



METRO COUNCIL MEETING

Meeting Summary

Sept. 15, 2011

Metro Council Chambers

Councilors Present: Deputy Council President Carl Hosticka and Councilors Barbara Roberts, Carlotta Collette, Rex Burkholder, and Shirley Craddick

Councilors Excused: Council President Tom Hughes and Councilor Kathryn Harrington

Council President Tom Hughes convened the regular Council meeting at 2 p.m.

1. INTRODUCTIONS

Councilor Rex Burkholder welcomed Thomas Straatemeier from the Neatherlands.

2. CITIZEN COMMUNICATIONS

Les Poole, 15115 SE Lee, Milwaukie: Mr. Poole was concerned with the Portland to Milwaukie light rail terminus at Park Avenue. He encouraged the Council to delay or limit the Park Avenue segment of the project. He cited impacts to Kellogg Lake and residents as reasoning.

Art Lewellan, 1020 NW 9th, Apt. #604, Portland: Mr. Lewellan addressed the Council on the Columbia River Crossing project, specifically the Hayden Island interchange. He was in favor of Concept #1 and a southbound-only bridge. He requested that the Council respond to his and other citizens' concerns presented during citizen communications.

Michael Hanna, Mattress Lot: Mr. Hanna discussed the potential for a local mattress recycling program, stating that Eugene, Oregon and Olympia, Washington were the closest cities to Portland that offer this service. He stated that while this is not an inexpensive proposition, Recology – a Metro partner – manages a mattress recycling program at their San Francisco, California location and may be able to create a similar program in Portland. He emphasized the recycling opportunity and public interest.

Council discussion included current mattress disposal or recycling practices for other Portland-area stores. The Council thanked Mr. Hanna for bringing this suggestion to their attention and stated that the agency will look into the opportunity.

3. PACIFIC NORTHWEST ART PROGRAM AND EXHIBITION

Councilor Burkholder provided an overview of the Pacific Northwest Art Program (PNAP), a collaborative program between Recology, Crack Pots, Inc. and Metro, which seeks to educate the public about recycling and resource conservation while supporting the local art community and diverting material from landfills. He indicated that a jury of local artists and environmental professionals selected five artists: Mike Suri, Leslie Vigeant, Jenn Fuller, William Rihel, and Ben Dye to participate in this year's program. The artists had seven months to scavenge the Metro Central transfer station in Northwest Portland and received a \$1,000 stipend from Recology to create their

works of art on display and for sale at the Metro Regional Center Thursday, Sept. 15 through Friday, Sept. 16.

Mr. Paul Slyman of Metro emphasized the program is about conserving resources, inspiring the region, and collaboration. He stated that the region generates around 2 million tons of waste and recycling annually and nearly half ends in a landfill. He provided general information on the region's transfer stations and highlighted the partnership with Recology at the Northwest Central transfer station.

Mr. Michael Sangiacomo of Recology provided a brief overview of Recology and the organization's San Francisco, California art program. He thanked Metro and Crack Pots for their participation. Ms. Wilson provided a brief overview of Crack Pots, Inc. and provided information on each of the featured artists. Mr. Sangiacomo and Ms. Wilson thanked staff from all of the participating agencies.

Council emphasized the quality of the art and called the exhibition a success. Councilors expressed a desire to continue the program and host annual exhibitions.

4. CONSIDERATION OF THE MINUTES FOR SEPT. 8, 2011

Motion:	Councilor Barbara Roberts moved to adopt the Sept. 8, 2011 Council minutes.
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Vote:	Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .
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5. RESOLUTIONS

5.1 Resolution No. 11-4276, For the Purpose of Adopting an Order on a Request for an Extension of Time for Completion of Title 13 Requirements for the City of Troutdale on Appeal From an Order of the Chief Operating Officer

Motion:	Councilor Shirley Craddick moved to adopt Resolution No. 11-4276.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Craddick introduced Resolution No. 11-4276. On June 2, 2011, the Audubon Society appealed Metro's Chief Operating Officer's grant of a time extension to the City of Troutdale to come into compliance with Metro's Function Plan, specifically Title 13 regarding Nature in Neighborhoods. (Metro Order No. 11-057) She clarified that the public hearing was not to address the merits of the City's natural resource protection program, but to address the COO's decision to grant the time extension to the City. According to Metro Code, the COO may grant a time extension if the city or county is making progress toward compliance or there is good cause for failure to meet the deadline for compliance.

Mr. Tim O'Brien of Metro provided a brief historical overview of the City of Troutdale's work on Title 13. In 2008, city staff and a citizen advisory committee worked to develop a natural resource protection program that would comply with Title 13. However, despite their work and outreach, the former city council approved a motion in 2009 to postpone action on the program indefinitely. It was not until 2010, with a new city council, that staff was able to reintroduce Metro's Title 13 program and propose code amendments. Metro staff has concluded that the city is making progress

toward completion of Title 13 requirements and has developed a timeline for action. The City is anticipated to take action on the proposed code amendments on October 11, 2011.

