

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

June 13, 2007 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Shane Bemis, Richard Burke, Rob Drake, Dave Fuller, Bernie Giusto, Judie Hammerstad, John Hartsock, Tom Hughes, Richard Kidd, Alice Norris, Martha Schrader, Chris Smith

Committee Members Absent: Ken Allen, Jeff Cogen, Larry Cooper, Nathalie Darcy, Andy Duyck, Charlotte Lehan, Wilda Parks, Tom Potter, Bob Sherwin, Larry Smith, Erik Sten, Steve Stuart

Alternates Present: Lane Shetterly, Shirley Craddick

Also Present: Bill Bash, City of Cornelius; Eric Chambers, City of Gresham; Carol Chesarek, Citizen; Bob Clay, City of Portland; Brent Curtis, Washington County; Markley Drake, City of Happy Valley; Kay Durtschi, MTAC; Meg Fernekes, DLCD; Ed Gallagher, City of Gresham; Art Kamp, Citizen; Dean Kampfner, Waste Management of Oregon; Irene Marvich, League of Women Voters; Leeanne MacColl, League of Women Voters; Richard Meyer, City of Cornelius; Dick Ponzi, Citizen; Sandra Ramaker, Rockwood Water PUD; Pat Ribellia, City of Hillsboro; Paul Savas, Clackamas County Special Districts Alternative; Karen Schilling, Multnomah County; Dave Waffle, City of Cornelius; Alonzo Wertz, TriMet

Metro Elected Officials Present: Liaisons – Brian Newman, Council District 2; Kathryn Harrington, Council District 4; Robert Liberty, Council District 6; Suzanne Flynn, Metro Auditor

Metro Staff Present: Dick Benner, Dan Cooper, Andy Cotugno, Chris Deffebach, Mike Hoglund, Linnea Nelson, Ken Ray

1. SELF-INTRODUCTIONS & COMMUNICATIONS

Chair Dave Fuller, called the meeting to order at 5:05 p.m. Chair Fuller asked those present to introduce themselves.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There was none.

3. CONSENT AGENDA

Meeting Summary for April 25, 2007:

Motion:	Mayor Richard Kidd, City of Forest Grove, with a second from Mayor Alice Norris, moved to adopt the consent agenda without revisions.
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Vote:	The motion passed unanimously.
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4. COUNCIL UPDATE

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

Councilor Robert Liberty said he would be sending a brief memorandum and corresponding spreadsheet to the MPAC members. He said it would be an exercise pertaining to where to put another million people in the region. He thought it was an extremely useful exercise and urged the members to try it when they received it.

5. JPACT UPDATE

Andy Cotugno, Planning Director, distributed an agenda for the JPACT meeting scheduled for the next morning. He also gave an update on the joint MPAC/JPACT meeting. He reviewed the tentative agenda schedule for MPAC, in conjunction with JPACT, through the summer months.

6. LEGISLATIVE UPDATE

Councilor Brian Newman gave an update on the regional legislative agenda.

7. SOLID WASTE ENHANCED DRY WASTE RECOVERY (EDWRP)

Mike Hoglund, Solid Waste & Recycling Director, reviewed the highlights of the material included in the packet. He updated the committee on a new development regarding two parties that would need to transition their properties. They had requested a revised timeline and that had been amended in the ordinance.

Mayor Judie Hammerstad, City of Lake Oswego, said she was concerned about the number of homes demolished in order to make new homes. She said the Lake Oswego Council had reworded all their ordinances to utilize 'deconstruction' language in order to recycle and reuse building material.

Mr. Richard Burke, Washington County Special Districts, asked Mr. Hoglund to relate to the committee how negotiations had been with the waste management folks.

Mr. Hoglund recapped those discussions.

Dean Kamfer, Waste Management of Oregon, wanted the playing field to be fair for all players. He said they had concern about moving forward with an ordinance before they fully understood how all the players in the marketplace would be affected by the ordinance. He said they would need to analyze how it would affect their tonnage flows to their landfill and determine what type of material recovery facility (MRF) they build at their Hillsboro location. Once they did understand all the rules and facts then they would need twenty-four months to design, build, and implement MRF at the Hillsboro landfill.

Mayor Richard Kidd, City of Forest Grove, expressed concern that the program would cost his constituents money. There was discussion about how this would affect the Forest Grove facility.

Mr. Burke asked Mr. Kamfer if waste management supported the ordinance.

