

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, August 5, 2003
Metro Council Chamber

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

Councilors Absent: Rod Park

Council President Bragdon convened the Metro Council Work Session Meeting at 2:02 p.m.

1. SALEM LEGISLATIVE REPORT

Dan Cooper, Metro Attorney, said last Thursday SB 920 went to the Senate floor with Metro's recommended amendments. The vote was unanimous. Council helped the process. Yesterday, the House adopted an Oregon Department of Transportation (ODOT) budget that paired down the Transportation Demand Management (TDM) money. Doug Riggs, PACWEST, said they may have created some future trade issues with the Senate. There were also budget actions taken on Division Land Conservation and Development (DLCD), forestry, Department of Environmental Quality (DEQ) budgets. They were reducing the size of those agencies. He also said that the sub-regional bill might not go anywhere. He talked about the Hillsboro Landfill bill. Councilor McLain asked for copy of the latest version. Councilor Monroe asked about the TriMet Payroll tax. Mr. Cooper said Washington County was supporting this bill. There would be many that would be impacted by this tax region-wide. Councilor Burkholder asked about the challenges to our Task II decision. Mr. Cooper said they were working hard with Beaverton and 1000 Friends concerning Bethany area. It would be surprising if there wouldn't be multiple appeals. Richard Benner, Metro Senior Attorney, said the appeal deadline would be September 5, 2003. Mr. Cooper said he felt that they should be assisting the Attorney General's office with this process. Councilor McLain said if there were resolutions that were coming up in other jurisdictions, she would like to be briefed. She spoke to another potential appeal with Bethany.

Council President Bragdon said Council would need a short meeting this Thursday to first read an ordinance on our building bonds. Michael Jordan, Chief Operating Office (COO), said our window of opportunity was closing.

2. GOAL 5 REVISIONS ON ENVIRONMENTAL SOCIAL ECONOMIC AND ENERGY (ESEE) AND PROGRAM OPTIONS

Council President Bragdon introduced the subject and said they were looking towards next week to review the outreach materials that would go out to the public.

Chris Deffebach, Planning Department, said she was continuing the distillation of the ESEE information. She noted that ESEE was the second step in the process. She spoke to ESEE findings (a copy of which is included in the meeting record). She said the heart of the ESEE analysis was to make determinations about those trade-offs. She talked about the ESEE analysis and that it began to focus the debate on the trade-offs. She gave an overview of the economic trade-offs. She noted the conflicts between ecosystem service value and development value. There was a direct conflict but they were reduced. She explained further why these were reduced. There was a cumulative effects of losing land for either ecosystem or development values. Council President Bragdon asked if this was from a macro perspective. Ms. Deffebach said yes. She then reviewed

the social benefits and the ESEE trade-offs. She noted the need to balance between preserving resource areas that must be balanced by the private costs of the preservation. She also gave an overview of the value of broader social benefits and noted that these must be balanced by value of conflicting uses.

The environmental trade-offs included loss of riparian wildlife resources; the greatest was lands with high functional values. There were two important environmental factors that surface, forest canopy preservation and significance of preventing hydrological impacts.

The energy issues that were at play had to do with preserving trees and other vegetation. She explained further those impacts.

The ESEE analysis was the foundation for determining program options. She noted key points for program options (included in the record). She talked about upcoming decisions including the release of public outreach materials. She said they had been discussing the program options and how they were presenting these to the public. She suggested linking the ESEE findings and getting comment on key issues. She said in late October they would be seeking directions from the Council on program option for evaluation. They were working towards a strategy of making the key points clear. Council President Bragdon asked about the brochure. Ms. Deffebach talked about the pieces in the brochures. Councilor McLain talked about three different audiences. She felt they needed to be approached in different ways. She talked about timing issues and the effects. They were reconnecting with the public and how this related to the inventory. Council President Bragdon talked about the Tualatin Basin information and felt this was very helpful. Councilor McLain talked about the Lentz experience.

Gina Whitehill-Bazuik, Planning Department, said this would be going to folks who had been engaged before as well as to others that had not been involved at all. It reiterated inventory information and proceeded with ESEE analysis. Brochure, fact sheets and ESEE analysis itself were all information that would be provided to the public. She said they would be asking the public for responses to questions that the Council had. Ms. Deffebach said they needed to find a level where they could solicit from the public what they cared about.