Support for the resolution would grant the extension of time, until December 31, 2011, for the City of Troutdale to come into compliance with Title 13 and would deny the Audubon Society's appeal.

Deputy Council President Hosticka opened a public hearing on Res. No. 11-4276:

- Jim Labbe, Audubon Society: Mr. Labbe was opposed to the resolution stating that not only had the City not demonstrated progress, the city did not have good cause for failing to meet the deadline for compliance. He emphasized that compliance with Title 13 should be taken seriously and emphasized area's regionally significant ecosystem. He also noted that while the Audubon wants to be a partner in addressing this issue, the Society's frustration has continued to grow. He encouraged the Council not to grant the extension. (Written testimony included as part of the meeting record.)
- June Mohler, 789 SW 12th St., Troutdale: Ms. Mohler was opposed to the resolution stating that the quality of life in her neighborhood is being degraded due to the lack of protection for trees and habitat. She was concerned that without quick action, more critical habitat could be lost. She highlighted impacts to Sunrise Park, such as removal of native trees and shrubs and the degraded water quality in Beaver creek, as an example.

Seeing no further discussion, Deputy Council President Hughes closed the public hearing.

Councilors acknowledge that the City of Troutdale's new council had already begun to take steps in the right direction. Metro staff anticipated that if the City were to approve the same/similar code amendments as originally proposed in 2009, the City would meet the compliance requirements. Council discussion included enforcement should Metro determine the City to be out of compliance, changes in the City's council membership since 2009, and clarifications about Title 13 and public ownership. Councilor Norm Thomas of the City of Troutdale expressed the City's desire to be in compliance.

Vote:

Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion passed.
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5.2 **Resolution No. 11-4285**, For the Purpose of Proclaiming September 24, 2011 as a Global Day of Climate Action and Recognizing the Number 350 as a Message to Support Efforts to Reduce Climate Change.

Motion:	Councilor Rex Burkholder moved to adopt Resolution No. 11-4285.
Second:	Councilor Collette seconded the motion.

Councilor Burkholder introduced Resolution No. 11-4285. 350.org is a nonprofit organization that works to raise awareness internationally about high levels of carbon in the earth's atmosphere and associated negative consequences referred to as climate change. In support of their efforts, the organization annually orchestrates "Moving Planet Day," an international event that consists of rallies organized by volunteers around the world. This year's event will be held on Sept. 24 and is focused on reducing the world's dependence on fossil fuels.

Metro, along with other local partners including Solar World Americas, Oregonians for Renewable Energy Policy, etc. will gather on Sept. 24th in support of the region's "Moving Planet Portland: A Climate Action Fest." Councilor Burkholder quickly overviewed the event schedule. He encouraged Council to support the resolution as the event compliments Metro's efforts to plan for a region that supports appropriate land use, waste reduction, walking, biking, and public transportation.

Deputy Council President Hosticka opened the meeting for public comment on Res. No. 11-4285:

- Kathleen Worman, 3805 NE 63rd, Portland: Ms. Worman was opposed to the resolution stating that climate change is an unproven science.
- Gordon J. Fulks, 28812 E. Woodord Rd., Troutdale: Dr. Fulks was opposed to the resolution stating that Council's support would move forward a resolution with specific content regarding carbon dioxide emissions without anyone qualified to speak to the science. He was also concerned with the Council supporting 350.org, an organization he felt did not have the scientific expertise to address climate science. He overviewed the earth's main carbon dioxide contributors and highlighted that the human contribution is small, but not completely insignificant. (Written testimony included as part of the meeting record.)

Vote:

Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .
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5.3 **Resolution No. 11-4286**, For the Purpose of Amending the 2010-13 Metropolitan Transportation Improvement Program (MTIP) to Add Three Sidewalk Projects Awarded Transportation Enhancement Funds.

Motion:	Councilor Collette moved to adopt Resolution No. 11-4286.
Second:	Councilor Burkholder seconded the motion.

Councilor Collette introduced Resolution No. 11-4286. The resolution, if adopted, would amend the 2010-2013 Metropolitan Transportation Improvement Program (MTIP) to include three projects awarded Transportation Enhancement grant funds:

- Birchwood Road: SW 87th to SW Laurelwood in Beaverton;
- Safe Route to Powellhurst-Gilbert Schools in SE Portland; and
- 122nd and 132nd Avenue Sidewalks: Sunnyside to Hubbard in Clackamas County.

Transportation enhancement funding is awarded by the Oregon Transportation Commission through a competitive application process and administered by the Oregon Department of Transportation (ODOT).

The Joint Policy Advisory Committee on Transportation (JPACT) unanimously approved the resolution at their Sept. 8 meeting.

