

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, January 23, 2003  
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Brian Newman, Carl Hosticka, Rod Monroe, Rex Burkholder, Rod Park

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:04 p.m.

### 1. INTRODUCTIONS

Council President Bragdon introduced Bob Woodell, former President of Nike, former executive director of the Port of Portland and current President of Rogue Brewing.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. CONSENT AGENDA

#### 3.1 Consideration of minutes of the January 16, 2003 Regular Council Meetings.

Motion: Councilor Park moved to adopt the meeting minutes of the January 16, 2003, Regular Metro Council meeting.

Vote: Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

#### 3.2 Consideration of Letter to Oregon Transportation Commission.

Motion: Councilor Park moved to forward the letter to the Oregon Transportation Commission concerning Metro Council and Joint Policy Advisory Committee in Transportation comments on the 2004-07 Draft State Transportation Improvement Program (STIP).

Vote: Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

### 4. RESOLUTIONS

4.1 **Resolution No. 03-3269**, For the Purpose of Authorizing Metro to Issue a Call for Grants and Award Grant Funding in Partnership with the City of Portland for the Development of Sufficient Organic Waste Processing Capacity to Serve the Region.

Motion:	Councilor Park moved to adopt Resolution No. 03-3269.
Seconded:	Councilor Burkholder seconded the motion

Councilor McLain said this resolution would authorize issuance for grants for organic waste processing. This was one of Metro's most difficulty recycling areas. It was also one of the areas where they had the most work to do in the 21<sup>st</sup> century to make sure we were not land filling food that could either be consumed or utilized in a different type of product. They were trying to make sure that they had a sufficient organic waste processing capacity to serve the region. This would be an opportunity for Metro to go out and find business partners to help with processing organic waste. Council had reviewed the criteria.

Lee Barrett, Manager of the Waste Reduction Outreach Division, spoke to the importance of reducing organic waste out of the landfill. This would allow Metro to have some funds available to develop the infrastructure for accepting food and food contaminated paper for processing. We needed to get 90,000 more tons of organic material to get to the 62% goal by the end of 2005. This grant would go a long way towards establishing the infrastructure so that we would have a system in place to accept this material. We wouldn't reach the 62% goal without addressing this portion of the waste stream.

Council President Bragdon opened a public hearing.

Bruce Walker, City of Portland, Office of Sustainable Development, urged support of this resolution. This was a partnership, very forward looking and important to the region in taking the next step in recycling. He spoke to what was currently going on and the challenges they faced in the future. They had looked at the recovery of edible food, next came the more challenging portion, which would allow for processing food waste. They had taken the next step to set the groundwork to achieve these goals. They believed the partnership could move this ahead. He urged support.

Vince Gilbert, Nature Needs and Melissa Finn, Facility General Manager, spoke in favor of the program. Mr. Gilbert applauded the accomplishments of the prior grant program, including training businesses on how to handle food waste and helping facilities with grant money. He spoke to the awarding of grants and how they were awarded. He suggested awarding grants to companies, which were already established because they have a better chance for success. He also suggested using some of this money for marketing. He felt that infrastructure paid for itself if there was a market for this material.

Councilor Monroe said Mr. Gilbert's facility was in North Plains and asked about the capacity of the facility. Mr. Gilbert detailed the organic waste they currently processed. Councilor Monroe asked about meat processing. Mr. Gilbert said they currently did not process meat but he would be applying for a Metro grant to upgrade his facility to do this type of processing. Councilor Monroe asked if 16,000 tons was the maximum for Mr. Gilbert's facility. Mr. Gilbert responded that they were at 30% capacity. Councilor Monroe asked if then the total capacity for the facility would be 50,000 tons? Mr. Gilbert responded, it would be 50,000 to 60,000 tons. Councilor Monroe asked about market development and use of the product for nursery crop. Ms. Finn responded that it was already being used in nursery crop.

Councilor Newman asked about organic waste and the high acid content. Ms. Finn said their end product was neutral with a pH of 7. Councilor Newman asked about acid content when it arrived. Ms. Finn said when they received it; it was not tested for pH. There was a little acidity when it came to fruits and vegetables. Councilor Newman asked how long the product took to be market

ready. Ms. Finn said approximately 16 weeks. They preferred to let it sit for two to three months more before they sold it because the buyer was getting a better product.

Council President Bragdon closed the public hearing.

