

## MINUTES OF THE METRO COUNCIL MEETING

November 15, 2001

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Rod Park, Bill Atherton, Carl Hosticka, Rex Burkholder

Councilors Absent: Rod Monroe

Presiding Officer Bragdon convened the Regular Council Meeting at 2:05 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. SAFE HARBOR VIDEO PRESENTATION

**Presiding Officer Bragdon** introduced teacher Paige Knight's class of Open Meadows High School students who brought a video they produced dealing with cleaning up the Willamette River and Willamette Cove. The Presiding Officer said he had seen the video previously and thought the council would enjoy it as well. He added that the video was funded in part by Metro's Central Enhancement fund.

**Jordan Burros**, Open Meadow High School Environmental Civics S.A.F.E. (Saving a Forgotten Environment) class introduced the video. He noted the class has made two documentaries, funded by Metro Central Enhancement funds. The one showing today is the most recent.

Also present for the viewing were Scott Becker, film maker who worked with the class, and class members Stewart Sackett, director of both videos, Trevor Massey, who did the music for the second video, Dustin Ziegler, Romar Riggins, Ashley Van Blarcom, Caroline Thomas, Taylor Ritchey, Christian Hall, and Calvin Wright, and Paige Knight, their teacher.

**Stewart Sackett** presented copies of both videos to the Council.

**Presiding Officer Bragdon** told the students the Council shared their vision of having Willamette Cove be a park someday.

**Councilor Atherton** asked about the class.

**Mr. Sackett** responded that their teacher, who had been an activist for many years, originated the S.A.F.E. class because she felt teaching young people about issues important for today would inspire them to learn more deeply about the general subject matter. He said the class is part social science and part science through the study of current environmental issues, and in recent years has expanded into the arts with films and writing.

**Councilor Hosticka** commented that he had seen the mural in the video when he had taken children from Gregory Heights Middle School on his boat. He really liked the video because it showed from the perspective of both the water and the land how you can connect with a little bit of nature, even in a very heavily industrialized area. He added he would like to have a copy of the video to show around.

**Councilor McLain** said the students had done a great job. She added the volunteer program at Metro would love to have people like them for other education projects.

#### **4. EXECUTIVE OFFICER COMMUNICATIONS**

There were none.

#### **5. AUDITOR COMMUNICATIONS**

There were none.

#### **6. MPAC COMMUNICATIONS**

**Presiding Officer Bragdon** said MPAC had discussed the employment study and the extensions and exceptions process that had been discussed at the Community Planning meeting. He said no decisions or recommendations had been made on either of the issues.

#### **7. CONSENT AGENDA**

7.1 Consideration of minutes of the November 8, 2001 Regular Council Meeting.

**Motion:** **Councilor Atherton** moved to adopt the meeting minutes of the November 8, 2001, Regular Council meeting.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed. Councilor Monroe was absent from the vote.

#### **9. ORDINANCES - FIRST READING**

9.1 **Ordinance No. 01-927**, For the Purpose of Amending the Urban Growth Boundary for Major Amendment Case 01-3: City of Wilsonville.

Presiding Officer Bragdon assigned the Ordinance to the Community Planning Committee.

#### **10. RESOLUTIONS**

10.2 **Resolution No. 01-3117**, For the Purpose of Confirming George Forbes to Replace Ben Middleton on the Metropolitan Exposition-Recreation Commission.

**Motion:** **Councilor Park** moved to adopt Resolution No. 01-3117.

**Seconded:** **Councilor McLain** seconded the motion.

**Councilor Park** explained Mr. Forbes' skills and experience that made him a good replacement for Mr. Middleton.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

10.4 **Resolution No. 01-3119**, For the Purpose of Confirming a 4-Year Appointment of George Forbes to the Metropolitan Exposition-Recreation Commission.

**Motion:** **Councilor Park** moved to adopt Resolution No. 01-3119.

**Seconded:** **Councilor Burkholder** seconded the motion.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

10.3 **Resolution No. 01-3118**, For the Purpose of Confirming the Appointment of Don Trotter to the Metropolitan Exposition-Recreation Commission.

