



## **METRO COUNCIL MEETING**

Meeting Summary

Nov. 29, 2012

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Rex Burkholder, Kathryn Harrington, Carlotta Collette, Barbara Roberts, Carl Hosticka and Shirley Craddick

Councilors Excused: None

Council President Tom Hughes convened the regular council meeting at 2:02 p.m.

### **1. INTRODUCTIONS**

There were none.

### **2. CITIZEN COMMUNICATIONS**

Ramsey McPhillips, Coalition to Stop the Dump: Mr. McPhillips stated, on behalf of the parties he represented, that he was oppose to transporting garbage to Yamhill County via the Forest Grove Transfer Center. He referenced Attachment 1 to Resolution No. 12-4387 and stated that the financial impact to Washington County residents – if the Metro region transported all its waste to Columbia Ridge Landfill versus the Riverbend Landfill – would only increase at most \$1.80 per citizen per month. He also stated that when Waste Management led its initiative to expand the landfill the company falsely stated that if Riverbend was not expanded local residents could expect garbage rates to increase 250 percent. Lastly, Mr. McPhillips stated that the transport of garbage to landfills – in general – needs to stop and that municipalities should address their own waste issues. (Written testimony included as part of the meeting record.)

### **3. OFFICE OF THE AUDITOR: FY11-12 ANNUAL REPORT**

Metro Auditor Suzanne Flynn provided a brief presentation on FY 2011-12 annual report for the Metro Auditor's Office. Her presentation included information on FY 11-12 accomplishments and audits released, the Office's expenditures and available staffing, ethics line approach and annual report, and performance measures. Highlighted audits for the current fiscal year included the Span of Control scheduled for release in Nov. 2012 and Transportation Project Outcomes anticipated for March 2013.

Councilors asked clarifying questions regarding the percentage of audit recommendations implemented, and what were the common cases and the severity of the ethics line reports. Auditor Flynn clarified that her office aims to have an 80 percent implementation rate of audit recommendations and stated that management may choose not to implement recommendations because the recommendation is perhaps unclear or does not fit the agency. She stated that it is perfectly normal that not all audit recommendations are implemented. Additionally, Auditor Flynn stated that there have been very few ethnics line cases that she would consider malfeasance. She stated that most reports that were found to be true related to the travel policy where people were

unaware of the policy and therefore were in violation of it. Additional discussion included certification requirements for auditors.

#### **4. METRO SUSTAINABILITY REPORT**

Ms. Molly Chidsey of Metro provided a presentation on Metro's sustainability report for internal business operations for FY 2011-12. Metro's sustainability goals address five main areas: carbon reduction, waste prevention, water conservation, enhance habitat and eliminate priority toxics. Ms. Chidsey briefly overviewed Metro's internal operations achievements for FY 11-12 for each of the five agency sustainability goals. The findings were as follows:

- Metro's electricity use is down 8 percent;
- Metro eliminated 13,000 pounds of hazardous material;
- Metro's recycling has increased 9 percent;
- Metro's water use is down 8 percent;
- Metro's effective impervious surface is down 2 percent; but unfortunately,
- Metro's waste generated increased 17 percent.

Additionally, Ms. Chidsey, with assistance from Pete Hillman, briefly highlighted a few projects at Metro that have helped in addressing Metro's sustainability goals including energy efficiency in lighting, local food purchase, and Metro Central's ecoroof.

Council requested additional information be presented in the future regarding fiscal savings related to using the triple bottom line approach to sustainability, and information on Metro's ability to normalize for weather. Additional discussion potential areas where Metro could increase its recycling, and the effort and collaboration it takes to move the needle on addressing the agency's sustainability goals.

#### **5. CONSENT AGENDA**

Motion:	<p>Councilor Kathryn Harrington moved to approve the Nov. 29 consent agenda which consisted of:</p> <ul style="list-style-type: none"><li>• Consideration of the Minutes for Nov. 15, 2012</li><li>• <b>Resolution No. 12-4387</b>, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Forest Grove Transfer Station for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon;</li><li>• <b>Resolution No. 12-4388</b>, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Willamette Resources, Inc. for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon;</li><li>• <b>Resolution No. 12-4389</b>, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Pride Recycling Company for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon;</li><li>• <b>Resolution No. 12-4390</b>, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Hoodview Disposal and Recycling, Inc. for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon;</li></ul>
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	<ul style="list-style-type: none"><li>• <b>Resolution No. 12-4391</b>, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to West Linn Refuse and Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer and Recycling, Inc. for the Purpose of Transfer and Disposal at the Riverbend Landfill Located in Yamhill County, Oregon;</li><li>• <b>Resolution No. 12-4392</b>, For the Purpose of Confirming Appointments to the Metro Public Engagement Review Committee (PERC);</li><li>• <b>Resolution No. 12-4393</b>, For the Purpose of Confirming the Appointment of Anne Darrow to the Metro Audit Committee; and</li><li>• <b>Resolution No. 12-4396</b>, For the Purpose of Making Citizen Appointments to the Transportation Policy Alternatives Committee (TPAC).</li></ul>
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Vote:

Council President Hughes and Councilors Craddick, Roberts, Hosticka, Burkholder, Collette and Harrington voted in support of the motion. The vote was 7 ayes, the motion passed.

