

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, September 16, 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 1:04 p.m.

ROLL CALL

1. LEGISLATIVE WRAP UP

Doug Riggs and Paul Phillips, PacWest, presented the 2003 Legislative Session Final Report (a copy of the summary is included in the meeting record). Mr. Phillips noted the extensive binder, which provided details of each bill. He gave an overview of the last three legislative sessions. He spoke to the success of this session. He recommended having bills drafted prior to the beginning of next session. He gave a power point presentation of the 2003 Legislative Session (a copy of which is included in the meeting record). He noted that this had been the longest session in history. He spoke to the issues and bills that were addressed concerning Metro. He talked about the communications with Metro. He detailed some of the dynamics of this particular session. Mr. Riggs felt they had had a good session. He talked about bills on the tracking list, which included monitoring, supporting and opposing. There was a list of the top ten issues that Metro faced including transportation funding, innovative public private financing, infrastructure financing, Urban Growth Boundary (UGB) amendments, illegal dumping enforcement, TriMet payroll authority, pool chlorine, tire recycling, revenue sharing, and self-insurance.

Mr. Riggs reviewed all of the Metro bills and their status. He spoke to the good technical partnership. Metro had come a long ways to head off legislation that would affect Metro negatively. He summarized the number of bills monitored, testified on, participated in, and attended. He spoke to positive developments. He noted Metro's strengths, which included good communications, effective outreach, Metro Councilor involvement, legal counsels and Metro staff's involvement, and the ability to leverage PacWest's bi-partisan approach. Mr. Phillips talked about the revenue forecast and that the next session didn't bode any better. He reviewed the possible upcoming special session issues. He encouraged pre-session bills be drafted early and filed early. He felt that land use and economic development will be a big issues next session. Mr. Riggs acknowledged Rachad. Councilor Park asked about the budget and the kicker. Mr. Riggs said there was no indication that the kicker would kick currently. Mr. Phillips said he felt it was highly unlikely. He spoke to forecasts. Councilor McLain talked about need for involvement during the interim and the standards that PacWest had set for Metro. Mr. Phillips suggested considering continuing to invite the legislators to Metro, developing the legislative agenda, and the interim involvement. Council President Bragdon concurred with Mr. Phillips concerning building and maintaining relationships with legislators.

2. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, SEPTEMBER 18, 2003

Council President Bragdon reviewed the upcoming agenda for September 18th Council meeting.

3. PLANS FOR OREGON ZOO PRESCHOOL

Tony Vecchio, Oregon Zoo Director introduced Roger Yerkes and Rex Ettlin. He provided a background to the Oregon Zoo Preschool idea. He talked about the education matrix as a tool. The audience they were trying to reach was the preschool group. Councilor McLain expressed concerns about changing the mix in the public school sector by creating a specialized preschool. She was also concerned about taking away from other programs at the Zoo. Mr. Vecchio said they were happy with their current educational matrix and would not want to take away from any current programs. Mr. Yerkes spoke to competition. He felt we were addressing a need. Councilor McLain spoke to ramifications and impacts on the public schools. Mr. Yerkes talked about the Education Programs Summary Report 2002-03 (a copy of which is included in the meeting record). He talked about impact of changing behaviors. The targeted audiences included extended time commitments by the participants and the Zoo itself. Their goal was to break even or generate a profit. They were trying to generate enough revenue to cover 70% of the operating costs. They also had a scholarship program available to those who could not afford the program. He spoke to building long-term attitudes by working with the preschoolers. The preschool program was an opportunity to do something high quality, support itself, and generate a small profit.

Councilor Newman asked how the program would support itself. Mr. Ettlin talked about the budget, administrative support and keeping costs down. He talked about the market. The Zoo for preschoolers was a good match. They were only looking at 40 to 60 children in the program. Mr. Yerkes talked about the market research they had conducted this last summer. Councilor McLain talked about subsidizing the program. Councilor Park asked about the Zoo Foundation interaction. There was none, it was through the Education program. Councilor Burkholder asked about location. Mr. Ettlin said it would be outside the current administration area. Councilor Burkholder asked about costs of the modulars. Mr. Ettlin said they would be purchased. Mr. Vecchio talked about the demolition of the old buildings, clearing the site and renovation of the site. Councilor Burkholder suggested testing the numbers in the budget. Councilor Hosticka asked if this was a year round program? He wondered about the educational structure. Mr. Ettlin talked about the composite of the school. Councilor Newman suggested that the mobile classrooms fit with the Zoo. Councilor McLain talked about the depreciation of the module. She spoke to the necessity of accreditation as a Metro facility. Council President Bragdon suggested coming back with more detail.