**Motion:** **Councilor Hosticka** moved to adopt Resolution No. 01-3118.

**Seconded:** **Councilor Atherton** seconded the motion.

**Councilor Hosticka** said Mr. Trotter had been recommended by the Clackamas County Board of Commissioners to fill the seat of Ms. Alice Norris who has served for a long time.

**Councilor Atherton** noted that Mr. Trotter had a long history of service in Clackamas County and in the region. He said he looked forward to Mr. Trotter's service on MERC.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

## 9. ORDINANCES - SECOND READING

9.1 **Ordinance No. 01-923A**, For the Purpose of Amending the Fiscal Year 2001-02 Budget and Appropriations Schedule of the Rehabilitation and Enhancement Fund for the Purpose of Funding a Grant to the Peninsula Children's Center.

**Motion:** **Councilor Burkholder** moved to adopt Ordinance No. 01-923A.

**Seconded:** **Councilor Park** seconded the motion.

**Councilor Burkholder** explained the special request to the Council to approve funds from the principal for a match grant from the Bill and Melinda Gates foundation to purchase the Children's Center building.

**Marsha Mulvey**, Executive Director of the Peninsula Children's Center, related the history between Metro and the children's center. She added they were extremely grateful to Metro for their help during the years since the first Central Enhancement grant was awarded to them in 1991 to remodel an old school on N. Maryland. She said thanks to Metro and others, they were able to make the match about a year ahead of schedule. She presented a certificate of thanks to Councilor Burkholder and the Enhancement Committee, designed by Mauna, one of the students at the Center.

**Kathy Armstrong**, from the center, presented a certificate of thanks to Mike Burton and the Council.

**Jean Este Hoops**, Central Enhancement Committee, said there were a lot of worthy grants, but this center was a real necessity. She said the grant would help get more regional support.

**Presiding Officer Bragdon** opened a public hearing on Ordinance No. 01-923A. Nobody came forward so he closed the public hearing.

**Councilor Burkholder** closed by saying he was proud to be a part of this very exciting and needed program. He said the return of being free from the building debt would go right back into the community. He urged an aye vote.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

## **10. RESOLUTIONS (Continued)**

10.1 **Resolution No. 01-3111A**, For the Purpose of Issuing a Solid Waste Facility License to S & H Logging.

**Motion:** **Councilor Atherton** moved to adopt Resolution No. 01-3111.

**Seconded:** **Councilor McLain** seconded the motion.

**Councilor Atherton** presented the resolution. He said the location served a large number of communities in the southern part of the region. He said the Solid Waste & Recycling Committee had heard from many neighbors of the facility regarding noise and odor and felt they had worked out a way to stop the problems.

**Roy Brower**, REM Regulatory Affairs Manager, briefly summarized the amendments to the facility license (See copy of the Metro Solid Waste Facility License included with the permanent record of this meeting). He noted some major changes, like not accepting compost that had already started to smell, development of an operating plan before the license is actually issued, strengthened language regarding noise and odors, and requiring yard debris to be loaded out within 24 hours, all to minimize past issues.

**Councilor Park** asked about a provision to clean up any residue should the facility no longer operate from that location.

**Mr. Brower** said residue was not an issue for a composting facility because there was a ready market for compost and it could be cleared out easily. He added that time was the limiting factor for storage of the material, no longer than 24 hours, and the facility would need to plan their Saturday receiving times to make sure the debris would be processed and moved out before Sunday.

**Councilor McLain** was comfortable that the committee had worked out a plan for regulation of noises or dust or anything else that happened on-site. She said that would be dealt with in the operational plan. She felt the language on page 5 in the license addressed Councilor Park's concerns.

**Councilor Burkholder** asked how enforcement would work.

**Mr. Brower** responded that Metro had a full time inspector who looked at the approximately 40 solid waste facilities, and they also responded to any complaints that came in from neighbors.

**Councilor Atherton** asked Mr. Brower about Section 12.4, Right of inspection and audit, regarding confidentiality provisions of the license.

**Mr. Brower** answered that it was standard license language that was included in all license and franchise agreements with Metro. He said they did not typically ask for income tax returns or financial statements.

