

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, January 11, 2007  
Metro Council Chamber

Councilors Present: Rod Park (Deputy Council President), Kathryn Harrington, Robert Liberty, Rex Burkholder, Brian Newman

Councilors Absent: David Bragdon (excused)

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

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. PORTLAND STATE UNIVERSITY PUBLIC HISTORY PRESENTATION

Deputy Council President Park introduced Becky Shoemaker who had facilitated this public history project. Ms. Shoemaker, Metro's Records Officer, would provide an update on the Portland State University Public History Practicum at Metro. The partnership between Metro and PSU's Department of History began in the fall of 2005. The purpose of this collaboration was to provide students with an opportunity to gain practical experience in the field of public history, while assisting Metro to identify, collect and preserve its historically significant records for the benefit of policymakers, researchers and the public. Ms. Shoemaker said their purpose was to report on the results of the *Introduction to Public History* practicum projects undertaken by students from Portland State University in the fall of 2006.

Last fall, the Metro Council Office was fortunate to have fourteen students working on three practicum projects here at Metro. The projects were designed to match the students' course requirements with Metro's ongoing need to document its unique history as the nation's only directly elected regional government. Students had the option to work on one of three projects:

The first project involved the creation of a Digital Archive of Metro Elected Officials. The goals of this project, which began in 2005, were to research and document the public service of Metro's elected officials, and provide public access to the information through web-based technology. Six students worked on this project, and focused their efforts on conducting oral histories with individuals who served on the first Metropolitan Service District Council (beginning in 1979). [2005: 4 interviews and 2006: 6 interviews]

The second project related to the Columbia Region Association of Governments (CRAG). The goal of this project, which also began in 2005, was to gain intellectual control over the historically significant records of Metro's predecessor agency, and enhance public access to these records. Four students elected to work on this project, and were instrumental in bringing us one step closer to producing a finding aid – a tool that was used by researchers as they navigated their way through archived materials.

The third project involved the development of a Metro Timeline. This was a completely new project, the goal of which was to research and prepare content for a web-based timeline reflecting key milestones in Metro's history. The four students who chose this project broke important ground, not only in terms of the content they collected for the timeline, but also in the recommendations they made for designing the timeline web page. Ms. Shoemaker acknowledged the invaluable assistance the students received on this project from Sue Gemmell in Creative Services. Over a ten-week period, students contributed over 500 hours to these projects. She then introduced: Katy Barber, Assistant Professor of History, Portland State University and Director of the Center for Columbia River History, Nick Deshais, undergraduate student in history, Marianne Ryder, graduate student in urban studies; and James Hillegas, graduate student in history.

Professor Barber would share her unique perspective about the collaboration between PSU and Metro, and the students would provide a brief overview of their projects and share some of their reflections about their practicum experience.

Ms. Shoemaker emphasized the important contribution Professor Barber and the students had made towards the goal of broadening the institutional memory of the agency, and helping us to make Metro's historically significant records into an effective and dynamic tool for policymakers, researchers, and the public that we serve. She asked for Council's support for this ongoing partnership between Metro and PSU.

Professor Barber reiterated how important this collaborative partnership with Metro was. She noted it provided public history students with real world experiences. She noted how much PSU relied on these collaborative projects and other connections made with the community. She spoke to Ms. Shoemaker's contribution to the project. The students had written reflective papers about their experience on the project.

Nick Deshais, undergraduate student, talked about Project A of the practicum, digital archive of Metro Councilors. He talked about the collection of oral histories they had attained. He explained the components of oral history. He reviewed the steps the students had gone through prior to the Council interview, the oral interview and the transcription of the interview. He reiterated the importance of the collaboration between Portland State University and Metro. Marianne Ryder worked on Project B, CRAG archives. She said their job was to develop finding aids once the records were inventoried. She explained the processes they went through to attain this information. She talked about the challenges, which included how to organize the records. They did not complete the finding aid but made a lot of progress towards that goal.

James Hillegas said he worked on Project C, which was to create a Metro timeline. They had to figure out how the process would work. At the end of the project, they had developed three documents, suggestions about the timeline (how it would look as a web-based document), summarized their project and came up with next steps for the next group of students who would work on the project and finally they created a personal reflections of their experience. They had an opportunity to learn and apply. They also conducted research in new and different ways. He talked about the project's visioning process, which included project management and collaboration. He said they also learned how to think outside of the box, which included connecting history with a web-based timeline as well as developing reader-centered prose.