Mr. Kamfer said that they wanted to understand how all the players would be affected by the new ordinance which was developing how Metro chose to deal with another landfill six-to-seven miles down the road from them.

Mr. Burke wanted to know if Lakeside was resisting the ordinance.

Mr. Hoglund explained the discussions that had taken place with Lakeside. He said that there had been three meetings with them and conceptual deal points, including the surcharge, had been reached. He said they were generally in agreement with the deal points. There were other issues related to DEQ requirements and some land use requirements from Washington County that they were still trying to work out.

Chair Fuller asked to take a vote.

Mayor Rob Drake, City of Beaverton, said he was not hearing a definitive yes or no from Waste Management. He said that Lakeside Landfill could possibly trump the whole process by filing a Measure 37 claim. He asked Mr. Hoglund if that had been resolved with Washington County. He said he was concerned with waste management's caution and how would their interest as a company weigh-in to level the playing field after MPAC voted on the ordinance?

Mr. Hoglund said that the way to level the playing field for Waste Management was through the disposal surcharge. He said the Metro Chief Operating Officer (COO) would need to look at the economics of the system in order to set that surcharge. That would be determined and then recommended to the Metro Council on March 8, 2008. He said he would be happy to keep Mayor Drake and others informed on how that was progressing and Waste Management's comfort with that process. He said that Lakeside had submitted a claim and Washington County's process for dealing with claims was they broke it into three tiers and they were looking at housing/residential type Measure 37 claims first, and the last tier was larger commercial Measure 37 claims which might end up scheduled after the vote on Measure 37. One other conceptual deal point with Lakeside landfill was that they would finish within the existing footprint of the landfill, so they wouldn't utilize the Measure 37 claim for landfill operations.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Shane Bemis, City of Gresham, moved to recommend adoption of Ordinance 07-1147 to the Metro Council.
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Vote:	The motion passed unanimously.
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8. RESOLUTION 07-3804 FOR THE PURPOSE OF ENTERING AN ORDER TO WAIVE THE DEADLINE FOR FILING AN APPLICATION FOR A MAJOR AMENDMENT TO THE URBAN GROWTH BOUNDARY BY THE CITY OF CORNELIUS

Councilor Harrington gave an introduction on this item and the reason the resolution was written.

Mr. Dick Benner, Metro Attorney, gave an explanation of the resolution.

Mayor Kidd said it was appropriate to take this issue up and propose to Metro Council.

Mayor Drake said he agreed, and he thought the request was non-invasive and would allow Cornelius a level playing field.

Mr. Burke said he agreed also, and that anything that added flexibility was good.

Mayor Hammerstad asked about the size of the property.

Councilor Harrington said that information would be handled under a separate process.

Mr. Benner said that major amendments could be very large scale and legislative in nature or they could be very small involving one property and/or one owner and thereby be quasi-judicial. All of these would go to hearings officers. The hearings officer would make a recommendation to the Metro Council and the Council would review the recommendation of the hearings officer based on the record. If a proposed major amendment turned out to be quasi-judicial in nature because it was small in scope, it would probably not come to MPAC. If it was larger scale, involving a lot of properties and territory, then it would probably come back to MPAC.

There was discussion about the process and possible ramifications especially pertaining to when amendments would come before MPAC.

Motion:	Mayor Rob Drake, City of Beaverton, with a second from Mayor Richard Kidd, City of Forest Grove, moved to recommend adoption of Resolution 07-3804 to the Metro Council.
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Vote:	The motion passed unanimously.
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9. REGIONAL PLANNING & COLLABORATION OF CITIES IN THE UPPER RHINE REGION OF GERMANY, FRANCE & SWITZERLAND

Councilor Robert Liberty introduced Dr. Sven von Ungern-Sternberg.

Dr. Sven von Ungern-Sternberg gave a PowerPoint presentation. Copies of the slides will be attached to the permanent record.

There being no further business, Chair Fuller adjourned the meeting at 6:50 p.m.

Respectfully submitted,



Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR JUNE 13, 2007

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#4 Council Update	June 2007	Nature Next Door brochure	061307-MPAC-01
#5 JPACT Update	6/14/07	Joint Policy Advisory Cmte on Transportation	061307-MPAC-02
#6 Legislative Update	6/13/07	Metro News Release, Metro Council, regional partners gain approval for ambitious reforms to Portland-area growth management policies	061307-MPAC-03
			061307-MPAC-04