Councilor McLain spoke to the scoring process and established businesses scoring credit. She also talked about the health and safety scoring points. They had a very large need so they must look at the short-term ability to accept waste as well as the long-term vision of businesses.

Councilor Newman thanked Mr. Barrett and Ms. Jennifer Erickson for their orientation to this issue. He asked Mr. Barrett about the 62% target waste stream recovery. What was the fundamental public good from removing organic waste from the waste stream? Mr. Barrett responded that, from a greenhouse gas emission point of view, organics that went into a landfill ultimately decomposed and formed methane gas. Unless that was taken care of, it could contribute to greenhouse gases. Councilor Newman asked if this would happen if the food waste was composted. Mr. Barrett responded, not to the extent that it would at the landfill. Second, they were looking for two different programs, first, using the food to feed human beings, and second, this was a valuable resource and if we landfill it, it would be a waste of resources. Society would ultimately pay for that waste of resources. Councilor Newman said he wanted to talk about resources. It was his understanding that organics were generally benign, had high acid content, broke down fairly quickly and might help break down the rest of the waste. His concern was Metro's sustainability goals including energy consumption and carbon contribution into the atmosphere. He was concerned that these parallel systems of picking up, distributing and disposing of or recycling of materials were creating more waste. With these parallel systems, were we creating bigger problems, were we hurting the environment more because we were so focused on achieving that 62% recycle goal that we weren't internalizing all of these external costs. Mr. Barrett responded no. He further explained that the volume of material would not change whether they used one truck or three trucks. One truck would serve fewer households than it would currently serve because it would fill up faster. He didn't think that the number of emissions would significantly decrease if you decided to put everything in the garbage can. Councilor Newman added that there were two trucks that they were sending out to eastern Oregon. Mr. Barrett said there was nothing to say that they would be trucking waste forever or that all of this organic material had to go to eastern Oregon. Councilor Newman said his point was that sometimes they focus so much on numbers, they lose sight of what they were trying to achieve. If the public good was that we were trying to reduce waste and reuse resources, then it was incumbent on Metro to internalize all of the energy that was consumed as far as separating out these resources. Mr. Barrett said organics were benign. If this material was marketed properly, this could be used as a substitute for pesticides use. In the big picture, you could argue by collecting this material separately, you could replace some pesticide use and that was a good thing. Councilor Newman asked about the acid content of the material, if it was taken out of the waste stream, would it take longer for regular waste to degrade? Mr. Barrett responded that even today in modern landfills with municipal solid waste, you could dig down in the landfill, find a newspaper that was thirty years old and read that newspaper. In a good landfill that dealt with the water properly, it would not be a concern.

Councilor Park asked about the cost of disposal through the sewer system. He thought the cost was \$600 per ton. Mr. Barrett explained further the sewer charges. The amount of water you would have to use to flush a ton of food through the system would result in \$800 to \$900 per ton cost.

Councilor Hosticka asked about market development. Was this included in the resolution? Mr. Barrett said no.

Councilor Monroe asked about the sources of organics that they were trying to recover. His understanding was that initially the primary sources would be large sources such as grocery stores, restaurants and food processing plants. Mr. Barrett said in the first few years they would be looking at large sources but they would anticipate household collection a few years out. Councilor Monroe talked about garbage disposals. Mr. Barrett said a number of jurisdictions realize that garbage disposals encouraged people put a higher organic load on the sewage treatment system and it costs a lot more to treat that organic material in a sewage treatment plant than it did to compost it.

Council President Bragdon asked what were the foregone revenue projections if we diverted this waste from the waste stream? Mr. Barrett said he didn't know what the fiscal impact would be but the projections were reflected in the proposed budget. Council President Bragdon asked about the timeline for this grant process. He suggested that one of the councilors might wish to be involved with the panel. Mr. Barrett said the Release for Grants (RFG) would be released within the next week. This would give applicants 4 to 5 weeks to respond. They hadn't put the selection committee together yet because they needed to know who would be applying for the grants. He encouraged having a member of the council on the committee. Council President Bragdon asked if Councilor McLain would participate. Councilor McLain said she would be happy to serve. Mr. Barrett said they would hope to bring this back to Council in March.