Vote:

Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .
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5.4 **Resolution No. 11-4287**, For the Purpose of Amending the 2010-13 Metropolitan Transportation Improvement Program (MTIP) to Add the I-5 Carmen Drive Ramp Operations Project.

Motion:	Councilor Collette moved to adopt Resolution No. 11-4287.
Second:	Councilor Roberts seconded the motion.

Councilor Collette introduced Resolution No. 11-4287. If approved, the resolution would amend the 2010-2013 MTIP to add the construction phase to an existing ODOT project. The project would restripe the existing merge lane of Highway 217 ramp to Interstate 5 southbound to connect to the existing auxiliary lane of the Carmen Drive southbound access ramp to Interstate 5. ODOT has identified this project as a priority as it will allow for safer transitions of vehicles merging onto Interstate 5 with vehicles preparing to exit at Lower Boones Ferry Road to the south. JPACT unanimously approved the resolution at their Sept. 8 meeting.

Additionally, Transport, a subcommittee of the Transportation Policy Alternatives Committee - JPACT's technical advisory committee, provided a letter of support for this project.

Vote:	Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .
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5.5 **Resolution No. 11-4291**, For the Purpose of Ratifying the 2011-14 Collective Bargaining Agreement Between AFSCME 3580 and Metro.

Motion:	Councilor Collette moved to adopt Resolution No. 11-4291.
Second:	Councilor Burkholder seconded the motion.

Councilor Collette introduced Resolution No. 11-4291 which, if approved, would ratify a three-year (2011-2014) collective bargaining agreement between AFSCME 350 and Metro. Councilor Collette overviewed changes to the contract:

- **Wages: cost-of living adjustments:**
 - In the first year of the contract AFSCME employees will receive a 1 percent lump sum payment. This will not be added to base wages and will not be an adjustment to the wage schedule.
 - In the subsequent 2 years of the contract employees will receive a cost of living adjustment (COLA) based upon the Consumer Price Index (CPI). The COLA adjustment will have a floor of 1.25 percent and a ceiling of 2.95 percent in any given year.
- **Health insurance: premium sharing:**
 - Beginning July 1, 2011 Metro will pay 94 percent of the health insurance plan cost and the employee will pay 6 percent.
 - Opt out funds, over which AFSCME has retained discretion from the 2006-07 fiscal year, will be spent down to offset employee-paid portion of health insurance plan costs.

- **PERS:**
 - Employees hired July 1, 2012 and thereafter will pay the 6 percent employee portion of PERS.
- **Additional time off provisions in exchange for above economic considerations:**
 - Employees hired July 1, 2012 and thereafter will have increased vacation accruals to match those of non-represented employees.
 - AFSCME employees will receive the day after Thanksgiving off as an additional personal holiday. When business operations preclude an employee from taking the day after Thanksgiving off, those employees will schedule an alternative day off with the approval of their supervisor.
- **Seniority:**
 - Any employee layoffs will affect those staff with lowest seniority, within classification, within departments rather than across the agency. This change better aligns with Metro's budgeting process.

Council thanked all of the parties involved in the negotiations for their work.

Vote:

Deputy Council President Hosticka and Councilors Collette, Roberts, Craddick, and Burkholder voted in support of the motion. The vote was 5 ayes, the motion passed.

6. CHIEF OPERATING OFFICER COMMUNICATION

Mr. Dan Cooper of Metro provided a brief update on Metro's monthly service award luncheon for staff.

7. COUNCILOR COMMUNICATION

Council reminded attendees and viewers that the Pacific Northwest Art Program and exhibition is scheduled through Friday, Sept. 8 at 8 p.m.

8. ADJOURN

There being no further business, Deputy Council President Hosticka adjourned the regular meeting at 4:03 p.m. The Metro Council will reconvene the next regular council meeting on Thursday, Sept. 22 at 2 p.m. at Metro Council Chambers.

Prepared by,



Kelsey Newell,
Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF SEPT. 8, 2011

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony	9/15/11	Written testimony submitted by Art Lewellan	91511c-01
4.0	Minutes	9/8/11	Council minutes for 9/08/11	91511c-02
5.1	Testimony	6/2/11	A letter from the Audubon Society appealing the COO's decision to grant a time extension to the City of Troutdale	91511c-03
5.1	Testimony	9/15/11	Written testimony submitted by Jim Labbe and June Mohler	91511c-05
5.1	Minutes	10/13/09	City of Troutdale council minutes for 10/13/09	91511c-07
5.1	Testimony	9/15/11	Written testimony submitted by Steve Wise	91511c-08
5.2	Testimony	9/15/11	Written testimony submitted by Dr. Gordon Fulks	91511c-09
5.5	Staff Report	N/A	Revised Res. No. 11-4291, Staff Report	91511c-10