4. TITLE 4 REGIONALLY SIGNIFICANT INDUSTRIAL AREAS UPDATE

Mary Weber, Planning Department, shared information on Title 4 RSIA Code Refinements Preliminary Staff Recommendation (a copy of which is included in the meeting record). She spoke to the 10 issues and proposed changes. The issues identified included both staff and local jurisdiction issues. Under Issue 1 Councilors suggested using the word evaluate rather than reevaluate. She then addressed Issue 2. Councilor McLain addressed her concern. Ms. Weber asked for direction. Councilor Burkholder asked when was it an accessory use. Ms. Weber talked about local governments accessory uses. Councilor Hosticka said he felt the issue had to do with if they were building a new building. Exceptions were already possible. Council President Bragdon spoke to the objectives of industrial lands. Councilor McLain shared her concerns about the changes in Issue 2. Councilor Hosticka suggested providing definitions. Councilor McLain said they had a policy discussion. Ms. Weber was getting pressure from local jurisdictions.

Ms. Weber continued with Issue 3. Councilors concurred with this change. Ms. Weber addressed Issue 4 having to do with non-conforming uses. Did Councilors want to see a re-use of the

building? Councilor McLain said this was a policy document. She disagreed on the policy level of Issue 4. Councilor Newman asked about building value changes. Councilor McLain asked what regionally significant industrial land meant. Dan Cooper, Metro Attorney, clarified the definition. He asked what were their assumptions, how it applied and the implications for the future. Councilor Hosticka said once they start opening it up to what ifs, you lose your definition. He questioned why we were doing this in the first place. He spoke to manufacturing planning and changes. He felt the whole effort was hard to get his arms around. Ms. Weber said this regulation would cover three areas, old industrial port area, Milguard, and the new urban areas. They didn't know what the new urban areas would look like but they wanted them to look better. Councilor Burkholder spoke to speculative pressures to open industrial lands up. Councilor Park asked how these policies helped preserve large lot industrial sites? Council President Bragdon said it would help if they related it back to the big picture including the purpose and intent. Critics needed to be reminded that this was a small part of the land supply. Ms. Weber then addressed Issue 5. She asked about Issue 6, subdividing large parcels over time. She felt we were being good stewards over time. Councilor Park talked about the initial purpose. Ms. Weber talked about the Hillsboro experience. A higher percent of the parcel would be used for industrial. Councilor McLain asked about Land Conservation Development Commission (LCDC) acknowledgement of the Functional Plan. She asked Mr. Cooper for clarification. Mr. Cooper responded by talking about the process and the check in with LCDC. Councilor McLain suggested utilizing performance measures. Ms. Weber continued with Issue 7. She spoke to overlay zones. She then addressed Issue 8 concerning corporate offices. Councilors clarified the intent of the Code. Ms. Weber spoke to Issue 10. Councilors felt that every 5 years was appropriate. Councilor Burkholder suggested trying Title 4 for 5 years. Council President Bragdon suggested talking to each councilors and coming back to a Work Session.

5. REGIONAL TRANSPORTATION PLAN (RTP) UPDATE

Ted Leybold and Kim Ellis, Planning Department, had been working on updating the RTP schedule and work program. Ms. Ellis spoke to the reason for the update and federal requirements for updating every three years. She said this was a minor update and talked about what changes would be folded into the RTP update. Local project amendments would also be included in the RTP. The proposed language changes folded in the need for the update. She gave an overview of the calendar (a copy of this is included in the meeting packet). Councilor Park suggested talking about readjustment of the schedule. Ms. Ellis said they were proposing that they would be preparing the RTP and conformity concurrently. Councilor Park said it was a savings of about \$60,000. Ms. Ellis continued with the calendar. She spoke to what happens if an RTP lapses. Council President Bragdon talked about the past process and his concern about averting any major problems. Ms. Ellis said they were working very closely with all of the jurisdictions. She didn't think they could do anything more.

