

MINUTES OF THE METRO COUNCIL MEETING

Thursday, August 14, 2003
Metro Council Chamber

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

Councilors Absent:

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

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. HISTORICAL METRO COUNCIL POSTER PRESENTATION

Rick Gustafson, former Metro Executive Officer, was unable to present at Council meeting today.

4. CONSENT AGENDA

4.1 Consideration of minutes of the August 7, 2003 Regular Council Meetings.

Motion:

Councilor Park moved to adopt the meeting minutes of the August 7, 2003, Regular Metro Council meeting.

Vote:

Councilors Burkholder, Monroe, Park, Hosticka Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed with Councilor McLain absent from the vote.
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5. ORDINANCES – FIRST READING

5.1 **Ordinance No. 03-1015**, For the Purpose of Transferring \$35,000 from the Zoo Capital Fund Capital Outlay to Zoo Capital Fund Personal Services; and Declaring an Emergency.

5.2

Council President Bragdon assigned Ordinance No. 03-1015 to Council.

5.3 **Ordinance No. 03-1016**, For the Purpose of Amending Metro Code Section 4.01.050 and Revising Admission Fees at the Oregon Zoo effective January 1, 2004.

Council President Bragdon assigned Ordinance No. 03-1016 to Council.

6. ORDINANCES - SECOND READING

6.1 **Ordinance No. 03-999**, For the purpose of Amending Metro Code Chapter 5.05 to Include the Wasco County Landfill on the List of Designated facilities.

Motion:	Councilor McLain moved to adopt Ordinance No. 03-999.
Seconded:	Councilor Burkholder seconded the motion

Councilor McLain said Wasco County Landfill had made application as a designated facility. Haulers in the area appreciated this additional landfill.

Council President Bragdon opened a public hearing. No one came forward. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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6.2 **Ordinance No. 03-1017**, An Ordinance Authorizing Full Faith and Credit Obligations to Refund the Metro Regional Center Project Bonds and Outstanding Loans, and Repealing Inconsistent Provisions of Metro Ordinances, and Declaring an Emergency.

Motion:	Councilor Monroe moved to adopt Ordinance No. 03-1017.
Seconded:	Councilor Hosticka seconded the motion

Councilor Monroe spoke to the ordinance and indicated the savings to the public.

Council President Bragdon opened a public hearing. No one came forward. Council President Bragdon closed the public hearing.

Councilor Hosticka asked about the 30-year versus 40-year option and if the Chief Operating Officer were authorized to determine which option the agency would take. Dan Cooper, Metro Attorney, said it was up to Mr. Jordan.

Vote:

Councilors Park, Hosticka, Burkholder, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 6 aye with Councilor McLain absent from the vote, the motion passed.

7. RESOLUTIONS

7.1 **Resolution No. 03-3295**, For the Purpose of Considering a Designated Facility Agreement with Waste Connections, Inc., for the Wasco County Landfill.

Motion:	Councilor McLain moved to adopt Resolution No. 03-3295.
Seconded:	Councilor Newman seconded the motion

Councilor McLain said this created an agreement with Wasco County Landfill.

Council President Bragdon opened a public hearing. Ray Phelps, Willamette Resource Industries, supported the agreement. He felt that all of the working agreements with facilities should fall under this type of agreement. He noted the extensive discussions that Council was having at their work session concerning the solid waste system. He encouraged Council to have all materials

MRFd before it was sent to the landfill. He detailed the possibilities for MRFing materials. Council President Bragdon asked Mr. Phelps to explain MRF, Material Recovery Facility. Mr. Phelps said garbage went to a MRF facility to recover as much material as possible so it did not go into a landfill. Councilor Park asked how much would be recovered at this facility. Mr. Phelps detailed recovery. Councilor Park asked about increasing costs. Mr. Phelps said he didn't project any additional costs because the revenue stream was there right now. Council President Bragdon closed the public hearing.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

7.2 **Resolution No. 03-3296**, For the Purpose of Authorizing the Chief Operating Officer to Execute Amendment No. 1 to Metro Contract No. 902860, a Designated Facility Agreement between Metro and the Finley Buttes Landfill Company.

Motion:	Councilor Park moved to adopt Resolution No. 03-3296.
Seconded:	Councilor Monroe seconded the motion

Councilor Park said Finley Butte had requested becoming a designated landfill for the Metro region. He explained the effects on the system, allowing Metro to monitor the facility's actions. He spoke to the benefits of this action. He urged support. Councilor Burkholder asked about the timing because of the overlapping licensing and franchise agreements. Had there been an effort to coordinate the cycle of these facilities. Council President Bragdon said this action would not preempt the direction that Council was going in. Councilor Park added that they would have a 25% recovery on tires even though they were not required to do this. Councilor McLain thanked Councilor Park for the additional information about the tires. She pointed out that they were not charging any fees for tires. She spoke to Finley Butte's agreement to shred tires. This was an opportunity to bring them into the Metro family. She urged a change in tire recycling. Councilor Park urged support. This was moving us in the direction that the Council wanted to go. He concurred with Councilor McLain's remarks.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