Councilor Newman said Portland had a good track record concerning collectors' fines when there was spillage of waste. Was this the case regionally? Mr. Barrett said he thought other areas of the region had similar regulations. David White, Oregon Refuse Recycling Association, represented the haulers regionally. He said in most of the franchise agreements there were requirements regarding the equipment that was used but they were concerned as there was no truck built that could ensure no leakage. Councilor Newman said he wanted to make sure that, local governments were prepared for businesses maintaining containers of organics. Mr. White said they were aware of the problem and they were prepared to address it.

Councilor Park asked about the regional system fee and was this part of the reason for the reduction from the normal rate to the lower rate? Would that be forgiven on this particular material? Mr. Barrett said the regional system fee was not attached to any source separated recyclable material and this would be considered a source separated recyclable material. Councilor Park asked if this was taken into account in the budget. Mr. Barrett said yes.

Councilor Monroe said they were back to the original reason why this agency was originally created, to handle solid waste for the region. He felt this resolution was a slam-dunk. He said anytime we can reduce the amount of material that we have to haul 100 miles in a truck and produce a product that reduces the amount of pesticides in the streams, that was a positive. He urged support.

Councilor McLain reminded all that they were talking about 90,000 tons of waste. This was not the only solution to the organics problem. She talked about the success of the composting bin program. She talked about the collection of waste. Finally, liners were a part of dealing with many kinds of solid waste and there may be a new type of liner they would have to use for organic waste.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

4.2 Resolution No. 03-3272, For the Purpose of Adopting the Metro 2003 Oregon State and Federal Legislative Priorities.

Motion:	Councilor Park moved to adopt Resolution No. 03-3272.
Seconded:	Councilor Hosticka seconded the motion

Council President Bragdon introduced the resolution. They were attempting to provide Dan Cooper, Metro Attorney with some conceptual direction about what Council felt was important. He talked about the layout, the process and the procedures for supporting, opposing, issues of interest and some of the specifics in each area. He asked Mr. Cooper to report to Council weekly.

Metro Attorney Cooper reviewed Exhibit A to the resolution (a copy of which is in the meeting packet). He detailed some the priority bills being proposed in the 72<sup>nd</sup> Oregon Legislative Assembly (a copy of these bills were included in the meeting record) including transportation funding, infrastructure financing, Urban Growth Boundary (UGB) Amendment over 50 acres, tire recycling, pool chlorine, self-insurance for health benefits, and revenue sharing task force creation. He noted that Councilor Hosticka was preparing a concept outline. Councilor Hosticka distributed a sheet introducing the bill proposing the creation of a task force on revenue sharing.

Mr. Cooper continued with issues of interest, which included legislation to permit enforcement of Metro's civil orders. He explained that his staff had prepared a recommendation that suggests it might be useful to have legislation to make it easier to take the enforcement orders we have from the Metro Hearings Officer and turn them into civil judgements that we can collect on in the court system rather than simply ending up with an order that we then have to initiate a law suit on in order to collect.

The second issue of interest had to do with a statutory amendment concerning lengthening the timeline for UGB from 5 years to 7 years. They didn't think there was serious opposition. Councilor Hosticka said he would rather do it more often rather than less often by setting up urban reserves and then reviewing the boundary on a more regular basis. He suggested discussing this further before they went forward. Councilor McLain agreed with Councilor Hosticka in that the issue was controversial. She suggested having further conversation about this issue. Mr. Cooper explained the deadlines for initiating bills. Council needed to make some decisions soon. Councilor Burkholder asked about the definition of support and explained further his concern. Council President Bragdon echoed Councilor Burkholder's concern. Mr. Cooper said the statements of support meant that the Council philosophically would support the idea. They would have to determine support, as bills went through the process. He talked about how they would update Council weekly. Councilor Burkholder made some suggestions on oppositions and issues of interest. Council President Bragdon suggested Councilor Burkholder amend the exhibit to include his suggestions. Councilors discussed the pros and cons of each amendment as proposed.