Councilor Newman thanked the students for their efforts. He asked about the transcripts of the Councilors and the interviews. He expressed his interest in recording a history of the 2040 Plan and the nature of the debates.

Councilor Harrington also thanked the students. She hoped their experience had excited the furthering of their experience and careers. Metro had gained something wonderful. Councilor Liberty noted that they had written part of the history of Metro and laid the foundation for future historians. Mr. Hillegas talked about his interview with Tom Kloster, Planning Department. Deputy Council President Park asked Professor Barber if there was anything that stood out. Professor Barber said she was surprised at the amount of help that Ms. Shoemaker provided. She hoped the collaboration would continue.

**4. CONSENT AGENDA**

4.1 Consideration of minutes of the January 4, 2007 Regular Council Meeting.

4.2 **Resolution No. 07-3750**, For the Purpose of Confirming the Re-Appointment of Gloria Candanoza to the Investment Advisory Board.

Motion:	Councilor Burkholder moved to adopt the meeting minutes of the January 4, 2007 Regular Metro Council and Resolution No. 07-3750.
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Vote:	Councilors Burkholder, Harrington, Liberty, Newman, Hosticka and Deputy Council President Park voted in support of the motion. The vote was 6 aye, the motion passed.
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**5. ORDINANCES – SECOND READING**

5.1 **Ordinance No. 07-1135**, Amending Metro Code Chapter 5.02.027 to Modify Charges For Management of Certain Household Hazardous Wastes.

Motion:	Councilor Harrington moved to adopt Ordinance No. 07-1135.
Seconded:	Councilor Newman seconded the motion

Deputy Council President Park introduced the ordinance and said Ordinance 07-1135 extended the current “no charge” policy for Metro Household Hazardous Waste (HHW) collection and disposal to September 2007. By doing so, it allowed time for staff to work with the Metro Solid Waste Rate Review Committee to evaluate the current policy against other options and report back to Council this spring. By way of history, Metro formerly collected a fee from customers using our two hazardous waste facilities from 1993 to 2001: The old fee was \$5 for the first 35 gallons of waste, plus \$5 for each additional 35 gallons. This fee covered only a small portion of the actual program costs. During that time period the average program cost was between \$82 and \$118 per customer. Metro collected about \$40,000 per year with the old fee, which covered only a small percent of the HHW program’s operating costs. Conversely, Metro’s round-up and collection events were free. This created an equity issue between round-up customers and permanent facility customers. Beginning in 2001 the Metro Council waived the HHW fee for most items as a three-year temporary waiver. The waiver was intended to help encourage residents to bring in old stockpiles of HHW. In 2004 the Council extended the fee waiver for an additional 2 years, so that we could hear from stakeholders during the Regional Solid Waste Management Plan (RSWMP) development process. Not surprisingly, outreach indicated a public preference for no-fee. The current fee waiver ended on December 31, 2006. Again, this ordinance extended the waiver through September of 2007 and allowed the Rate Review Committee and Council to work with staff to explore rate options and their pros and cons.

Councilor Harrington asked clarifying questions about the options. Mike Hoglund, Solid Waste and Recycling Director, responded to her question and said we were not limited to two options. He talked about product stewardship as an option, which was typical in e-waste.

Deputy Council President Park opened a public hearing on Ordinance No. 07-1135. No one came forward. Deputy Council President Park closed the public hearing.

Vote:

Councilors Hosticka, Burkholder, Harrington, Newman, Liberty and Deputy Council President Park voted in support of the motion. The vote was 6 aye, the motion passed.
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5.2 **Ordinance No. 07-1136**, For the Purpose of Amending Metro Code Chapter 2.21 (Claims under Ballot Measure 37) for Treatment of Claims against Metro under ORS 197.352 and Declaring an Emergency.

Motion:	Councilor Liberty moved to adopt Ordinance No. 07-1136.
Seconded:	Councilor Hosticka seconded the motion

Councilor Liberty talked about Measure 37 and Metro's claim process. This ordinance would change Metro's claims process. He detailed some of the changes.

Deputy Council President Park opened a public hearing on Ordinance No. 07-1136. No one came forward. Deputy Council President Park closed the public hearing.

