

MINUTES OF THE METRO COUNCIL MEETING

Thursday, November 12, 2009
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Robert Liberty, Rex Burkholder, Rod Park, Carl Hosticka, Carlotta Collette

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

Councilor Collette introduced visitors from Japan.

2. CITIZEN COMMUNICATIONS

Larry Tuttle, Executive Director of the Center for Environmental Equity, Portland, provided testimony on compact fluorescent light issues. He discussed public health ramifications and national models for disposal. Councilor Burkholder asked about site specifics.

Ariana Longanecker, Audubon Society, provided testimony on Title 13, Nature in Neighborhoods extension request issues. Councilor Liberty discussed adequate schedules and steps toward compliance and completion. Tim O'Brien, Metro Principal Planner, provided specific process and background details. Councilors asked questions regarding conservation and protection specifics.

3. CONSENT AGENDA

3.1 Consideration of minutes of the November 5, 2009, Regular Council Meeting.

3.2 **Resolution No. 09-4085**, For the Purpose of Entering an Order Approving Time Extensions for the Cities of Fairview, Lake Oswego, Milwaukie and Portland to Comply with Urban Growth Management Functional Plan Title 13: Nature in Neighborhoods.

Motion:

Councilor Hosticka moved to adopt the meeting minutes of the November 5, 2009 Regular Metro Council meeting and Resolution No. 09-4085.

Vote:

Councilors Burkholder, Harrington, Liberty, Park, Collette, Hosticka and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

4. ORDINANCES – FIRST READING

Council President Bragdon assigned Ordinance No. 09-1224 to Council on November 19th, 2009.

Council President Bragdon assigned Ordinance No. 09-1225 to Council on November 19th, 2009.

Council President Bragdon assigned Ordinance No. 09-1226 to Council on November 19th, 2009.

Council President Bragdon assigned Ordinance No. 09-1227 to Council on November 19th, 2009.

Council President Bragdon assigned Ordinance No. 09-1228 to Council on November 19th, 2009.

5. ORDINANCES – SECOND READING

5.1 **Ordinance No. 09-1222**, For the Purpose of Amending Metro Code Title II, Administration and Procedures, to Revise the Purpose and Membership of the Solid Waste Advisory Committee.

Council President Bragdon moved and introduced Ordinance No. 09-1222A. He discussed process changes and committee specifics.

Motion:	Council President Bragdon moved to adopt Ordinance No. 09-1222A.
Seconded:	Councilor Park seconded the motion.

Councilor Hosticka asked about differences between the original version and the “A” version. Deputy Council President Harrington noted language changes regarding representation on the third page, d.5 of the Metro code.

Deputy Council President Harrington opened a public hearing on Ordinance No. 09-1222A.

Dave White, Tri-County Council, provided testimony on proposed Solid Waste Advisory Committee (SWAC) changes and realignments. He discussed industry stakeholder issues and voting inclusion.

Deputy Council President Harrington closed the public hearing. Councilor Burkholder discussed stakeholder inclusion processes and his concern with creating two different “classes” of participants. He discussed an amendment he drafted without Council support to move forward.

Vote:

Councilors Park, Collette, Harrington, Liberty, Hosticka and Council President Bragdon voted in support of the motion. Councilor Burkholder opposed. The vote was 6 aye, 1 nay, the motion passed.
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5.2 **Ordinance No. 09-1223**, For the Purpose of Amending Metro Code Chapter 5.02 to Adopt Solid Waste Rate Setting Procedures, and Amending Metro Code Chapter 2.19 to Repeal the Solid Waste Rate Review Committee.

Motion:	Council President Bragdon moved to adopt Ordinance No. 09-1223.
Seconded:	Councilor Collette seconded the motion.

President Bragdon introduced Ordinance No. 09-1223. He discussed rate review specifics relevant to the ordinance and the need for amending the Metro Code.

Deputy Council President Harrington opened a public hearing on Ordinance No. 09-1223.

Dave White, Tri-County Council, discussed stakeholder inclusion issues. He said industry participation would benefit the system. Councilor Park asked about rate setting processes. Deputy Council President Harrington noted the role of outside experts in jurisdictional rate setting.

President Bragdon discussed differences between local and regional rate setting. Mr. White described decisions involved in rate processes.

Ray Phelps, Allied Waste, discussed revenue generation issues and the connection to Allied Waste. He discussed history and background, and issues with Ordinance No. 09-1223. Councilor Collette asked about company and industry economic harm and impacts. Councilor Park discussed system changes and rate payer equity. Councilor Burkholder discussed transparency and private transfer station opportunities.

Deputy Council President Harrington closed the public hearing.

Councilor Harrington asked about the date the rate-making process would take effect. Doug Anderson, Metro Planner, said 90 days after adoption which would be approximately mid-February 2010. Councilor Collette expressed her support for the ordinance. Councilor Burkholder noted the complicated problem involved in managing a system rather than simply an isolated process. Councilors discussed concerns albeit support for the ordinance.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed. Councilor Hosticka was excused.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, discussed Metro events and happenings. He discussed the Zoo Bond Measure Audit release.

7. COUNCILOR COMMUNICATION

Councilors discussed events and meetings they had attended.

8. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:45 p.m.

Prepared by



Tony Andersen
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
 November 12, 2009**

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony	11/12/09	To: Metro Council From: Laurence Tuttle, Executive Director, Center for Environmental Equity Re: Testimony of Laurence Tuttle regarding disposal of compact fluorescent lights, before the Metro Council Date: November 12, 2009	111209c-1
4.0	Budget Amendments	11/2009	FY 2009-10 Budget Amendment Summary, November 2009	111209c-2
5.1	Ordinance	11/12/09	Ordinance No. 09-1222A, re: amending the purpose and membership of the Solid Waste Advisory Committee (SWAC)	111209c-3
5.1 and 5.2	Testimony	11/12/09	To: Metro Council From: Dave White, ORRA Regional Representative Re: Testimony, from Chair of the Tri-County Council and regarding Ordinance Nos. 09-1222A and 09-1223. Date: November 12, 2009	111209c-4
5.2	Testimony	11/12/09	To: Metro Council From: Ray Phelps, Allied Waste Representative Re: Ordinance No. 09-1223 Date: November 12, 2009	111209c-5