

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 7, 2002
Metro Council Chamber

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

Councilors Absent: None

Presiding Officer Hosticka convened the Regular Council Meeting at 2:10 p.m.

1. INTRODUCTIONS

Presiding Officer Hosticka recognized Councilor Elect Brian Newman, Council President Elect David Bragdon and Lake Oswego Councilor Jack Hoffman.

2. CITIZEN COMMUNICATIONS

There were none.

3. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, presented the results of her most recent audit, the Transfer Station Revenue Controls. She said the work was done under contract with the Rasmussen Group LLC. Karen Rasmussen spoke to why they did the audit, what the findings were and what Metro had gained from the audit process. She gave a power point presentation on the audit (a copy of which is found in the meeting record).

Councilor McLain asked what facilities the work was done on? She would like to have comparisons with other facilities. Ms. Rasmussen said she didn't compare any facilities locally but did do some reading about transfer station practices and activities across the country. Councilors Monroe and Burkholder felt that Ms. Rasmussen had done a very thorough job.

4. VALUE OF AGRICULTURAL LAND WITHIN THE REGION

Councilor Park introduced Phil Ward, Director of the Oregon Department of Agriculture and Jim Johnson, Oregon Department of Agriculture Land Use Specialist. They gave a presentation on the importance and impact of agriculture in the region (a copy of the power point presentation and additional materials are included in the meeting record). Mr. Ward spoke to the nursery industry and the other essential farm uses in the region. He also gave an overview of the diverse agricultural commodities produced in the region and which products were exported nationally and internationally. Presiding Officer Hosticka asked about farmers' markets. Mr. Johnson said the farmers markets were not the bulk market drivers that some of the other markets were. They were a critical access point for folks to enable them to get a reasonable price for a home grown product. He spoke to the value of those farmers' markets. He noted that Oregon must compete based on quality and uniqueness of the products. They were trying to find ways to make value added expansions happen in Oregon such as Tillamook.

Councilor McLain asked about high value prime farmland and multiple needs for that land. She felt that the Department of Agriculture needed to be involved in the conversation about where

their prime lands were and what land they could not live without. She spoke to the assets of farmers' market. She also suggested that they needed to be involved in transportation conversations as well to make sure their products were getting to market. Mr. Ward said infrastructure was dramatically important to the success of agriculture.

Councilor Bragdon asked to be briefed on international factors and how they have helped and hurt Oregon's agricultural industries. Mr. Ward said they have to have the international market to succeed but the international marketplace was a two-edge sword. He felt, as a nation, we must make sure we have a clearly level playing field with some of the trading partners. They have suffered competition challenges in the past. Oregon agriculture has been a dramatic user of the export marketplace and he explained why. The strength of the U.S. dollar has also effected the industry in the international marketplace. As we have seen the dollar soften recently, they have seen markets open up to their products. There were truly dependent upon the international marketplace in this state.

Councilor Atherton asked if small farms made sense in this agricultural economy. Mr. Ward said small farms were a significant piece of commercial agriculture. Mr. Johnson said he would like to see more planning with buffers. Councilor Park acknowledged members of the audience that had to do with agriculture. He then explained the process they were going through in consideration of the urban growth boundary expansion. Mr. Johnson said the Department of Agriculture had been involved in discussions related to the Urban Growth Boundary for the past five to six years. He felt that the Metro staff had been great at coordinating and dealing with the Department of Agriculture in terms of how the analysis should be done. The Department had looked very closely at the Executive Officer's recommendations. They had been involved in that process and felt that the process had been open-ended. Metro staff had looked at agriculture in the hierarchy that was required under state statute and had followed it better than most jurisdictions he had worked with.

Councilor Park appreciated the presentation and noted how important agriculture was to this state and this region. The question was, how were we going to protect it, how were we going to have it compete and how were we going to allow the urban portion of the economy a portion of that land base in an efficient fashion.

5. COMMUNITY MEDIA PROJECT UPDATE

Presiding Officer Hosticka said the Community Media Project update was in response to 10-day letter that was sent out on the contract for the project. Councilor McLain had suggested that this be brought before Council so they had a clearer understanding of what was being done.

Pam Peck, Planning Department, said the Community Media Project planned to conduct a competitive hiring process in early 2003 to hire a creative team to produce a pilot television program to be broadcast on Oregon Public Broadcasting about transportation and related land use and environmental issues (a copy of the project proposal and process was included in the meeting packet).

6. MPAC COMMUNICATIONS.

There were none.

7. CONSENT AGENDA

7.1 Consideration of Minutes for the October 24, 2002 Metro Council Regular Meeting

Motion	Councilor Park moved to adopt the meeting minutes of the October 24, 2002, Regular Council meeting
Vote:	Councilors Bragdon, Atherton, Monroe, Park, Burkholder, McLain and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.

