McLain said she felt this was a good start for the Metro Council. She talked about timing issues that MPAC needed to discuss. She thanked the entire Task Force for their work. Mr. Fishback said they talked about timing and the need to act quickly. Chair Hammerstad felt that the water and sewer issues needed to be studied right away. Councilor Newman commented on urban services. Chair Hammerstad added her comments about urban services.

Al Burns, City of Portland Planning Bureau, 1900 SE 4th Portland OR 97214, thanked the committee for their efforts. He noted City of Portland's concerns about cost of services. He suggested a member of the work group be an expert at the cost of providing services.

Councilor Burkholder talked about the cost of services and who should bear those costs. He urged the work group address this issue.

Councilor Liberty closed by saying he appreciated the clarity that Mayor Hammerstad presented the recommendations. He spoke to how to pay for some of the claims while maintaining the integrity of the Urban Growth Boundary.

4. ELIMINATE OR REVISE THE REGIONAL SYSTEM FEE CREDIT PROGRAM

Alexis Dow, Metro Auditor, introduced Debbie DeShay who would summarize the report on the Regional System Fee Credit Program. Ms. DeShay provided a power point presentation on her report (a copy of which is included in the meeting record). The report included recommendations about the program. She explained the primary reasons why the program should be eliminated. She suggested other approaches that may be more effective for recovery of waste. She provided some suggestions on how to substantially revise the program.

Councilor McLain talked about the inert issue and what definition they had utilized. Ms. DeShay said she used the definition from the State. Mike Hoglund, Solid Waste and Recycling Director, said they also used the State definition. Councilor McLain said if weight was an issue, it would seem that they would have to accept what the State had approved. Ms. Dow responded to her question. Councilor McLain said they had been revising the program over the last several years. Ms. DeShay talked about steps in the right direction. Councilor Newman echoed Council President Bragdon's comments. He asked about discrepancies in waste reported. Ms. DeShay said the haulers reported to different governmental agencies while the facilities reported to Metro. Mr. Hoglund talked about the different agencies and reporting differences. He felt the Auditor's suggestion about upping the inspections was a good recommendation. He talked about phasing out the program. Councilor Park appreciated the report. It pointed out some of the disconnects in the program. He spoke to the history of the program. He asked about their suggestions during the transitions. Ms. DeShay said phasing out was dependent upon the goals of the program. Ms. Dow commented on the program and meeting the goals of recovery. Councilor Park said he would appreciate continued monitoring of the program in the next steps.

Council President Bragdon said one thing they didn't comment on bears noting which was Management's response. Management had accepted the Auditor's recommendations and was working on changes. He asked about administrative costs and was their additional savings that could be considered. Ms. DeShay said there were potential additional savings. She felt there were other avenues that may boost recovery.

Councilor Liberty thanked them for the report. He asked about the management response to eliminate and revise. Mr. Hoglund responded that they were trying to roll out a new program that would replace it. Councilor Liberty wondered if it was timely to eliminate the program right now. Ms. Dow added her comments about developing the new programs. Councilor Burkholder provided some information to the audience about the solid waste system and the direction Council was going. .

5. CONSENT AGENDA

5.1 Consideration of minutes of the August 11, 2005 Regular Council Meetings.

5.2 **Resolution No. 05-3609**, Considering an Amendment to Metro Contract No. 925846, For Personal Services For Providing Ortho-Rectified Imagery.

Motion:	Councilor Burkholder moved to adopt the meeting minutes of the August 11, 2005 Regular Metro Council, Resolution No. 05-3609.
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Vote:	Councilors Burkholder, Liberty, Park, Newman, and Council President Bragdon voted in support of the motion. The vote was 5 aye, 1 abstain the motion passed with Councilor McLain abstaining from the vote..
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6. ORDINANCES – FIRST READING

6.1 **Ordinance No. 05-1090**, For the Purpose of Amending the FY 2005-06 Budget and Appropriations Schedule For Reorganization of the Council Staff, Adding One Administrative Assistant FTE, Providing For Building Needs, and Declaring an Emergency.

Council President Bragdon assigned Ordinance No. 05-1090 to Council.

7. ORDINANCES – SECOND READING

7.1 **Ordinance No. 05-1086**, For the Purpose of Amending the Regional Framework Plan in Order to Bring it up to Date and Make it More Usable By Citizens of the Region.

Motion:	Councilor Liberty moved to adopt Ordinance No. 05-1086.
Seconded:	Councilor Newman seconded the motion

Councilor Liberty explained the changes in the Regional Framework Plan were primarily to provide clarity, simplification and easier use.

Council President Bragdon opened a public hearing on Ordinance No. 05-1086.

Tom Cusack, United States Department of Housing and Urban Development, 400 SW 6th Suite 700 Portland OR 97204 commended the Co-Chairs of the Housing Choice Task Force and their recommendations. He spoke to the history of the Housing Technical Advisory Committee. He suggested focusing on capturing changes in the housing supply. Councilor Burkholder said they were working on this issue in the HCTC.

Council President Bragdon closed the public hearing.

Councilor Liberty acknowledged the work of Sherry Oeser. Dan Cooper, Metro Attorney, acknowledged the work of Sharon Martin.

Vote:	Councilors Park, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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7.2 **Ordinance No. 05-1088**, Amending Metro Code 02.02.050 Charitable Solicitations

Motion:	Councilor McLain moved to adopt Ordinance No. 05-1088.
Seconded:	Councilor Burkholder seconded the motion

Councilor McLain explained the changes in the Code. This allowed Metro to do good things in our community and the State's community. She asked about periodic review. Mr. Cooper responded to her question. Councilor McLain urged support.