**Marv Fjordbeck**, Senior Legal Counsel, said the provisions referred to were standard broad enforcement provisions and was protected by Section 12.5, the Confidential information provision of the document. He said in his 5 years representing Metro he had not heard of a complaint regarding the provision.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

**10. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e).  
DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE  
REAL PROPERTY TRANSACTIONS.**

Executive Session began at 3:03 p.m. and ended at 3:22 p.m. Members present included Council, Laura Oppenheimer of the Oregonian, and Metro staff Nancy Chase, John Houser, John Donovan, Dan Cooper, Charlie Ciecko, Jim Desmond, Michael Morrissey, Karen Starin, Joel Morton, and Cheryl Grant.

10.1 **Resolution No. 01-3112**, For the Purpose of Authorizing the Executive Officer to purchase the Terry W. Emmert property on Powell Butte in the East Buttes/Boring Lava Domes target area.

**Motion:** **Councilor Atherton** moved to adopt Resolution No. 01-3112.

**Seconded:** **Councilor Burkholder** seconded the motion.

**Councilor Atherton** presented the resolution. He said the site was valuable to the Springwater corridor. He urged an aye vote.

**Jim Desmond**, Regional Parks and Greenspaces, recapped the 22 acre site adjacent to the Springwater corridor, the largest in-holding in the Powell Butte Nature Park. He said they had been working on acquiring the property for quite some time. The City of Portland has agreed to manage the property.

**Presiding Officer Bragdon** commented that the site was regionally significant and people from all over used it. He said more people would take advantage of the trail when it was connected through the Sellwood area. He noted that there had been much local participation related to this site.

**Councilor Park** clarified the site was in Multnomah County.

**Councilor Atherton** urged aye vote

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain, and the motion passed with Councilor Monroe absent from the vote.

## 11. COUNCILOR COMMUNICATION

**Councilor Burkholder** distributed a work sheet from the Regional Facilities and Operations Committee with a list of issues they had identified during the dialogues with various agency departments during the last year. He said they were now analyzing and setting up their work plan for the coming months. He said he was sharing it with the Council for feedback regarding priority issues or missing pieces. He offered to meet individually to explain the issues.

**Councilor Park** reported that Florida has a loosely affiliated 6 county council of governments dealing with growth pressures and transportation issues. He said the area he was in had a density is about 1.5 houses per acre with lots of gated communities. He thought it was especially telling that the cab driver who took him from the airport to the facility where he spoke, after 17 years as a cab driver, could not identify the downtown area exactly when asked. He said the council of governments was blown away by the concept of a group like MPAC and discussing issues of regional concern twice a month with local jurisdictions.

**Councilor Hosticka** announced the next Natural Resources Committee meeting, November 21, would be held at an earlier 1 p.m. time, and there would be an additional evening committee meeting on November 19 at 5:30 p.m. He noted the Executive Officer had sent him a letter recommending which of the Fish and Wildlife Habitat resources he thought should be deemed significant and which should be regional resources. Councilor Hosticka said they would start consideration of that letter on November 19 and continue at the November 21 meeting. He said the Presiding Officer had also agreed to continued discussion of the issues at the November 27 Council/Executive Officer Informal meeting, and that they were aiming at having a recommendation to the Council on December 6.

**Presiding Officer Bragdon** reported that Councilor McLain was officially an Optimist this day and he had attended her induction ceremony. He noted there would not be a Council meeting next Thursday due to Thanksgiving holiday, and the next meeting would be November 29.

**12. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 3:37 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER 15, 2001**

<b>TOPIC</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT NUMBER</b>
MINUTES	NOVEMBER 8, 2001	MINUTES	111501c-01
ORD. No. 01-927	N/A	FINDINGS	111501c-02
RES. No. 01-3111A	NOVEMBER 9, 2001	COMMITTEE REPORT	111501c-03
ORD. No. 01-923A	NOVEMBER 9, 2001	COMMITTEE REPORT	111501c-04
RES. No. 01-923A	N/A	BUDGET NOTE	111501c-05
RES. No. 01-3111A	N/A	AMENDMENT, EXHIBIT A	111501c-06
REG. FACILITIES/ OPERATIONS COMMITTEE	N/A	DIALOGUE POINTS OF DISCUSSION	111501c-07