8. ORDINANCES - FIRST READING

8.1 Ordinance No. 02-966, For the Purpose of Amending Chapter 2.04 Metro Contract Policies of the Metro Code to Conform to the Metro Charter Amendments Adopted on November 7, 2000, and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-966 to the Governmental Affairs Committee.

8.2 Ordinance No. 02-970, For the Purpose of Amending a Carrying Capacity Policy into the Future Vision and the Regional Framework Plan.

Presiding Officer Hosticka assigned Ordinance No. 02-970 to the Natural Resources Committee.

8.3 Ordinance No. 02-974, For the Purpose of Amending Title V Solid Waste of the Metro Code (Chapter 5.01 through Chapter 5.09) to Conform to the Metro Charter Amendments Adopted on November 7, 2000, and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-974 to the Governmental Affairs Committee.

8.4 Ordinance No. 02-976, For the Amending Title VII Excise Taxes and Title VIII Financing Powers of the Metro Code, to Conform to the Metro Charter Amendments Adopted on November 7, 2002, and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-976 to the Governmental Affairs Committee.

8.5 Ordinance No. 02-979, For the Purpose of Amending Metro Code Chapter 5.05 to include the Coffin Butte Landfill on the list of Designated Facilities; and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-979 to the Solid Waste and Recycling Committee.

8.6 Ordinance No. 02-981, For the Purpose of Amending Ordinance No. 95-625A to Amend the 2040 Growth Concept Map and Ordinance No. 96-647C to Amend the Employment and Industrial Areas Map, December 2002, and Declaring an Emergency.

Brenda Bernards, Planning Department, provided maps to the Ordinance, which were included in the meeting record. Presiding Officer Hosticka assigned Ordinance No. 02-981 to the Community Planning Committee.

8.7 Ordinance No. 02-982, For the Purpose of Amending the FY 2002-03 Budget and Appropriations Schedule to recognize \$104,570 in grant funds and government contributions from various state and local sources; transferring \$25,430 from Contingency to Operating Expenses; increasing the Regional Parks Fund Operating Expenses by \$130,000; amending the FY 2002-03 Capital Improvement Plan; and Declaring an Emergency.

Presiding Officer Hosticka assigned Ordinance No. 02-982 to the Budget and Finance Committee.

9. ORDINANCES - SECOND READING

9.1 Ordinance 02-958A, For the Purpose of Amending Chapter 1.01 Code Adoption and Application Index and Chapter 2.01 Council Organization and Procedures of the Metro Code to Conform to the Metro Charter Amendments Adopted on November 7, 2000, and Declaring an Emergency.

Motion	Councilor Monroe moved to adopt Ordinance No. 02-958A.
Seconded:	Councilor Bragdon seconded the motion

Councilor Monroe said this was a housekeeping ordinance, which would conform our Code to the Charter changes that took place as a result of the approval of Metro's restructuring. He gave examples of those changes. He urged support. Councilor Burkholder referred to page 18 concerning the annual budget. He felt this was one of the key pieces, giving that duty to the Council President.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-958A. No one came forward. Presiding Officer closed the public hearing.

Vote:	Councilors Monroe, Atherton, Bragdon, McLain, Burkholder, Park, and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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10. RESOLUTIONS

10.1 Resolution No. 02-3232, For the Purpose of Authorizing Metro to Enter Into Agreements to Purchase and Deliver Equipment on Behalf of Food Donation Infrastructure Grant Recipients in Lieu of Direct Cash Grants.

Motion	Councilor McLain moved to adopt Resolution No. 02-3232.
Seconded:	Councilor Atherton seconded the motion

Councilor McLain spoke to the exhibits of the resolution. This resolution gave Metro more opportunities and flexibility with how we give grants to organizations such as the Oregon Food Bank. She had expressed concerns about liability in the committee discussion and had been assured by our legal staff that we would not have any exposure because we had purchased the equipment itself versus giving hard dollars. She urged support and detailed possible savings. Councilor Burkholder said this resolution was tied to Metro's mission of reducing waste. He spoke to the potential savings and the indirect results of reducing food waste, which was to feed hungry people. Presiding Officer Hosticka suggested clarification for the public about the food donations.

Jennifer Erickson, Waste Reduction Division, said most of the food was surplus food that came from restaurants, prepared but not served, or it came from grocery stores such as slightly damaged produce. The majority of the foods were fresh or frozen foods that had not been served but were perfectly edible and were in high demand by food banks. Councilor McLain complemented Ms. Erickson for her work on this resolution.