Council President Bragdon opened a public hearing on Ordinance No. 05-1088. No one came forward. Council President Bragdon closed the public hearing.

Vote:	Councilors Park, Burkholder, McLain, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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8. **RESOLUTIONS**

8.1 **Resolution No. 05-3599**, For the purpose of Approving the Air Quality Conformity Determination For the 2006-09 Metropolitan Transportation Improvement Program (MTIP) and the I-205/Airport Way Interchange Improvement Project.

Motion:	Councilor Burkholder moved to adopt Resolution No. 05-3599.
Seconded:	Councilor Park seconded the motion

Councilor Burkholder spoke to Resolution Nos. 05-3599, 3604 and 3606, which were related. He reviewed the planning factors. Resolution No. 05-3599 added a new project in the MTIP, 05-3604 amended the Regional Transportation Plan and 05-3606, was the final approval of MTIP. He urged support.

Vote:	Councilors Park, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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8.2 **Resolution No. 05-3604**, For the Purpose of Amending the Regional Transportation Plan to Include the I-205 Northbound on-ramp/Airport Way Interchange Improvement.

Motion:	Councilor Burkholder moved to adopt Resolution No. 05-3604.
Seconded:	Councilor Park seconded the motion

Vote:

Councilors Park, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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- 8.3 **Resolution No. 05-3606**, For the Purpose of Approving the 2006-2009 Metropolitan Transportation Improvement Program For the Portland Metropolitan Area.

Motion:	Councilor Burkholder moved to adopt Resolution No. 05-3606.
Seconded:	Councilor Park seconded the motion

Vote:

Councilors Park, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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Councilor Burkholder acknowledged staff's work. Councilor Park seconded that comment.

9. **CONTRACT REVIEW BOARD**

- 9.1 **Resolution No. 05-3610**, For the Purpose of Issuing a Request For Proposals to Develop a Work Scope For an Expanded Public Outreach For the 2005-08 Regional Transportation Plan.

Motion:	Councilor Burkholder moved to adopt Resolution No. 05-3610.
Seconded:	Councilor Park seconded the motion

Councilor Burkholder said they were starting a new process to update the Regional Transportation Plan. They were also looking at reaffirming the Region 2040 Update, which included transportation. The other key piece was that they were looking at fiscal resources available for transportation planning. He spoke to the two phases of the project, scoping and implementation. He suggested postponing action on this resolution until late September, early October.

Councilor Park expressed his excitement. He credited Councilor Burkholder for this effort to match resources with transportation and land use. He felt this would allow for better information to the public. Councilor Liberty said they needed fundamental changes to the way they think about transportation improvements. He applauded Councilor Burkholder's efforts and concurred with looking at the financial constraints. Council President Bragdon concurred with Councilors Burkholder, Park and Liberty's comments. He felt this would be a big challenge in reforming expectations.

Council President Bragdon continued the resolution until late September, early October.

- 9.2 **Resolution No. 05-3608**, Authorizing Execution of a Contract For Litter Collection at Metro Central Station.

Motion:	Councilor McLain moved to adopt Resolution No. 05-3608.
Seconded:	Councilor Park seconded the motion

Councilor McLain provided the reasons why this resolution should be taken off the consent agenda. She paid particular attention to contracts. She talked about the six significant impact contracts. She talked about the Contract Code. She spoke to the litter collection contract. She addressed fairness and equity issues.

Mr Hoglund talked about the litter collection contract and the process they had gone through. Councilor McLain asked if they had similar programs at Forest Grove and Oregon City? Mr. Hoglund said this was a good question and he would look into this.

Councilor Burkholder asked Mr. Jordan about competitive bidding. Mr. Jordan responded to his question about Code requirements. Mr. Cooper talked about Oregon law, contract requirements and exceptions.

Vote:

Councilors Park, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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10. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordon, COO, talked about bringing back suggestion on contract code.

11. COUNCILOR COMMUNICATION

Council President Bragdon announced that the next Council meeting would be September 13, 2005 at Portland Community College Southeast.

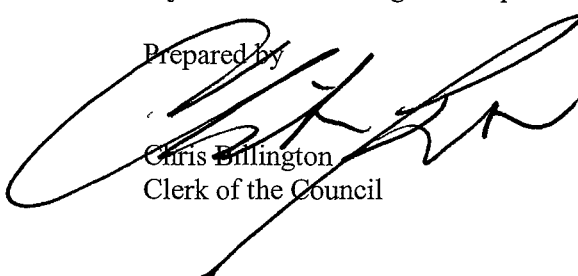
Councilor McLain urged the Council participate in the Clackamas County Fair.

Councilor Park talked about the agricultural show at OCC the weekend of August 27th.

12. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:25 p.m.

Prepared by


Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 18, 2005

Item	Topic	Doc Date	Document Description	Doc. Number
5.1	Minutes	8/11/05	Metro Council Meeting Minutes of August 11, 2005	081805c-01
7.1	Exhibit B	8/18/05	To: Metro Council From: Dick Benner, Senior Metro Attorney Re: Ordinance No. 05-1086 Exhibit B	081805c-02
3	Report	8/9/05	To: Judie Hammerstad, Chair Measure 37 Task Force Re: Measure 37 Task Force Recommendation to the Metro Council	081805c-03
8.3	Exhibit A	8/18/05	To: Metro Council From: Amy Rose, Planning Department Re: Exhibit A to Resolution No. 05-3606	081805c-04
4	Power Point Presentation	8/18/05	To: Metro Council From: Debbie DeShay, Senior Auditor Re: Power point presentation on Regional System Fee Credit Program	081805c-05