Councilor Newman talked about weighing the program options. Councilor Burkholder said people cared about the environment and prosperity. These were two values that were something in conflict. He suggested starting with what the values were and advancing both of these values. They were asking the public a value question. Councilor Hosticka said he felt that the public needed to understand the struggle that the Council was struggling with. Key points that would engage people were important. Ms. Whitehill-Bazuik talked about the introduction. Council President Bragdon said the "Lets Talk" perspective was a good approach. Some notion about program options needed to be part of this as well. Councilor McLain said the public had to give them information about how it effected their every day. People wanted to know what it meant on the ground. Ms. Deffebach asked if there should be examples. Councilors thought this was a good idea. She spoke about links and where they were in the process.

Councilor Burkholder asked about other models out there that people had done. Ms. Deffebach said she felt others had struggled with the same questions and processes. Ms. Whitehill-Bazuik said other jurisdictions were looking for tools. She talked about what questions they needed to asked the public to help Council move forward with identifying program options. Ms. Deffebach spoke to the different audiences such as the Salmon Festival. They had a variety of events that they were utilizing to provide this information. Councilor McLain talked about incentives and the effectiveness of methods and tools. Ms. Whitehill-Bazuik said she was looking for feedback from

the Council concerning direction. Councilors suggested examples for the public. Council President Bragdon said be specific and realistic enough to be helpful. Illustration and examples were good ways to do this. Councilor Hosticka suggested having a discussion about what it was we expected from our outreach efforts in general. Was it educational and general reactions?

Ed Labinowicz, Gresham Butte Neighborhood Association, 1326 SE Linden Court, Gresham, OR 97080 spoke in support of the Metro covering all of the areas instead of just the new areas. He talked about Gresham discussion and what was missing (a copy of his testimony was included in the meeting record).

Jim Labbe, Audubon Society, presented a short power point presentation on existing regulations in the region and whether this was adequate protection (a copy of this presentation was included in the meeting record). He talked about Title 3 and what it did and did not address. He then spoke to local Goal 5 programs and what they did not address for riparian corridors and habitat. He gave an example of Gresham's program and what it did not do. He noted loss of restoration opportunities. He then spoke to connectivity for fish and wildlife habitat. Were we addressing regulations adequately was a question that needed to be asked. He talked about restoration and green infrastructure. He gave an example of the Gresham Buttes area and the number of acres that had regionally significant fish and wildlife habitat. He spoke to watershed planning, habitat planning and 2040 planning. He wanted to give examples of citizens' experience in terms of development. He suggested another way of looking at these issues as they went into the public process. Councilor McLain thanked the two citizens for their testimony.

3. TITLE 4

This session was moved to September.

4. SOLID WASTE POLICY DISCUSSION

Council President Bragdon introduced the topic and how the different decisions interacted with each other.

Mike Hoglund and Doug Anderson, Solid Waste and Recycling Department, talked about the upcoming decisions. This was about how these decisions should be made and the effects on other parts of the system. They were focusing on the work that had been done to date. They would come back next month with a discussion on how to approach these decisions. Mr. Hoglund gave an overview of what would be discussed today and what the next steps would be. He noted the five questions in the packet. Councilor McLain asked about the two Designated Facility Agreements (DFA) and a license that were upcoming decisions. The matrixes were updated daily. She felt policy was an ongoing discussion. As the system changed the policy needs and choices would change. Councilor Burkholder said one of the issues he faced that were a stumbling block was all of the licenses and contracts and that the decisions had to be made at different times. He suggested having all of them have the same timeline. Mr. Hoglund summarized timing issues and the concerns they had. He suggested tweaking the status quo and then making sure of the effects of tonnage and cap issues that might impact Metro in the future and at the same time try to line up the licenses and franchises decisions. He spoke to the downside and that they would have minimal impact on dry waste. Councilor McLain said she felt that there were certain subject matters that needed more work. Mr. Hoglund added other comments that they had heard from the Council. They needed additional information for implementation. He explained the matrix in more detail.