Council President Hughes recognized members of the PER committee who were in the audience and thanked them for volunteering to serve on the committee.

Councilor Shirley Craddick stated that while she was in support of the above non-system license agreements, she was also empathetic to the residents and businesses in Yamhill County. She stated that she supported the resolutions because of the potential transportation costs and environmental impacts if waste was sent to Gilliam County (over an additional 280 miles away) versus Yamhill County. She stated that opposing the NSLs would not align with Metro's values or efforts. However, she agreed with Yamhill County residents regarding the landfill and supported their effort. She stated that she looked forward to future Metro discussions regarding long-term waste disposal and management.

Councilor Harrington stated her preference for community seats on committees – such as PERC – to be filled by non-government partners. She believed that Metro has staff positions and staff-level committees for this work.

**6. ORDINANCES – FIRST READ**

6.1 **Ordinance No. 12-1296**, For the Purpose of Amending the Urban Growth Boundary in the Vicinity of the City of Lake Oswego Upon Application by the City of Lake Oswego.

Second read, public hearing, and Council consideration and vote are scheduled for December 6.

**7. ORDINANCES – SECOND READ**

7.1 **Ordinance No. 12-1292A**, For the Purpose of Adopting the Distribution of the Population and Employment Growth to year 2035 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 11-1264B in Fulfillment of Metro’s Population Coordination Responsibility Under ORS 195.036.

Motion:	Councilor Harrington moved to approve Ordinance No. 12-1292A.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Harrington introduced Ordinance No. 12-1292A. Councilor Harrington stated that approval of the ordinance would complete another key step in the region’s urban growth management planning cycle, a cycle which overall shapes the region’s future and assists local communities in achieving the plans and visions for great places. She stated that the regional growth distribution:

- Helps the region build the future its residents;
- Supports good jobs and safe, healthy communities;
- Is rooted in Metro’s forecasting expertise and informed by local community plans; and
- Meets the requirements of Oregon law.

Councilor Harrington stated that approval of Ordinance No. 12-1292A would not adopt new growth forecasts for the region, but rather was next step in the five-year process that started in 2009 with the adoption of the 20-year population and employment forecasts. She stated that the localized population and employment growth distribution was produced for the years 2025, 2035 and 2040.

Councilor Harrington stated that city, council and collective region planning staff, and elected officials have learned a lot from the distribution effort. She highlighted many examples including diverse development throughout the region, especially close to major transportation corridors, and development in urban reserve areas brought into the UGB. Additionally, Councilor Harrington stated that approval of the ordinance would help the region and local communities support ongoing efforts such as the Climate Smart Communities efforts to address climate change, and set the stage for the next Regional Transportation Plan update.

Lastly, Councilor Harrington stated that the ordinance reflected Metro’s best thinking and expertise in forecasting future growth and reiterated that the forecast has been informed and improved by the contributions and valuable critiques by Metro’s local partners.

Council President Hughes opened a public hearing on Ordinance No. 12-1292A. Seeing no members of the public who wished to testify, the public hearing was closed.

Councilor Burkholder thanked Councilor Harrington for the “A” version of the ordinance which called for more research so the region could understand the implications. He stated that the population and employment forecast was based on current assumptions and policies, and believed there were some questionable conclusions that may or may not be good regarding land use. He referenced and read from a letter submitted by 1000 Friends of Oregon and stated that additional information was needed so the region could make the good decisions and preserve resources. Councilor Burkholder stated that if the region expects a different outcome, leaders will have to think about the different policy choices. (Letter included as part of the meeting record.) Councilors shared Councilor Burkholder’s thoughts, and stated that the document was a work in progress.

Councilors wanted to use the documents to help local communities understand that they too have policy decisions to make. Additional Council discussion included the City of Damascus' assumptions included in the forecast.

Vote:

Council President Hughes and Councilors Craddick, Roberts, Hosticka, Burkholder, Collette and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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7.2 **Ordinance No. 12-1294**, For the Purpose of Amending Metro Code Chapter 2.19.100 Regarding Term Length and Membership of the Public Engagement Review Committee (PERC).

Motion:	Councilor Harrington moved to approve Ordinance No. 12-1294.
Second:	Councilor Collette seconded the motion.