7.3 **Resolution No. 03-3351**, For the purpose of Demonstrating Conformity with State Implementation Plan for the South Corridor Light Rail Transit Project and Amending the Metropolitan Transportation Improvement Program

Motion:	Councilor Monroe moved to adopt Resolution No. 03-3351.
Seconded:	Councilor Park seconded the motion

Councilor Monroe said this resolution was a part of the ongoing phases for light rail. He explained the proposal, which transferred funds for planning and preparation for the light rail. We have to provide information to the federal government that we would not be emitting any additional pollution. Light rail was a perfect example of no additional pollution to the region. Councilor Newman explained the Milwaukie/South Corridor issue. He said the Milwaukie project was still on track. Councilor Park talked about the Joint Policy Advisory Committee on Transportation (JPACT) discussion concerning air quality conformity. He spoke to the effects on

the region. Councilor Monroe said JPACT affirmed their support of this project. He noted Councilor Newman's contribution to this project. He talked about the causes of air pollution: automobiles, small engines and industry. It was good for the economy to rely on light rail and cleaner engines.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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7.4 Removed from the agenda

7.5 **Resolution No. 03-3353**, For the Purpose of [Amending the 2002-2005 Metropolitan Transportation Improvement Program to add job access and reverse commute funds for the Ways to Work Program as authorized by Congress in the Fiscal Year 2003 Appropriations report.](#)

Motion:	Councilor Burkholder moved to adopt Resolution No. 03-3353.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder said the purpose of this resolution was clear from the title. This was a bookkeeping item for Metro to put funds into the Transportation Improvement Program. This recorded federal funds coming to the region. He urged support.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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7.6 **Resolution No. 03-3358**, For the purpose of Authorizing the Chief Operating Officer to issue a Metro Solid Waste Facility License to Mt. Hood Metals, d.b.a., Rivergate Reclamation, Inc.

Motion:	Councilor Burkholder moved to adopt Resolution No. 03-3358.
Seconded:	Councilor Park seconded the motion

Councilor Burkholder reviewed the purpose of the request. Bert Bors, owner of Mt Hood Metals and the applicant for the license to process waste for Rivergate Reclamation. He urged Council to support the license. Thomas Nodermann, consultant, provided a computerized presentation concerning the facility's activities. He showed the roofing material and how it was sorted. Mr. Bors talked about receipt of materials, separation of the items, and recovery of the material. He said they were saving many tons from going into the landfill every month. Councilor McLain talked about transportation in the area and wondered if there was plan to change the traffic pattern? Mr. Nodermann said the facility would be used as Council saw it today. He spoke to the amount of traffic they anticipated on a daily basis. Councilor Park asked about roof material and the changes in roofing materials. Mr. Bors said all of the roofing material improved the final asphalt product. Councilor McLain thanked the applicants for their presentation. She noted that there were three processes: Portland provided the land use permit, Department of Environmental Quality (DEQ) set the requirements and standards for the environment, and Metro set the operational plan. Councilor McLain said on page 4 of 14, item 2.7 in this agreement there was a waiver notation concerning the Chief Operating Officer charge. She was going to be requesting a 10-day letter for changes in facilities such as these. This 10-day letter would allow Councilors to review the change. She talked about the need to review waivers. Councilor Park asked about the

impacts on excise tax and the regional system fee. Mike Høglund, Solid Waste and Recycling Director, said it was a combination of the excise tax and regional system fee. Councilor Park explained why he asked the question. Doug Anderson, Finance Manager for Solid Waste and Recycling, said this year the budget did not anticipate this additional facility, next year they should see revenue neutrality.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

7.7 **Resolution No. 03-3359**, For the Purpose of Appointing Dresden Skees Gregory and Donald A. Warner to the Metro Committee on Citizen Involvement (MCCI).

Motion:	Councilor Newman moved to adopt Resolution No. 03-3359.
Seconded:	Councilor McLain seconded the motion

Councilor Newman said he serves a liaison to MCCI. Council President Bragdon had appointed Ms. Gregory and Mr. Warner to serve on MCCI. Councilor Newman spoke to each of their credentials. Both individuals were eager to serve. He urged support.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Councilors were photographed with Ms. Gregory. Ms. Gregory was looking forward to participating with MCCI and planned to serve on the Parks Sub-committee.

7.8 **Resolution No. 03-3360**, For the Purpose of Amending the FY 2003-04 Unified Work Program.

Motion:	Councilor Burkholder moved to adopt Resolution No. 03-3360.
Seconded:	Councilor Park seconded the motion

Councilor Burkholder said this resolution amended our Unified Work Program to include an Oregon Department of Transportation (ODOT) project concerning the I-5 Corridor. Matt Garrett, ODOT Regional 1 Manager, said this was in the spirit of the I-5 transportation effort. This amendment allowed them to allocate federal funds to identify what the effort should look like. He explained further plans. He thanked the Council for the support. He offered his services to help build relationships between ODOT and Metro.