Councilor Hosticka said Councilor Liberty said an appraisal was not required but they still needed to provide some evidence of value. Councilor Liberty said in order to establish a claim, the claimant had to show a reduction in value. He detailed options beyond an appraisal. Dick Benner, Senior Metro Attorney, said they had seen a variety of value assessment. He added that he had discussed the claims with the Planning Department. The Planning Department suggested moving the 25 days notice to 20 days notice. He urged making this adjustment in the ordinance. This was consistent with other Metro's procedures. Councilor Liberty asked if they could make this change and was it considered a substantive motion. Dan Cooper, Metro Attorney, said he felt Council could amend the ordinance and adopt today.

Motion to amend:	Councilor Newman moved to amend Ordinance No. 07-1136 changing the notice deadline from 25 days to 20 days.
Seconded:	Councilor Liberty seconded the motion

Vote to amend:

Councilors Hosticka, Burkholder, Harrington, Newman, Liberty and Deputy Council President Park voted in support of the motion. The vote was 6 aye, the motion passed.
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Councilor Newman made suggestions for further discussion of the claims process. Mr. Benner talked about the claims that had been heard in circuit court and the question of value. He talked about the methodology that the State currently uses and noted Metro used a different methodology. He spoke to other issues that the court considered. Councilor Liberty talked about the recent ruling. Deputy Council President Park asked if there was anything in our ordinance that would be impacted by the court rulings. Mr. Benner said no.

Vote on the Main  
Motion:

Councilors Hosticka, Burkholder, Harrington, Newman, Liberty and Deputy Council President Park voted in support of the motion. The vote was 6 aye, the motion passed.

## 6. RESOLUTIONS

### 6.1 **Resolution No. 07-3759**, Confirming the New Waste Transport Contract as a Council Project and Confirming Lead Councilor and Council Liaisons.

Motion:	Councilor Harrington moved to adopt Resolution No. 07-3759.
Seconded:	Councilor Newman seconded the motion

Councilor Harrington talked about the resolution and the transport contract. Resolution 07-3759 established Phase One of the Project for a New Waste Transport Contract as a designated Council liaison project. The Council liaison project relationship was established in 2005 in order to provide direct Council involvement on significant areas of policy related to Metro projects and programs. This Waste Transport Project had significant policy, financial and service implications for Metro. By way of background, waste from the Metro area was delivered under contract to Waste Management's Columbia Ridge landfill in Gilliam County, Oregon, a one-way distance of 130 miles. CSU trucking currently hauled Metro area waste under contract that would expire on December 31, 2009. Any new contractor would need to take over operations no later than January 1, 2010. Working back from January 1, 2010, any new contractor would need approximately 18 months to mobilize prior to beginning service. Mobilization would include the need to purchase capital, hire and train staff, and address operational logistics. Therefore, the Metro Council would need to approve a new contract by July of next year (2008). Approval of this resolution would formally kick off an 18-month pre-selection process leading to the selection of a new carrier that included:

1) The phase one being approved today intended to gather information on logistical needs and trade-offs between potential waste transport mode options available to the region. These include barge, rail, and truck. Included will be background information related to operational logistics, terminal locations (particularly for barge and rail), cost, safety, and environmental considerations. This information will help the Council and staff produce a Request for Proposals to procure the new contract. The RFP should be complete this summer. 2) Phase two of the project will be the release of the RFP, review and scoring of proposals, and procurement of the new carrier. 3) Phase three will be the 18-month mobilization of the new carrier.

As noted, the project raised a number of significant policy issues. They were included in the work plan attached to the resolution: What are the available strategies to ensure competition between the different modes? What are the future risks or opportunities associated with implementing a particular system? How should economic development opportunities and commodity backhaul opportunities rank relative to other considerations? What is the Council position regarding trade-offs between contract costs and environmental and energy benefits? How should neighborhood and community impacts be measured? What is the Council's potential policy regarding length of contract to accommodate amortization schedules for different modes?

Outcomes would include: Satisfactory completion of all three phases of work and a signed contract with a new carrier by mid-2008. The next contract, if approved for 10 years could have a total value of approximately \$140 million. The budget for the background and selection is \$410,000 and includes consultant assistance to identify the modal trade-offs.