Councilor Harrington introduced Ordinance No. 12-1294, which if approved would set term limits for committee members and change membership limits. PERC is part of a multi-track strategy to ensure that Metro's public involvement is effective, reaches diverse audiences and harnesses emerging best practices. The committee is comprised of 15 members including county staff, community organizations and the public. PERC, which is scheduled to meet twice a year, will help guide Metro's public engagement efforts throughout the year. Councilor Harrington stated that the committee will first review and assist with updating Metro's public involvement process.

Councilor Harrington stated that PERC members will serve three-year terms. In the committee's inaugural year, some members will serve one or two-year terms to ensure a rotating membership and recruitment process. In addition, she stated that the ordinance allows the Council more flexibility to add additional members to the committee in the future to better fulfill its mission.

Council President Hughes opened a public hearing on Ordinance No. 12-1294. Seeing no members of the public who wished to testify, the public hearing was closed.

Council thanked PERC members for their service. Councilors discuss the transition from the former Metro Committee for Citizen Involvement to PERC, and stated that PERC provided a new model that would fulfill Metro's commitment to engage the public in a more effective way. Councilors thanked staff and stated that PERC was creative approach to address public engagement.

Vote:

Council President Hughes and Councilors Craddick, Roberts, Hosticka, Burkholder, Collette and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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7.3 **Ordinance No. 12-1295**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule and the FY 2012-13 through 2016-17 Capital Improvement Plan.

Council President Hughes passed the gavel to Deputy Council President Burkholder while he carried the legislation.

Motion:	Council President Hughes moved to approve Ordinance No. 12-1295.
Second:	Councilor Hosticka seconded the motion.

Council President Hughes introduced Ordinance No. 12-1295. Council President Hughes stated that the ordinance was the first of three routine budget amendments completed during a fiscal year. The close of the first financial quarter has identified some areas where changing circumstances require adjustments to Metro's financial plan. Adoption of Ordinance No. 12-1295 would approve the following five technical or substantive amendments:

- Technical amendments affect the following projects:
  - Cascade Marsh and African Lagoon Aviaries
  - Energy efficiency assessment for elephant habitat design
  - The discretionary General Fund beginning reserves
  
- Substantive amendments affect the following projects:
  - Creating a new 0.5 FTE fee-based tour specialist at the Oregon Zoo
  - Creating a more robust Metro Data Center for the Metro Regional Center, Oregon Zoo and Oregon Convention Center

(See the staff report to Ordinance No. 12-1295 for project details.)

Deputy Council President Burkholder opened a public hearing on Ordinance No. 12-1295. Seeing no members of the public who wished to testify, the public hearing was closed.

Councilors noted that the ordinance was recently presented and thoroughly discussed at a work session.

Vote:

Council President Hughes and Councilors Craddick, Roberts, Hosticka, Burkholder, Collette and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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## **8. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett's update included the following:

- The Oregon Business Summit is scheduled for Monday, Dec. 3.
- Metro's Charitable Giving Campaign is just \$5,000 shy of the agency's 2012 goal of \$75,000. She encouraged Metro Councilors and staff to participate and donate by Friday, Nov. 30 if possible.
- Metro's employee holiday event is scheduled for Thursday, Nov. 29. Ms. Bennett stated that no councilors or senior staff would be able to visit elephant Rose-Tu or her calf – whose birth is expected soon.

## **9. COUNCILOR COMMUNICATION**

There were none.

## **10. ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 3:37 p.m. Council is scheduled for a joint work session with the Metropolitan Exposition Recreation Commission on Tuesday, Dec. 4, 2012 at noon at the Metro Council Chamber. Additionally, the

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Metro Council will convene the next regular council meeting on Thursday, Dec. 6 at 2 p.m. at the Council Chamber.

**11. EXECUTIVE SESSION HELD PURSUANT WITH ORD 192.660(2)(e). TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO NEGOTIATE REAL PROPERTY TRANSACTIONS.**

Council reconvened in the Metro Council Annex for an executive session.

Respectfully submitted,



Kelsey Newell, Regional Engagement and Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOV. 29, 2012**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
2.0	Testimony	N/A	Handout provided by R. McPhillips	112912c-01
3.0	PowerPoint	N/A	FY 2011-2012 Annual Report	112912c-02
4.0	PowerPoint	11/29/12	Green Metro – 2012 Sustainability Report	112912c-03
4.0	Flyer	N/A	Green Metro Report Card	112912c-04
5.1	Minutes	11/15/12	Council minutes for Nov. 15, 2012	112912c-05
5.2-5.6	Letter	11/29/12	Letter from the Yamhill County BOC RE: Riverbend Landfill	112912c-06
7.1	Letter	11/29/12	Letter from 100 Friends of Oregon RE: Ordinance No. 12-1292A.	112912c-07