6. SOLID WASTE POLICY DISCUSSION

Mike Hoglund, Solid Waste and Recycling Director, said this was the last of the solid waste policy discussion. He gave an overview the issues contained in the work session package. He talked about the Regional Solid Waste Management Plan (RSWMP) update and the possible impacts. Solid Waste has a number of things to work on over the next several months (a copy of these issues are included in the work session sheet). He noted Council values and the draft matrices. He spoke to necessary research that was underway including regional transfer station capacity. Councilor Park asked about sustainability of some of the disposal sites. Mr. Hoglund said they would also be doing an analysis of costs of operating the transfer stations. He noted legal research that was being conducted on tonnage to non-system licenses. He spoke to

implications and suggestions for Council. They were trying to line up all of the licenses and franchises. Councilors spoke to the matrices. They felt it was a good illustration of what were the policies options.

Doug Anderson, Finance Manager of Solid Waste & Recycling, noted a few word changes in the matrices. Mr. Hogle talked about to long-range system planning for wet waste disposal, timing of the milestones – decisions not coordinated (a copy of which is included in the meeting record). These included planning, wet waste regulation and Metro transfer stations. Councilors talked about the timeline and the issues surrounding decision-making. Mr. Hogle then talked about the timeline of milestone – coordinated decision-making (a copy of which is included in the meeting record). Councilor McLain said she favored the coordinated approach and the range within the timeframe. She said in the Code there was a flexibility to do the timeline sooner. Councilor Park asked which scenario was the best in staff's opinion. Mr. Hogle felt it was better to have a coordinated decision-making process. Mr. Anderson said the not-coordinated process would be better in the smaller realm but in the bigger decision process, the coordinated effort was better. Councilor Burkholder said he didn't think there was a compelling reason to speed things up. There was no harm to us as long as the public investment in the transfer stations was kept whole. He felt coordinated decision-making was better. Councilor McLain raised the issue that there was other legal issues that should be recognized.

Councilor Hosticka said the major differences in the timeframe were the local station franchise timelines got shortened. The decision on the operating contract got pushed back. Staff concurred. Councilor Hosticka liked the coordinated approach. Mr. Anderson said that was true in terms of the major milestones. The link from the planning process was a big change. Mr. Hogle noted the two questions. Should they proceed with the franchise renewals this year and start up the RSWMP update? Mr. Anderson said they could do research and share that information by the end of the year. Mr. Hogle said that he heard from the Council to proceed with the franchise renewal and the RSWMP. Councilor McLain said she had asked legal to draft an amendment concerning a ten-day notice. They would address this at next week's Work Session. Council President Bragdon asked about the Enhancement Fund in Oregon City. Mr. Hogle spoke to the history and the issue. Councilor McLain said Council had made a commitment to have criteria for enhancement fees.

7. CITIZEN COMMUNICATION

There were none.

8. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

9. COUNCILOR COMMUNICATION

Councilor Hosticka talked about Goal 5 Outreach efforts and the materials that were being distributed. He urged Councilors get involved.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:52 p.m.

Prepared by,

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Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF SEPTEMBER
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Item	Topic	Doc Date	Document Description	Doc. Number
1	Power Point Presentation	9/16/2003	To: Metro Council From: PacWest Re: 72 nd Legislative Session end of the session report power point presentation	091603c-01
2	Agenda	9/18/03	To: Metro Council From: Chris Billington Re: Council Agenda for September 18, 2003 Council meeting	091603c-02
3	Education Program Summary Report 2002-03	2002-2003	To: Metro Council From: Tony Vecchio, Oregon Zoo Director Re: Education Program Summary Report 2002-03	091603c-03
4	Title 4	9/16/03	To: Metro Council From: Mary Weber, Planning Dept. Re: Title 4 RSIA Code Refinements Preliminary Staff Recommendations	091603c-04
4	Title 4	3/5/03	To: Metro Council From: Mary Weber, Planning Dept., Re: Title 4: Industrial and Other Employment Areas	091603c-05
6	Timing of Milestones	9/16/03	To: Metro Council From: Mike Hognlund and Doug Anderson, Solid Waste & Recycling Re: Long-Range System Planning for Wet Waste Coordinated Decision Making versus Decisions no Coordinated	091603c-06