Vote:	Councilors Atherton, Bragdon, McLain, Burkholder, Park, Monroe and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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10.2 **Resolution No. 02-3242**, For the purpose of Confirming the Appointment of Eric Merrill to the Metro Solid Waste Advisory Committee (SWAC).

Motion	Councilor Monroe moved to adopt Resolution No. 02-3242.
Seconded:	Councilor Atherton seconded the motion

Councilor Monroe said Mr. Merrill had been very active in the solid waste business. He applied for the SWAC appointment, he would do a good job of representing the haulers on the north side of the Columbia River. He urged support.

Vote:	Councilors Bragdon, McLain, Burkholder, Monroe, Atherton, Park and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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10.3 **Resolution No. 02-3243**, For the Purpose of Reappointing Metro Solid Waste Advisory Committee (SWAC) members and Alternative Members.

Motion	Councilor Monroe moved to adopt Resolution No. 02-3243.
Seconded:	Councilor Atherton seconded the motion

Councilor Monroe spoke to the purpose of resolution, which was to reappoint varies members of the Solid Waste Advisory Committee to two-year terms. He noted those individuals who were being reappointed (as found in the resolution). They had all served with distinction and wished to continue to serve. He urged support.

Vote:	Councilors McLain, Burkholder, Park, Monroe, Atherton, Bragdon and Presiding Officer Hosticka voted aye. The vote was 7 aye, the motion passed.
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11. COUNCILOR COMMUNICATION

Councilor Bragdon updated the Council on transition matters. He talked about the search process for the Chief Operating Officer (COO). He said the search consultant, Bob Murray and Associates would be here the week after next. Mr. Murray's assignment was to meet with all of the Councilors about their expectations. Lilly Aguilar, Human Resource Director, had drafted a situational analysis and job description for the COO position. He asked Council to provide their input to this draft. He and the Executive Officer would be inviting Metro employees to provide their suggestions as well. He also asked Council to provide him with the external stakeholders. It was unlikely that he would have a candidate to nominate by January 6, 2003. He announced that

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his intent would be to nominate an interim Chief Operating Officer, who would be Mark Williams. He spoke to Mr. Williams' attributes. The second post for nomination and confirmation on January 6, 2003 was the Metro Attorney position. He was intending to nominate Dan Cooper for that position. He said the consultants would be coming back with a proposal for consolidation of the Executive Office and Council Office. Finally, he asked Council to find time on their January calendar to talk about some of these working relationships with the new structure.

Councilor Monroe said he was pleased with Councilor Bragdon's first decision, his appointment of the Metro Attorney. Councilor McLain thanked Mr. Cooper for his willingness to serve.

Councilor Park announced that the Community Planning Committee would reconvene at 3:50 p.m. today.

12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 3:46 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER 7, 2002

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
3.0	AUDITOR'S REPORT	OCTOBER 2002	METRO REGIONAL ENVIRONMENTAL MANAGEMENT DEPARTMENT TRANSFER STATION REVENUE CONTROLS	110702C-01
4.0	AGRI-CULTURAL PAMPHLETS AND POWER POINT PRESENTATION	NOVEMBER 2002	POWER POINT PRESENTATION MADE BY DEPT OF AGRICULTURE CONCERNING AGRICULTURE IN THE METRO AREA TO METRO COUNCIL	110702C-02
8.5	ORDINANCE No. 02-979	NOVEMBER 2002	ORDINANCE No. 02-979, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.05 TO INCLUDE THE COFFIN BUTTE LANDFILL ON THE LIST OF DESIGNATED FACILITIES; AND DECLARING AN EMERGENCY	110702C-03
8.6	ORDINANCE No. 02-891	NOVEMBER 2002	ORDINANCE No. 02-981, FOR THE PURPOSE OF AMENDING ORDINANCE No. 95-625A TO AMEND THE 2040 GROWTH CONCEPT MAP AND ORDINANCE No. 96-647C TO AMEND THE EMPLOYMENT AND INDUSTRIAL AREAS MAP - NOVEMBER 2002; AND DECLARING AN EMERGENCY.	110702C-04
10.1	RESOLUTION No. 02-3232	11/6/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON RESOLUTION No. 02-3232	110702C-05
10.2	RESOLUTION No. 02-3242	11/6/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON RESOLUTION No. 02-3242	110702C-06
10.3	RESOLUTION No. 02-3243	11/6/02	COMMITTEE REPORT FROM JOHN HOUSER TO METRO COUNCIL ON RESOLUTION No. 02-3243	110702C-07
3.0	POWER POINT	11/7/02	TRANSFER STATION REVENUE CONTROLS REVIEW POWER POINT PRESENTATION MADE BY KAREN RASMUSSEN TO METRO COUNCIL	110702C-08