

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

April 25, 2007 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Richard Burke, Nathalie Darcy, Rob Drake, Andy Duyck, Dave Fuller, Bernie Giusto, John Hartsock, Richard Kidd, Alice Norris, Tom Potter, Lane Shetterly, Chris Smith

Committee Members Absent: Ken Allen, Jeff Cogen, Larry Cooper, Judie Hammerstad, Tom Hughes, Charlotte Lehan, Wilda Parks, Larry Smith, Erik Sten, Steve Stuart, (Governing Body of School District – Bob Sherwin)

Alternates Present: Shirley Craddick, Lynn Peterson

Also Present: Bill Bash, City of Cornelius; Carol Chesarek, Citizen; Bob Clay, City of Portland; Larry Davidson, Graghorn/Lakside; Kay Durtschi, MTAC; Felisa Hagins, SEIU; Dean Kampfer, Waste Management of Oregon; Irene Marvich, League of Women Voters; Leeanne MacColl, League of Women Voters; Pat Ribellia, City of Hillsboro; Paul Savas, Clackamas County Special Districts Alternative; Alonzo Wertz, TriMet; Veronica Valenzuela, City of Portland

Metro Elected Officials Present: Liaisons – Kathryn Harrington, Council District 4; others in audience: David Bragdon, Council President; Rod Park, Council District 1

Metro Staff Present: Lee Barrett, Dan Cooper, Andy Cotugno, Mike Hoglund, Janet Matthews

1. SELF-INTRODUCTIONS & COMMUNICATIONS

Chair Dave Fuller, called the meeting to order at 5:06 p.m. Chair Fuller asked those present to introduce themselves.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

Susan Kolibaba, SEIU Local 49 & Kaiser Member; Sharon Candioto, Oregon Nurses Association; Maribeth Healey, Oregonians for Health Security; Amanda Fritz & Jill Fuglister, Coalition for Livable Future; and Alice Dall, SEIU Local 49 spoke to the MPAC members about their concerns for health care in the region and their desire to see MPAC as a group have a discussion regarding this important issue. They each had a packet of postcards signed by individuals from each Metro Councilor’s district which they asked to be given to the corresponding Councilors.

Chair Fuller said that health care was an issue that was listed as a possible topic of discussion for MPAC.

3. CONSENT AGENDA

Meeting Summary for April 11, 2007:

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Richard Kidd, City of Forest Grove, moved to adopt the consent agenda without revisions.
---------	--

Vote:	The motion passed with one abstention (Richard Burke).
-------	--

4. COUNCIL UPDATE

Councilor Kathryn Harrington informed the MPAC members that there would be a Get Centered event in Vancouver B.C. June 7-9, 2007. She gave details on that trip and distributed a flyer for the members. That flyer will be attached for the permanent record.

Andy Cotugno, Planning Director, referred to the Metro 101 program held in February for some of the newer MPAC members and how successful and informative that had been. He then distributed disks of a presentation Metro made in Lake Oswego, Metro Land Use Summit, on February 28, 2007. One of those disks will be included in the permanent record.

Councilor Harrington gave a brief update of the recent items before the Metro Council.

5. LEGISLATIVE UPDATE

Councilor Harrington gave an update on the regional legislative agenda.

6. MPAC PLANNING

Chair Fuller reviewed the previous discussions regarding the MPAC Bylaws for the members. He referred to the two letters before the members regarding the proposed changes to the MPAC bylaws. One letter from Bob Sherwin regarding voting rights for the Governing Body of School District position, and another letter from Andy Duyck regarding staff filling in and voting in lieu of the City of Portland's two members. Both those letters will be included in the permanent record.

Bernie Giusto, Tri-Met Board of Directors, asked about the process for voting on these two items.

Dan Cooper, Metro Attorney, explained the process for the members.

Motion:	Richard Burke, Washington County Special Districts, with a second from, Lynn Peterson, Clackamas County Commission, moved to divide the question of the proposed bylaw packet and the two questions before the membership regarding voting for the school position and senior staff alternate membership representation for the City of Portland.
---------	---

Chris Smith, Multnomah County Citizen Representative, said that there were two different goals: 1) a robust conversation that required good participation, and 2) a core procedure where the rules should protect both the majority and the minority. He said the problem was that the absent minority disrupted the majority doing business by preventing a quorum. He said that the senior staff option could apply to all jurisdictions. On the issue of some of the seats that have not been filled, those seats could perhaps become non-voting after a period of non-attendance, and then have some remedy mechanism to making them voting again so that they were not permanently locking those representatives out.

Vote:	The motion passed with one nay vote (Chris Smith).
-------	--

Chair Fuller asked the members if they were prepared to vote on the rest of the bylaw amendment minus the two items under discussion.

