

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, July 22, 2003
Metro Council Chamber

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

Councilors Absent: Rod Monroe (excused)

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 legislature was still in session. He reported that the transportation package would be voted on in the House tomorrow. He was hopeful it would pass. There was another transportation financing bill that would allow Oregon Department of Transportation to have private funding for certain projects. That bill kept getting scheduled for a hearing and kept getting pulled. He then talked about the two land use bills, SB 920, Periodic Review bill was scheduled for a hearing tomorrow. The bill would have allowed Metro to be able to take the Goal 5 program directly to Land Conservation Development Commission (LCDC) rather than be subject to a Land Use Board of Appeal's (LUBA) appeal. The legislative counsel draft got issues confused and didn't draft it as requested. He spoke to an amendment, which 1000 Friends had an objection to. They had attempted to resolve the dispute and 1000 Friends was still objecting. Metro had an amendment to the bill that they would like the Rules Committee to include. Councilor McLain asked why 1000 Friends was objecting. Mr. Cooper responded that they felt it set a precedent. Council President Bragdon said someone he had talked said they thought that it created the opportunity for jurisdictions to shop around. Councilor Newman said Jenny Burdick would be supporting Metro's amendments. Councilor Hosticka and Council President Bragdon said they had also made calls. Councilor Park reported those he had talked to and who would be supporting the Metro amendments.

Councilor McLain asked about the solid waste landfill bill. Mr. Cooper said he had not heard anything on this bill. Mr. Cooper then talked about the sub-regional bill. The bill may start moving forward. Metro was continuing to work on that bill. Councilor McLain asked if this was all done within the regional scope. Mr. Cooper clarified the bill.

2. ZOO PROJECT UPDATE

Tony Vecchio, Oregon Zoo Director, updated the Oregon Zoo projects. They had three major projects:

1) The Eagle Salmon exhibit was the next phase of the Great Northwest project. They were well into the construction of this project. This was a \$1 million project. He spoke to some of the gifts they had received for this project. They were scheduled to have this project finished by the end of the year. They planned for a grand opening at Spring Break. He then walked the Council through the project. He spoke to the first two phases of the Great Northwest which, included interactive opportunities such as an eagle nest which children could crawl into, a wooden covered bridge, a waterfall with hydro animated salmon, a hollow log, a cave below ground level to view the eagles and salmons. He spoke to the educational messages including urban conservation

2) The Zoo had been working with the greenspaces staff to identify a site for the Condor project. There was a building, which could be converted for use as a condor security incubation process. They had decided to divide the project into phases. They wanted to be sure they had the money before they committed to construction. He spoke to the gifts and contributions they had received for this project to date. Phase 1 would be finished on time. They had identified six pair of condor that would arrive in Oregon late this fall. This will be the first time in 99 years that condors will be in Oregon. Councilor Burkholder asked about the next project phases. The plan this first year was that the eggs would be sent back to California to be incubated. That would allow all next summer and fall for construction of phase 2, hanging mesh. Councilor Park asked how they would promote the project. Mr. Vecchio said they would have remote cameras connected to a monitor in the Zoo as well as on the website. Councilor Park asked if there would be any concepts of the site. Mr. Vecchio said they had planned for this. Councilor Park suggested three-dimensional renditions. Mr. Vecchio talked about the structure they were building. They were trying to make realistic condor nests. He talked about security for this project. He spoke to in kind donations from Portland General Electric and Hoffman Construction.

3) The Family Farm was in its beginning phase, the next phase of the Great Northwest. Mr. Vecchio shared some of the features. They had worked with the Oregon History Center and come up with a heritage farm concept. They wanted opportunities for children. There would also be a conservation message, endangered domestic animals. The farm would have historical themes. They wanted the farm to be managed by the teens. It would be completely run by teens. They had been working with FFA, 4-H and other teen oriented groups. Councilor McLain suggested involving DECCA. She also suggested some caution about cleanliness such as hand wash stations. He said another challenge for this project was getting in-kind work from contractors. Councilor McLain suggested putting ads in the Capital Press. Councilor Park suggested talking with Rik Gustafson.

Councilor Newman asked about the simulator project. Mr. Vecchio shared some of the successes of the project. There was great satisfaction with this project.

3. SOLID WASTE POLICY DISCUSSION

Council President Bragdon introduced the subject. Councilor McLain said they were concentrating today on wet waste.

