

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, July 15, 2003
Metro Council Chamber

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

Councilors Absent:

Council President Bragdon convened the Metro Council Work Session Meeting at 2:05 p.m.

1. SALEM LEGISLATIVE REPORT

Dan Cooper, Metro Attorney, said the Transportation package was moving. He explained the specifics of the bill. He said Mr. Bruce Warner, Oregon Department of Transportation (ODOT) Director, had committed finding money to make sure the Transportation Demand Management (TDM) program and bus package got funded through ODOT. They were still working on the sub-regional rule bill. Mr. Cooper had met with City of Portland 1000 Friends and drafted language that they could agree upon. Councilor Burkholder asked about the statewide industrial land report. Mr. Cooper explained the bill. There was a preliminary report out.

The periodic review bill looked as if it would be signed off by the cities and the Department of Land Conservation and Development (DLCD) on how to clear the pipeline. He then spoke to the Forest Park bill. He had asked Doug Riggs to find out about the bill. Councilor Monroe asked where the Forest Park property was. Mr. Cooper said it was outside the Urban Growth Boundary (UGB). Councilor Monroe asked if it was resource land. Mr. Cooper said it was now but wasn't before. Councilor Monroe asked about the TriMet tax. Mr. Cooper said nothing was happening on that front.

2. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JULY 17, 2003.

Council President Bragdon reviewed the upcoming Council agenda (a copy of which is included in the meeting record). He noted that the Council would be in Fairview for the meeting. Andy Cotugno asked about transportation presentations at the meeting. Councilor Newman said Ross Roberts, Planning Department, would be bringing staff and presenters.

3. TROLLEY TRAIL MASTER PLAN

Jane Hart, Parks and Greenspaces Department, presented the Trolley Trail Master Plan. She noted Krista Hornaday presence at the meeting. She gave an overview of the history of the trail and shared where the acquisition was on the map. It was a 40-foot wide corridor. She showed how it was part of the 20-mile loop. She noted the purpose of the plan. They had involved the community throughout the planning process. They established a Trolley Trail Working Group. She acknowledged Ann Irish, part of that Working Group. She spoke to the Master Plan's recommendations. The trail would accommodate a wide variety of non-motorized uses. She talked about the drainage issues on the trail. She said the accepted trail standards were 12-foot wide. Councilor Burkholder said he felt that the 12-foot wide was a necessary minimum and talked about safety issues when trails were narrower. Councilor Monroe concurred with Councilor Burkholder's remarks. Ms. Hart said that they could jeopardize their Metropolitan

Transportation Improvement Program (MTIP) funding if they changed the width of the trail. She talked about pedestrian access, which would be available at every road intersection. She then talked about trailheads. Council President Bragdon asked what defined a trailhead. Ms. Hart responded that trailheads allowed for parking and often had bathrooms available. Councilor Hosticka asked about the road crossing. Ms. Hart spoke to the safety issues. Councilor Burkholder felt that 23 crossings might be prohibitive for bicycles and walkers. Ms. Hart said she would follow up and see how many stops there were for pedestrians and bicyclists. She then reviewed recommendations for buffers such as friendly fences, vegetations, hedges, etc. Councilor McLain asked about the heights of the fences. Was there any suggestion about the height of the fences? Ms. Hart responded that there had been recommendations from the Working Group on fence heights and hedge heights for safety purposes. She spoke to signage, benches, garbage cans, restrooms and public art for the corridor.

They had received MTIP funding for all of the design and engineering as well as construction of the first phase. She talked about the timeline for approval of the Master Plan. They would be coming back to Council in the Fall after they went through the public involvement process. Councilor Burkholder wondered if there had been a discussion about how much they could build with the MTIP money. Ms. Hart said they were looking at doing the entire section. Phase One did not have trailheads and restrooms. Councilor Burkholder asked if the committee had discussed priorities for completing Phase One of the trail. Council President Bragdon reiterated the need for the 12-foot trail width. Ms. Hart talked about the interpretive signage and the historic photos when the rail was being used in the corridor. Councilor Monroe asked about environmental concerns. Ms. Hart said they needed to do some wetland delineation.

Ann Irish, Trolley Trail Work Group, said Ms. Hart had done a good job of detailing the Master Plan. She talked about her involvement with the trail. She noted that there were four retirement communities in the area, approximately 32% usage by seniors. She spoke in support of the 12-foot wide corridor. She supported the Master Plan recommendations. Councilor McLain said they needed the funding to do the trail and federal regulations dictated the safety and width. Councilor Monroe said many used this trail to walk their dogs.

4. AMENDING IGA FOR THE REGIONAL EMERGENCY MANAGEMENT AREA

Gerry Uba, Planning Department, gave a history of regional emergency management. He said the current Intergovernmental Agreement (IGA) did not have the right legal structure to receive federal funding. Mr. Cooper had worked on the issue with other attorneys for local jurisdictions. He spoke to the IGA changes. He presented the amendment to the IGA so Regional Emergency Management Group (REMG) can receive the federal grants.