Motion:	Bernie Giusto, TriMet Board of Directors, with a second from John Hartsock, Clackamas County Special Districts, moved to recommend to Metro Council the adoption of the bylaw amendment minus the question of the school board voting rights and allowing staff representation and voting rights for the alternate position for the City of Portland.
---------	---

Vote:	The motion passed unanimously (13 votes).
-------	---

Mayor Alice Norris, City of Oregon City, said that she had talked with Mayor Hammerstad and Mayor Hammerstad had said that the Governing Body of School District position had rarely been filled over the years. Mayor Hammerstad also suggested many of the land use issues discussed at MPAC were not always relevant to the school districts. One person represented multiple districts and vast numbers of citizens, and how was that done? Mayor Norris said that there was value for them to remain at the table in an advisory capacity.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Richard Kidd, City of Forest Grove, moved to have the Governing Body of School District changed from a voting position to ex officio.
---------	---

Mayor Tom Potter, City of Portland, said school districts played a valuable part in many areas of government including land use issues. He said that Portland was trying to create a stronger sense of community around their schools. He said it would require changes in zoning and housing to do that. He said he thought that particular voice should be allowed to vote.

Mr. Smith seconded Mayor Potter's comments. He suggested that if attendance was the issue then make it performance based.

Chair Fuller asked if it would be reasonable to put the position on probation for a designated time and then revisit it.

Mr. Smith suggested that if there were three unexcused absences then they would lose their voting privileges.

There was discussion about the possibility of a probationary period or set amount of absences affecting voting rights.

Mr. Burke, Washington County Special Districts, suggested that they table the vote on this indefinitely. He said that he did not think that the main motion would have 13 votes to pass. He said that they were trying to compose the motion on the fly.

Motion:	Richard Burke, Washington County Special Districts, with a second from Mayor Richard Kidd, City of Forest Grove, moved to table the question of the school board vote indefinitely.
---------	---

Vote:	The motion failed. Nay: Darcy, Fuller, Giusto, Hartsock, Kidd, Norris, and Peterson. Aye: Burke, Craddick, Drake, Duyck, Potter, and Smith Abstain: none
-------	--

Chair Fuller repeated the motion regarding voting rights for the school districts, since tabling the vote indefinitely had failed.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Richard Kidd, City of Forest Grove, moved to have the Governing Body of School District changed from a voting position to ex officio.
---------	---

Vote:	The motion failed because there had to be a full quorum of 13 aye votes to change this. Nay: Burke, Giusto, Potter and Smith. Aye: Craddick, Darcy, Drake, Duyck, Fuller, Hartsock, Kidd, Norris, and Peterson. Abstain: none
-------	---

Mr. Hartsock, Clackamas County Special Districts, suggested that they add an amendment to the bylaws that once a year they review attendance and create language to address the issue instead of letting it linger. There was discussion about this possibility.

Chair Fuller asked to move on to the next issue of allowing the City of Portland to have senior staff serve as their alternate and retain voting status.

Mayor Rob Drake, City of Beaverton, said he liked that the City of Portland had two elected seats at the table. He said that he was happy to see them more often this year. He said that elected officials were the final policy makers. He said he thought it was important to hear from the elected officials in Portland. He said that he thought that Gil Kelley was brilliant and outstanding, but that he had great concern if they started opening this question up for staff representation. He said that there was value in having elected officials at the table. Policy makers worked in the public venue, along with citizen representation, but he thought it was critical to keep the elected voice at the table. MPAC was one of the most important discussion points for the region.

Mayor Potter said he appreciated what Mayor Drake had said. He agreed that they were all busy. He said he didn't want to diminish the fact that they all had a busy schedule too. He acknowledged that the City of Portland did not always have a representative at MPAC. He said he felt that folks like Gil Kelley could provide tremendous input. He said that allowing Mr. Kelley to serve as the alternate would not diminish his sense of responsibility to attend and participate. He said he thought it was important to have a quorum and representation. He supported allowing staff to have a vote for the City of Portland, and he respectfully requested that MPAC support this motion.

Mr. Smith said that he supported the City of Portland having staff representation in the alternate position.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Chris Smith, Multnomah County Citizen Representative, moved to allow the City of Portland to appoint a senior staff person as their alternate and to have that alternate have voting rights.
---------	--

Vote:	The motion failed because there had to be a full quorum of 13 aye votes to change this. Nay: Burke, Craddick, Darcy, Drake, and Duyck. Aye: Fuller, Giusto, Hartsock, Kidd, Norris, Peterson, Potter, and Smith. Abstain: none
-------	--

Councilor Harrington reviewed the MPAC Worksheet User Guide and explained why it had been created.

Mayor Norris reviewed the MPAC Agenda Issue Responsibility List explaining how the subcommittee had discussed these items.

Mr. Hartsock asked about the Metro workload relating to the New Look and Regional Transportation Plan (RTP) and how it affected the yearlong agenda for MPAC.

Councilor Harrington said that there was room on the yearlong schedule for those other topics listed under the MPAC portion of the responsibility list, but that someone on MPAC would have to step up and sponsor those topics.

There was discussion about one or two of the MPAC responsibility topics and what the original question and intention had been regarding them.

Mr. Hartsock said he would sponsor the special districts item on that list.