The work directly related to: Council Environmental Health Goal 2.3 for the safe disposal of waste from the region; Council Environmental Health Goal 2.4, Metro is a leader in sustainable business practices; and Council Workforce Performance Critical Success Factor 5.2, to provide rigorous policy analysis.

The work was housed in the Solid Waste and Recycling Department and the Director, Mike Hoglund, would be the staff contact. In addition, staff from the Office of the Metro Attorney and Planning were members of the project team.

Councilor Newman said this was affirming a Council project. He noted one issue that wasn't highlighted in this resolution which was as they start looking at transport operations, would that call into question the location of Metro-owned transfer stations. Mr. Hoglund responded that they would be talking to the consultant about meeting the long-term goals so they could have the best structure in the system, transfer, transport and disposal. They would be looking at how the potential carriers could adapt to transport issues.

Councilor Liberty said they were interested in seeing how rail would work with this industry. He talked about neighborhoods and community impacts. He wanted this component elevated. Councilor Hosticka asked about the process and the scope of the analysis, was there a timeline for touch points with Council? Mr. Hoglund said this kicked off the liaison process. They would be developing this timeline for all three phases. Councilor Hosticka urged frequent contact. He then asked about the possibility of a public owned transport system. Mr. Hoglund said they could ask CH2M Hill, the consultant, to consider this option.

Councilor Burkholder asked about the budget impacts noted in the resolution and asked Mr. Hoglund to explain the scope. Mr. Hoglund said this was not a new budget amendment. This had been anticipated and was currently in the budget. The CH2M Hill contract was new for this year. He provided further details of the budget. He also noted that they were utilizing Deena Platman, Planning Department, to assist in the project.

Councilor Liberty asked about the consultant's budget. Mr. Hoglund said their pieces were in phase 1 and 2. Deputy Council President Park said this was a complicated process. They were also looking at MRFin and the total system impacts. He also talked the public goods issue. He appreciated the work that had already been accomplished. Councilor Harrington thanked the Councilors for their interest in this project and urged support.

Vote:

Councilors Hosticka, Burkholder, Newman, Harrington, Liberty, and Deputy Council President Park voted in support of the motion. The vote was 6 aye, the motion passed.
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## **7. CHIEF OPERATING OFFICER (COO) COMMUNICATION**

Michael Jordan, COO, reminded the Council that they had two special meetings next week, Metropolitan Exposition Recreation Commission (MERC) Council Joint meeting as well as the Wednesday New Look Work Session. On Friday, January 19<sup>th</sup>, they would have a Regional Forum on the Ag/Urban Study in Hillsboro.

## **8. COUNCILOR COMMUNICATION**

Councilor Hosticka wanted to make sure that the public was invited to the Regional Forum in Hillsboro, as this was the kick off for the New Look. Deputy Council President Park also urged attendance. Councilor Liberty asked about discussing the agenda for the Council Retreat.

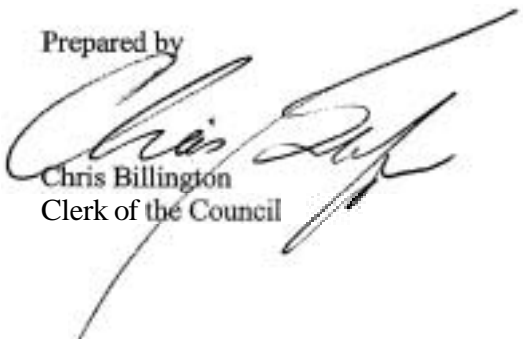
Councilor Harrington recapped last night's Metro Policy Advisory Committee (MPAC) meeting including approval of the Regional Forum's agenda. She said they also discussed Title 4. They were asking Metro Technical Advisory Committee (MTAC) to take another look at that ordinance. She also had attended the Forest Grove City Council meeting. She attended the North Bethany Open House. There was a great turn out to participate in planning this Urban Growth Boundary (UGB) expansion area.

Councilor Burkholder said tomorrow they would be celebrating the accomplishments and completion of a Regional Environmental Inventory Network (**REIN**) internship program.

**9. ADJOURN**

There being no further business to come before the Metro Council, Deputy Council President Park adjourned the meeting at 3:27 p.m.

Prepared by



Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF  
JANUARY 11, 2007**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
4.1	Minutes	1/4/07	Metro Council Meeting Minutes of January 4, 2007	011107c-01