Mike Hoglund, Solid Waste and Recycling Department Director, said these values might have impact on the entire system. He suggested reviewing the values and making sure they had captured what the Council had stated two weeks ago. They would then review the decisions that needed to be made. They would then introduce a matrix to develop scenarios for decisions and how these played against those values. He spoke to the Councilors' values for the solid waste system listed in Council priority order. Councilor Burkholder talked about environmental sustainability. He thought it would be useful to talk about what they meant by environmental sustainability. They were trying to reduce waste, an overreaching goal. Councilor McLain said they were trying to be leaders in environmental sustainability such as ENACT. They had made a commitment that our facilities would be environmentally safe. Mr. Hoglund said as they get into the matrix there would be some sort of scoring and application of the values to a decision. Councilor Hosticka said he had the impression that safety and public health was a non-compromising value. Councilor McLain echoed Councilor Hosticka's comments. They had said all eight of the values were important. Councilor Newman said he would make safety and public health a first priority. It would be threshold-criteria. Councilor Burkholder said he would also put environmental sustainability equivalent to the safety and public health threshold. Mr. Hoglund

said there would be a consistency across scenarios. Councilors said safety and public health was threshold-criteria and was an absolute. Councilor Newman said environmental sustainability was not a threshold but was a top priority. Councilor McLain commented about the Regional Solid Waste Management Plan (RSWMP) process and the public input. We should make a commitment for additional public review to ensure that Council had not forgotten anything. Mr. Hoglund said they could bring these values forward in a resolution, get input from SWAC and also have public comment.

Mr. Hoglund asked if there was any further definition on these values. He then spoke to “sharing the pie” decision set one and two (a copy of which is found in the meeting record). The first decision set was around regional transfer capacity. He detailed the cost of operating Metro Central and South, the proposals that Metro received next year for the new operations contract, and the operating cost and profitability of a privately owned facility. He then spoke to new capacity. Councilor Hosticka asked if these decisions would affect all of the values. Mr. Hoglund said it could. He then talked about renewals and detailed some of the possibilities. He then gave an overview of the decision set two, which included new licenses and renewals. Councilor Burkholder asked what percentage of waste went through the system. Doug Anderson, Solid Waste and Recycling, responded to his question. Councilor McLain talked about the materials included in the Work Session packet. She suggested a need for more discussion and review.

Mr. Hoglund introduced the matrix (a copy of which is included in the meeting record). He spoke to the scenario, which included regulation orientation, status quo and market orientation. He then detailed elements of the potential scenario, design components. Mr. Hoglund spoke to the next steps if the matrix was acceptable. Mr. Anderson said the design components would allow you to get to the goal. He gave an overview of the tool and what it meant. He addressed wet waste caps, which were a regulatory limit on capacity within the region. The main reason the caps were put into place reserved market shares. He talked about control variables and that the operating restrictions, fees and economic regulation were just three examples. There may be more. He then talked about dry waste caps to achieve material recovery. The economics of recovery was still the driver. He said the goal was material recovery. Mr. Anderson asked the Council if their goal was to increase revenue or change behavior. Councilor Hosticka said one possibility would be to auction off tons instead of having a fee. Councilor McLain talked about service areas. Mr. Anderson said they didn’t expect a final scenario but one of the things they were testing was, was this process going to work for Council? He then addressed economic regulation. As they thought about regulation entry and regulation into the market, these went hand in hand. He then addressed some of the differences from regulation to market orientation. Councilor Hosticka gave an example of selling rights. Mr. Hoglund said for those councilors who want to understand the scenarios more thoroughly, the department would be happy to sit down with them and go into more detail. Councilor Newman said he liked the way the policy options were presented as to how to evaluate a complex decision. Councilor Burkholder suggested exploring how transfer stations fit into a system. Council President Bragdon echoed other councilors comments. Councilor Park said he thought the wild card was the Forest Grove transfer station. In looking at market orientation you would need to look at this component. Councilor McLain suggested that there were missing elements. She then talked about tonnage rights and relating those to outcomes and goals. Mr. Anderson handed out additional information for councilors to think about (a copy of which is included in the meeting record).

4. GOAL 5 PROGRAM OPTIONS

Chris Deffebach, Planning Department, said she would be talking about the proposed non-regulatory program components (a copy of which is included in the meeting record) of Goal 5.

Andy Cotugno, Planning Director, introduced the non-regulatory options approach. Ms. Deffebach spoke to their goal of presenting a range of options including non-regulatory programs. She spoke to baselines, the focus on additional restoration and protection, decisions on level of commitment to put forward on protection and restoration. She then spoke to what they had currently in place in the non-regulatory program area: restoration and education programs, incentive programs and acquisition programs. Councilor McLain said they had polled the public on some of these non-regulatory options. Ms. Deffebach detailed some of the potential levels of commitment to non-regulatory programs. Councilor Hosticka talked about resource commitments for non-regulatory programs. Ms. Deffebach asked if the levels worked for the non-regulatory option elements to restore and protect fish and wildlife habitat resources (a copy of which is included in the meeting record). This was based on publicly owned land, vacant privately owned land and developed privately owned land. Councilor McLain asked about court ordered versus volunteer choices. Ms. Deffebach asked what could we do more than we were doing now: educate, coordinate an partner focus and education, new funding for acquisition and restoration focus plus coordinate, partner and educate. Councilor Park asked about doing mitigation with our openspaces. Jim Desmond, Parks and Greenspaces Director, explained mitigation banking. There had to be net gain through restoration and the funds that would come in. Councilor Park said there was a possibility to require mitigation to restore sites. Mr. Desmond concurred with Councilor Park. You needed to demonstrate to the public a net benefit. Metro provided a good laboratory to work with this issue.