Mayor Norris said that some of the topics under MPAC responsibility could spill over into the next year.

Mr. Cotugno reminded the chair and members that MTAC worked for MPAC and they could be utilized to work on some of these topics as well.

Councilor Shirley Craddick, City of Gresham, asked what the role of sponsor entailed.

Mayor Norris said that Metro could not staff those topics and the sponsor would be responsible for finding staff to help design the presentation. She thanked Councilor Harrington for working on the worksheet and list of responsibilities.

Ms. Nathalie Darcy, Washington County Citizen Representative, said she would like to see the health care item discussed at MPAC, and she offered to help with it, though not take the lead.

7. SOLID WASTE ENHANCED DRY WASTE RECOVERY (EDWRP)

Mike Hogle, Solid Waste & Recycling Director, reviewed the highlights of the material included in the packet, with emphasis on the new material.

Mayor Kidd asked about surcharge implementation and a transition time frame relating to Lakeside.

Larry Davidson, Grabhorn, Inc., said that he wished Lakeside shared the optimism of the program. He said that there was concern over the proposed ordinance. He said that they thought the ordinance would shut them down in 2009. He said that they were not ready to shut down.

Mayor Drake suggested approving the program with the exception of Lakeside. He said he wanted to see a good program that made sense move forward, but that he did not want to see an operation shut down as a result.

Mr. Hogle said that the meeting yesterday with Lakeside had included Grabhorn, who was the owner of that operation. He said that some of Mr. Davidson's comments had actually been discussed at that meeting. He said they were doing waste comp sorts at their landfill to determine whether or not they already met the standard. If it were true that they only had 9% recycling in their residual they put in the landfill then Metro would not have an issue with Lakeside landfill. He said that Metro would continue to

monitor their residual and make sure they continued to meet the standard. If they continued to meet the standard then there would be no reason for them to shut down in 2009. He said he thought they had a good meeting yesterday and he felt optimistic that something could get done in the next two months. He said that the five representatives from Lakeside that were at the meeting yesterday had agreed. He said that if things broke down with Lakeside landfill in June then there would be a report, both from the landfill and Metro, as to what had happened and why things had not worked out. At that time, the Metro Council could make a recommendation to push this back to MPAC for more discussion, or they could take a vote to move on with it.

Councilor Harrington said that there was a group working on issues with Lakeside. She reviewed milestones ahead on the process for this ordinance. She said she was interested in gaining advice from MPAC on this proposal. She asked Chair Fuller how they wanted to proceed.

Chair Fuller said that they had lost the quorum and therefore couldn't take a vote.

Commissioner Andy Duyck, Washington County, asked if they could hold off on the recommendation. He said he had come to the meeting thinking there were no concerns, but now there seemed to be concerns. He wanted to ask some questions before moving forward. He said it was a Washington County issue.

Chair Fuller said it was thought that the current proposal would address those concerns.

Commissioner Duyck suggested that since there wasn't a quorum, they should hold off the vote for another meeting.

Chair Fuller said it would be put on the agenda for May 9th.

There being no further business, Chair Fuller adjourned the meeting at 6:47 p.m.

Respectfully submitted,



Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR APRIL 25, 2007

The following have been included as part of the official public record:

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#2 Citizen Communication	4/25/07	Testimony cards for: Susan Kolibab, Sharon Candioto, Maribeth Healey, Amanda Fritz & Jill Fuglister, and Alice Dall speaking about health care issues in the region.	042507-MPAC-01
#4 Council Update	April 2007	Get Centered Vancouver B.C. flyer with details on a Get Centered trip to Vancouver B.C. June 7-9, 2007	042507-MPAC-02
#6 MPAC Bylaws	April 2007	The revised text of the proposed amendments to the MPAC Bylaws.	042507-MPAC-03
#6 MPAC Bylaws	4/23/07	Letter to Chair Fuller from Robert Sherwin, Gresham-Barlow School Board re: retaining voting rights for the MPAC school board position	042507-MPAC-04
#6 MPAC Bylaws	4/25/07	Email letter to MPAC members from Andy Duyck, Washington County, re: his objection to allowing senior staff to serve as a voting alternate to the City of Portland	042507-MPAC-05
#4 Council Update	2/28/07	Disc for the Metro Land Use Summit	042507-MPAC-06
Misc.	4/15/07	Letter of support for Senate Bill 891 to Senators: Avakian, Atkinson, Bates, Beyer, Prozanski, and Senate Environment & Natural Resources Cmte – distributed to MPAC members from Chris Smith	042507-MPAC-07
Misc.	4/19/07	Letter from Metro Policy Advisory Committee to Senators: Avakian, Atkinson, Bates, Beyer, and Prozanski and the Senate Environmental & Natural Resources Cmte	042507-MPAC-08
Misc.	4/18/07	Letter from Johnson Creek Watershed Council, Jeff Uebel, Michelle Bussard to Senators: Prozanski, George and Representatives: Garrard and MacPherson re: Measure 37	042507-MPAC-09