Motion to Amend:	Councilor Burkholder moved to amend Exhibit A to replace Son of Seven with the term takings legislation.
Seconded:	Councilor Newman seconded the motion
Vote:	Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye,

the motion passed.
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Motion to Amend:	Councilor Burkholder moved to amend Exhibit A to delete Starr from Transportation funding package.
Seconded:	Councilor Newman seconded the motion.
Vote:	Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Motion to Amend:	Councilor Burkholder moved to amend Exhibit A to monitor additional uses of parks outside of the Urban Growth Boundary
Seconded:	Councilor Newman seconded the motion.
Vote:	Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Motion to Amend:	Councilor Burkholder moved to amend Exhibit A to oppose pre-emption of local revenue sources.
Seconded:	Councilor Newman seconded the motion
Vote:	Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Vote on the Main Motion as amended:	Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Councilor McLain said the emergency process they had used in the past seemed to work well. She asked what the Council President could do to be proactive if they were time limited? Council President Bragdon made several suggestions on how Council could weigh in on bills where there was a short turn around time. Mr. Cooper gave an example of how they had handled this in the past. Councilor McLain suggested Council be available to testify and network as necessary. Councilor Burkholder suggested having floor papers on issues. Mr. Cooper said they would be preparing and sharing these with Council.

**5. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d) FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.**

Time Began: 3:38 p.m.

Members present: Council, council staff, Lilly Aguilar Director of Human Resources, Ed Rutledge Labor Relations Manager, Mark Williams Chief Operating Officer, Casey Short Chief Financial Officer, Roy Soards Business Services Director and Joseph Gibbons Senior Auditor

Time Ended: 4:43 p.m.

**6. COUNCILOR COMMUNICATION**

Councilor Newman said there were two events in District 2 that the public might be interested in, both on January 29<sup>th</sup>. There was going to be an open house on the Trolley Trail from 5 to 8 p.m. at Oak Grove Elementary School. The second event was a public hearing on the South Corridor project beginning at 6 p.m. at Lentz Masonic Lodge in southeast Portland.

He was the new liaison to Metro Committee on Citizen Involvement (MCCI). There were three questions that MCCI had about the operating procedures of this Council. First, there was a general concern around the table that without committees, citizens would not have an opportunity for early public participation or public comment as proposals progressed through the process. They wanted to know if Council would be taking testimony at the Council Informal sessions and if not, and the only opportunity for public testimony was at adoption, was it then too late for citizens to provide constructive input. Second, they wanted to know if there was going to be public involvement in the Chief Operating Officer (COO) search and if so what was that public involvement? Finally, they wanted to know if the Council Informals would be broadcast on cable access.

Councilor McLain said she was a supporter in making the Informals work and streamlining the processes. Solid waste industry individuals had contacted her about how businesses and customers that were in public private relationships with Metro followed what they were doing. She felt they needed to get back to industry and the public about these concerns.

Council President Bragdon said in response to those concerns, the recommendation about streamlining the committee structure was from an advisory group on the basis that it would improve opportunities for public involvement. The pre-existing system was confusing and duplicative because people weren't clear about where decisions were being made and they often had to testify several times. The new system was designed to improve the public involvement. Councilor McLain explained further that they wanted an opportunity to weigh in at the front end and not at the time of adoption. She thought it was important to address these issues. Council President Bragdon said the Metro Council Informal system was the same system that every city council in the region uses as well as the county commissions. They would work on a response to those questions.

Council President Bragdon said he had met with Peggy Coats, Council Operating Officer, and they would be coming up with a legislative flow procedure and a rolling calendar of issues and legislation. Metropolitan Policy Advisory Committee (MPAC) met last night for their retreat. They had a goal setting session, which included emphasis on centers, Goal 5 and related package of economic issues.

Councilor Burkholder said he had been asked to serve on the advisory committee for the Eastside Streetcar Expansion to the Lloyd District. He would also be out of town January 30<sup>th</sup>.

## 7. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:50 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 23,  
2003**

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
3.1	MINUTES	1/16/03	METRO COUNCIL MINUTES OF JANUARY 16, 2003 SUBMITTED FOR APPROVAL	012303C-01
3.1	LETTER	1/16/03	LETTER TO OREGON TRANSPORTATION COMMISSION FROM: METRO COUNCIL AND JPACT RE: COMMENTS ON THE 2004-07 DRAFT STIP	012303C-02
4.2	SENATE AND HOUSE BILLS	1/23/03	72 <sup>ND</sup> OREGON LEGISLATIVE ASSEMBLY – REGULAR SESSION PROPOSED BILLS AND SB 906 & 964	012303C-03
4.2	RESOLUTION No. 03-3272A	1/23/03	AMENDED RESOLUTION No. 03-3272A, FOR THE PURPOSE OF ADOPTING THE METRO 2003 LEGISLATIVE OREGON STATE AND FEDERAL LEGISLATIVE PRIORITIES	012303C-04