Councilor Newman spoke the need to build relationships. He asked if the I-5 Trade Corridor funds would assist with capital projects. Mr. Garrett said yes and explained further possible projects. Councilor McLain spoke to Robin McCarther-Phillips' work on Green Corridors and the need to continue this effort. Second, she had been asked by a citizen to reduce Miles Per Hour speed from 65 to 55 in certain areas of I-205 because of safety factors. Mr. Garrett said he would look into it. Councilor Park welcomed Mr. Garrett. His contribution at JPACT had been very helpful. There were times were they needed an ODOT translator. He felt working together with ODOT would help citizens better understand the value of the transportation dollars. Councilor Burkholder appreciated Mr. Garrett's efforts. This amendment was important. He urged support.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

7.9 Resolution No. 03-3363, For the purpose of Establishing Performance Goals and Measures for the Chief Operating Officer for Fiscal Year 2003-04

Motion:	Councilor Newman moved to adopt Resolution No. 03-3363.
Seconded:	Councilor Burkholder seconded the motion

Councilor Newman said in April 2003, an agreement was made that the Council would lay out nine goals and objectives for the Chief Operating Officer (COO). He encouraged approval and noted Council President Bragdon’s lead on this issue. Council President Bragdon said this helped clarify some of the things that they were working on with the COO. Mr. Jordan thanked the Council for its specificity. Councilor McLain said this was a plus that Council and the COO had this type of working relationship. These objectives gave them an opportunity to work toward mutual goals. Councilor Newman said it was important to have performance evaluation and wanted to see this occur more often with employees in agency.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

8. CONTRACT REVIEW BOARD

8.1 Resolution No. 03-3346, For the Purpose of Authorizing the Chief Operating Officer to Execute a Contract No. 925081 for Management of Retail Operations at the Oregon Zoo.

Motion:	Councilor Park moved to adopt Resolution No. 03-3346.
Seconded:	Councilor McLain seconded the motion

Councilor Park said what this resolution was a contract between Metro and Aramark for the Oregon Zoo’s retail operations. He spoke to the goals of the contract. He noted that no employees were losing their job but had been integrated into other positions at the Zoo.

Council President Bragdon opened a public hearing. Phillip Prewett, Oregon Zoo Animal Keeper, said awarding this contract was selling the Oregon Zoo’s good name. He felt this contract promised too much. Council President Bragdon closed the public hearing

Councilor Newman said he would be supporting this resolution. He said there were three concerns that were met: current employees being held harmless, management negotiating an aggressive contract and that no one should interpret this act as a beginning to privatizing the Zoo. He spoke to the core function of the Zoo, which should be a public function. The other supportive activities were there to support the core function. The gift shop was there to support the Zoo activities. He felt this contract would allow for increases in revenue.

Councilor McLain concurred with Councilor Newman. They wanted close connections with this contract. She felt this contract did that. She spoke to the necessity for quality in the gift shop. She talked about the image of the Oregon Zoo and the need to monitor this image.

Councilor Park said this was about public support but we had limit property tax support for the Zoo. This shop would enhance the Zoo experience. They were trying to continue to provide a good Zoo experience.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.
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Councilor Park said the free Tuesday was the second Tuesday of every month.

9. CHIEF OPERATING OFFICER COMMUNICATIONS

Michael Jordan said in September when Council came back from recess they would have a new Chief Financial Officer, Bill Stringer. They were very excited about Mr. Stringer coming on board. He spoke to Mr. Stringer's experience. He talked about the free Tuesday at the Oregon Zoo and that they were going to have to take a look at the free Tuesday during the summer months.

10. COUNCILOR COMMUNICATION

Councilor Park announced that Rooney Barker would be leaving Metro after 12 years of service to Metro. He thanked Ms. Barker for her contribution to the Urban Growth Boundary process and to Transportation issues.

Councilor McLain updated the Council on agricultural involvement. There was an agricultural symposium planned for October 31st in Wilsonville.

Councilor Monroe suggested having extra trains for free Tuesday at the Zoo. Mr. Jordan thought that this was a good suggestion and said he would work on it.

Councilor Newman said Metro was a victim of its own success for free Tuesday at the Zoo. He suggested free passes so that they didn't overwhelm the infrastructure at the Zoo.

Council President Bragdon talked about the success of the Zoo concerts and announced that at 4:00pm today Rick Gustafson, former Metro Executive Officer, would be sharing historical posters from 1979 through 1986 when he served as Executive Offer. He and Mr. Jordan would be touring the Arlington landfill, he invited other councilors to attend the Wednesday September 10th tour. Metro Council would be in recess the next two weeks and would resume the Work Session on September 2nd and the Regular Council meeting on September 4th.

11. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:47 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 14,
2003

Item	Topic	Doc Date	Document Description	Doc. Number
4.1	Minutes	8/7/03	To: Metro Council From: Chris Billington, Clerk of the Council Re: Minutes of August 7, 2003	081403c-01
7.6	Presentation Materials	8/14/03	To: Metro Council From: Rivergate Reclamation Re: Presentation Outline	081403c-02