Ms. Deffebach explained education on privately owned land. She then reviewed coordination and partnership on public lands, vacant privately owned land and developed privately owned lands. She suggested using incentives to target achieving restoration in targeted areas. She then addressed top level of commitment, which required additional funding. She gave examples of acquisition and restoration. Councilor Hosticka said they needed to be careful in indicating that we were not going to use a regulatory program that had the effect of having damaging effects on some people. Ms. Deffebach said, with a dedicated funding source, we could do more with non-regulatory programs. She spoke to win-win situations. She explained that some of these programs took public money for public benefit. This was another way to think about the benefits and the burdens. They were looking for a way to describe to the public the non-regulatory options so they could in the end decide where Metro landed. Councilor McLain said she was supportive of these options. She spoke to citizen review. She didn't want to give them a false question. She said you needed to show the public the product not just the tool. She felt that Heather Nelson-Kent's report was very important. Ms. Deffebach reinforced that these options were not free.

Councilor Newman talked about the regulatory versus non-regulatory options. The non-regulatory options were to supplement the regulatory options. Mr. Cotugno said non-regulatory program was to provide additional options. In general terms, the riparian corridors lend themselves to regulatory options where the uplands lend themselves to non-regulatory options. Council President Bragdon said he would like to see some assessment of realistic prospects. Councilor McLain talked about where the Environmental Social Economic and Energy (ESEE) work fit into these options. We needed to know what the potentials were for using those values. Councilor McLain suggested limiting the options, focusing them to possibly four. Ms. Deffebach said they knew they needed to simplify these options for the public. Councilor Burkholder said he felt the information presented was useful.

5. CITIZEN COMMUNICATION

Sharon Cornish, PO Box 312, Hillsboro, OR, talked about the Industrial Land Alternative Analysis Study Areas (a copy of the map is included in the meeting record). She spoke to several

newspaper articles. She had met with Tim O'Brien and Mary Weber. Most of the citizens believed that after the December 2002 decision they were done. Ms. Cornish talked about previous testimony and the issue of building islands. She said Metro was creating islands by their decision. She noted pollution problems in the area and what the industries' in the area were doing. She asked what exception land meant. Councilor McLain said they had to study all of the area. Ms. Cornish asked what could go in exception lands. Councilor McLain said Ms. Cornish's concerns were valid and some of her points could be included in a staff report to not include land. Councilor McLain talked about the need to study areas at least a mile. Ms. Cornish talked about the airport area and Evergreen Estates. She expressed concern about mixing industry with residential. Councilor McLain said they had not made any decisions yet. Ms. Cornish suggested that they needed to retail in the area.

6. COUNCILOR COMMUNICATION

Councilor Newman suggested having summary of management issues. Mr. Cotugno said Mr. Jordan would be bringing those to Council in the future. Councilor Burkholder spoke to citizen communication at the end of the agenda.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:37 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JULY 22, 2003

Item	Topic	Doc Date	Document Description	Doc. Number
3	Solid Waste System	No date	To: Metro Council From: Mike Hogle and Doug Anderson, Solid Waste and Recycling Department Re: Councilor Values for the Solid Waste System	072203c-01
3	Scenarios	No date	To: Metro Council From: Doug Anderson, Solid Waste & Recycling Department Re: Decisions 2003: Renewal of Local transfer station franchises Focus on Wet Waste Tonnage Authorization (Caps)	072203c-02
3	Scenarios blank form	No date	To: Metro Council From: Doug Anderson, Solid Waste & Recycling Department Re: Decisions 2003: Renewal of Local transfer station franchises Focus on Wet Waste Tonnage Authorization (Caps)	072203c-03
3	Possible scenarios	No date	To: Metro Council From: Doug Anderson Re: Sharing the Pie Decisions 2003	072203c-04
4	Goal 5	7/22/03	To: Metro Council From: Chris Deffebach, Planning Department Re: Regional Fish and Wildlife Habitat Protection Program Non-Regulatory Program Component	072203c-05
4	Goal 5	No date	To: Metro Council From: Chris Deffebach, Planning Department Re: Summary of non-regulatory tools to protect regional significant fish and wildlife habitat	072203c-06
4	Goal 5	7/22/03	To: Metro Council From: Chris Deffebach, Planning Department, Re: Non-regulatory Program Option Elements to Restore and Protect Fish and Wildlife Habitat Resources Draft for Discussion	072203c-07
5	Map	7/22/03	To: Metro Council From: Sharon Cornish Re: Identifying 2003 Industrial Land Alternatives Analysis Study Areas Attachment 1	072203c-08