Mr. Anderson showed how the matrices could be used. He noted that the matrix was included in the meeting packet. Council President Bragdon suggested including the Forest Grove facility and the impact. Councilor McLain said if they were going to deal with the caps they had to deal with the total tonnage in the system. She suggested including them in the conversation. Mr. Anderson said they wouldn't be ignoring it. Mr. Anderson suggested thinking about dry waste as well. Councilors concurred. Mr. Anderson previewed the second set of decision in 2003: New Transfer Station Capacity. He gave an overview of the history of this transfer station. He reviewed the Councilors options and factors in deciding whether a new transfer station was appropriate. He noted that they had never denied application. He explained past decisions and impacts. Councilor Hosticka asked about going through these individually. He talked about standard impact versus low impact. Councilor McLain said she that it was good that they weren't starting over and explained further that this implied to her that we were acting within the system. Councilor Hosticka made suggestions about conditional approvals. Mr. Anderson said they may want to consider franchises for shorter times. Mr. Jordan appreciated the methodology of the tool for evaluating a particular system. He asked where was the cumulative impact of the incremental decisions. Mr. Anderson reviewed the Wet Waste Non-System Licenses renewals that expired this year. He talked about the direct effects including the impact on our own transfer stations. The more waste that went to non-system licensed facilities, the more per ton it costs Metro. He spoke to contract commitments.

Mr. Anderson addressed the auction option that Councilor Hosticka had brought up last session. Councilor McLain said in the last 12 years that Metro had this system we had had only one challenge to flow control. Council President Bragdon said there may be federal regulation that would support Metro.

Councilor Hosticka asked if they had a rationale as to why we wanted to do the 10%. Was there any policy objectives that they wanted to achieve? Mr. Anderson said yes and it had to do with flow control. He talked about the history of non-system licenses. It was a delicate balance. Councilor Hosticka asked if they had looked at other values. Councilor McLain said she thought that they had looked at other values and explained how. Mr. Anderson said the public finance of our transfer stations was an issue.

Mr. Hoglund said they would come back with a timeline for short-term decisions as well as lining up long term decisions. They would also cover research that needed to be done and defining the relationship with the work that they had done today and how it would be applicable to Regional Solid Waste Management Plan (RSWMP). Councilor Burkholder said the question he had was what impact did this have on the franchise holder and the uncertainty. Mr. Anderson said many facilities needed five to seven years. Councilor Burkholder asked about the solid waste licenses that would come before Council next week. He was concerned about timing. Mr. Hoglund spoke to the upcoming legislation. They were in the goal of more recovery. Councilor Burkholder asked what was the impact on the system. How did they add up? Councilor McLain suggested talking about the exception of disposing tires. Those markets have gotten soft. She spoke to inconsistency in policy and the need to review that policy. Mr. Hoglund said the tire task force recommended no fees and explained why. Councilor McLain said the tires were being disposed of. It was a policy issue. Mr. Hoglund suggested revisiting that policy.

5. CITIZEN COMMUNICATION

There were none.

6. COUNCILOR COMMUNICATION

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Mr. Jordan, COO, provide materials for the retreat.

Councilor McLain thanked Mr. Jordan and the Public Affairs Department for doing a better job on the newsletter.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:10 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 5,
2003

Item	Topic	Doc Date	Document Description	Doc. Number
2	Memo on Goal 5	8/2/03	To: Metro Council From: Chris Deffebach, Planning Dept. Re: ESEE Update Information – Goal 5	080503c-01
2	Presentation Materials on Goal 5	8/5/03	To: Metro Council From: Chris Deffebach, Planning Dept. Re: Regional Fish and Wildlife Habitat Protection Program ESEE Findings	080503c-02
2	Testimony	No date	To: Metro Council From: Ed Labinowicz, Gresham, Oregon Re: Metro Goal 5	080503c-03
2	Power Point Presentation	No date	To: Metro Council From: Jim Labbe, Audubon Society of Portland Re: Goal 5	080503c-04
6	Agenda	8/7/03	To: Metro Council From: Chris Billington Re: Regular Council Agenda for 8/7/03	080503c-05