Dan Cooper, Metro Attorney, talked about the current REMG IGA. REMG did not have a formal method for receiving funding. This set of amendments allowed for receiving funding. This set the stage if some funding source provided money, then REMG can be the formal applicant for it. This amendment would allow the group to have additional powers to carry out its limited mission. Councilor Newman asked why Metro wasn't that entity? Mr. Cooper explained the history of emergency services. He noted the guidance in the charter, which recognized Metro's role. Metro was playing a convening role. Councilor McLain noted the contributions of Metro to emergency management. This was a good way to get some funding. Mr. Cooper said Metro's commitment was to provide staff support and a regional perspective. Councilor Burkholder asked about the anti-terrorism preparedness program elements. Mr. Cooper explained Metro's role in this program and the agreement. Mr. Uba said he had an anti-terrorism proposal, which he could share

with any Councilors. He asked if Council needed further information about the resolution. It was scheduled for August 7th at Council.

5. ORGANIC/FOOD WASTE COMPOSTING IN OTHER JURISDICTIONS

Lee Barrett and Jennifer Erickson, Solid Waste and Recycling Department, gave a power point presentation on "A Review of Organic Recycling Program (a copy of which is included in the meeting record). He said this program was not ready for prime time. They would outline what they knew and what they didn't know and where they stood today. He presented information on other programs around the country. They primarily focused on the City of San Francisco program. He detailed that program which was probably the most effective organics program in the country. Education was key to any successful program. San Francisco's program provided a good education on the program with a multi-lingual message. They provided a variety of containers and had a variety of collection trucks. He reviewed where the material went. The food waste was mixed with yard debris and put into ag bags. The material from this program went for wholesale distribution. They tried to tie in the fact that it was high quality food that went into high quality compost that was then being used in agriculture composting which came back to them in food provided at the restaurant. Councilor Newman asked about contamination. Ms. Erickson said they knew where the organics were coming from and if there was contamination, those entities were billed. Most of the organics went into Black Gold composting material.

Mr. Barrett spoke to other programs such as Berkeley, Honolulu, Amherst, San Diego and Duluth. The Duluth program was as close to Metro as they could find. He talked about precipitation and the impacts on the organics. He noted other programs, many of which were in California because of their 50% recycle law. He spoke to the white paper that they were preparing on the organics program. Council President Bragdon asked about use of the product. Ms. Erickson and Mr. Barrett detailed some of the use for composting. Councilor Newman asked about the recycling credit program and the cost per ton for other programs. Mr. Barrett said he would look into this but didn't know the answer. Councilor Newman asked about complaints or local problems with collection. Mr. Barrett said San Francisco was the most familiar program and he was unaware of vector or odor problems. Councilor McLain spoke to Metro's compost bin program. Was there a difference in the containers used in San Francisco versus Metro? Ms. Erickson said most businesses were not allowed to put their containers out until the day of collection. Councilor Burkholder made suggestion about storage of organics. Ms. Erickson explained that there would be no change in what was put at the curb. It was just separated differently. Mr. Barrett said he thought that Portland would start their program with large businesses. Councilor Park asked about the shrinkage. Mr. Barrett said about 50%. Councilor Park said one issue would be transportation. Councilor McLain said one of the other technologies worth supporting was dewatering. Councilor Newman asked about the white paper and the timing of the grant. Mike Hoglund, Solid Waste and Recycling Director, talked briefly about the white paper.

6. GOAL 5 PROGRAM OPTIONS

Chris Deffebach, Planning Department, talked about the process and timeline for the next year (a copy of the Fish and Wildlife Habitat Protection Planning update is included in the meeting record). They would be coming to the Council almost every week until mid-August before information went out to the public. She said they would be addressing regulatory program options at today's meeting. Councilor Park asked about Class 1 through 3 and Class A through C. Ms. Deffebach reviewed the conceptual framework for program options. Councilor Burkholder said when they looked at 2040 they not only looked at economic but also at other amenities such as a

waterfalls or trees. He suggested refining this. Councilor Hosticka spoke to center design issues. Councilor McLain said they were balancing ESEE values. When we do that there were tradeoffs. There were policy issues on how to balance that. Andy Cotugno, Planning Director, spoke to variations of resource and urbanization goals. Ms. Deffebach talked about the Inventory Classification Descriptions as a convenient way to move forward. She then reviewed the Impact Areas required by Goal 5. Mr. Cotugno expanded upon the classification inventory. He then talked about the primary functions. If you had 3, 4 or 5, you would have high value areas. When you got into secondary functions that was where debate occurred.

Councilor Newman asked about the definition of forest canopy. Paul Ketcham, Planning Department, defined what was forest canopy. Councilors commented on the inventory classifications and issues surrounding those descriptions. Councilor McLain suggested that restoration needed to be handled carefully. Ms. Deffebach then talked about impact areas required by Goal 5 and the proposed definition. These were targets for restoration. Councilor Hosticka said the law required that you look at impact areas. They needed to find some ways to put some boundaries around the impact areas. Ms. Deffebach said they were proposing using the impact area for evaluating options. Councilor Burkholder talked about impact areas and protection. Ms. Deffebach talked about the secondary functions, which affect the primary functions. Councilor Park gave an example of an impact area including the protected area. Mr. Cotugno said the key was what did you do in the impact area? He talked about a parking lot near a resource area and what could be done. Councilor McLain talked about the science behind impact areas. Impact areas acknowledged areas that had not been covered under resources. Ms. Deffebach said 20% was impact areas. Council President Bragdon said the public needed to be clear about what was an impact area. Councilors made suggestions on clarifications for the public. Councilor Burkholder said graphics helped. Ms. Deffebach said the important thing was to determine what they wanted to do. Mr. Cotugno made some suggestions about how to proceed. Councilor McLain suggested not using numbers in their definition. Councilor Park suggested a one-sentence definition of impact areas. Mr. Cotugno said, "impact areas are outside the resource inventory where allowed land uses or activities could harm the resource".

Ms. Deffebach reviewed vocabulary for program options including prohibit, allow, strictly limit, moderately limit and lightly limit. She suggested Council talk about the definitions. Was there a certain way that Council wanted them to address these definitions? Councilors made some suggestions on definitions. Councilor McLain felt that strictly, moderately and lightly limit terms were vague. She asked Paul Garrahan, Metro Attorney Department, about definitions. Mr. Garrahan explained that there were three vocabulary words used: prohibit, allow and limit. Councilor Burkholder suggested keeping it simple. Mr. Cotugno said most of the discussion was in the "limit" program options. Ms. Deffebach suggested using best management practices. She then addressed Range of Regulatory Elements in Program Options and asked if Council wanted more specifics or less. Councilor Burkholder asked if six options were too many to evaluate? Ms. Deffebach said they had to have a range that draws out those comments. He suggested getting good public feedback but simplifying the process. Mr. Cotugno said there were groups, which would better explain the program options. Councilor McLain suggested an option that tried to both protect the economy and the resource. Ms. Deffebach asked if there were different principles that they needed to vary the options. Were there some that public comment was not necessary on? Councilors suggested collapsing the 7 elements. Councilor Hosticka talked about a three-dimensional matrix. He made some suggestions on how to present the information in a more cohesive way. Mr. Cotugno summarized what Councilor Hosticka suggested. Councilor Park asked about #7, Baseline. Was that the starting point? Mr. Cotugno said the baseline for the UGB expansion areas was current regulations. Councilor Burkholder asked if it would helpful to have the Tualatin Basin group come and talk to the Council.

7. CITIZEN COMMUNICATION

Jim Labbe, Audubon Society and Coalition for Livable Future, said they had been working with Ms. Deffebach. He shared their concern (a copy of his letter is included in the meeting record). He felt options 6 and 7 were going outside the vision of Goal 5 goals. He recommended dropping options 6 and 7. He provided a letter to the Council detailing their recommendations. He felt having those options was misleading the public.

Sue Marshall, Executive Director of the Tualatin Riverkeepers, talked about option 6 and 7 as well. She submitted a letter to the Council expressing concerns (a copy of which is include in the meeting record).

Council President Bragdon said having a base case was important to put out to the public. This was a list going out for public comment. Mr. Labbe proposed that they use it for analysis purposes only. Councilor Park said he didn't know where they were going to end up. He suggested not shading the process now. He felt they needed the full range. Mr. Labbe said he didn't think this was a full range of options and gave examples of what he felt was a full range.

8. COUNCILOR COMMUNICATION

There were none.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:55 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JULY 15, 2003

Item	Topic	Doc Date	Document Description	Doc. Number
2	Council Agenda	7/17/03	Metro Council Agenda for the July 17, 2003 Council meeting	071503c-01
4	Resolution No. 03-3352	7/8/03	To: Metro Council From: Gerry Uba, Planning Department Re: Resolution No. 03-3352, For the Purpose of Amending the IGA for the Regional Emergency Management for the Portland Metropolitan Area and Authorizing the Chief Operating Officer to Execute the Amended Agreement	071503c-02
6	Fish and Wildlife Habitat Protection Planning Update	7/15/03	To: Metro Council From: Chris Deffebach, Planning Department Re: Fish and Wildlife Habitat Protection Planning Update	071503c-03
6	Draft Option	7/15/03	To: Metro Council From: Chris Deffebach, Planning Department Re: Illustrative Draft of Regulatory Option	071503c-04
7	Letter	7/15/03	To: Metro Council From: Ron Carley, Coalition for Livable Future Board President and Jim Labbe, Urban Conservationist, Audubon Society Re: Program Options for Fish and Wildlife Program	071503c-05
7	Letter	7/15/03	To: Metro Council From: Susan Marshall, Executive Director, Tualatin Riverkeepers Re: Draft Options for Regional Fish and Wildlife Habitat Protection Program	071503c-06
5	Power Point Presentation	7/15/03	To: Metro Council From: Lee Barrett and Jennifer Erickson, Solid Waste and Recycling Department Re: Organics/Food Waste Composting in other jurisdictions	071503c-07