

## MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, November 4, 2003  
Metro Council Chamber

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

Councilors Absent:

Council President Bragdon convened the Metro Council Work Session Meeting at 1:04 p.m.

### **1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, NOVEMBER 6, 2003.**

Council President Bragdon reviewed the November 6, 2003 Council agenda. He noted the public hearing on Title 4. He noted that the final consideration of the MERC ordinance had been originally scheduled for the November 20<sup>th</sup> Council meeting but this would be postponed until a later date. Councilor Newman said they had chosen Beaverton as their center's recipient.

### **2. INFORMAL DISCUSSION WITH METRO AUDITOR/ FOLLOW-UP TO IDENTIFYING MATTERS OF INTEREST TO COUNCILORS**

Alexis Dow, Metro Auditor, said she had engaged a firm to work with her to develop a list of audit ideas for the next year and a half. She had also met with Council to compile a list of audit ideas. The second part of this discussion had to do with questions she posed to Council in terms of her role. She talked about the auditor's role, the expectations of the auditor, reports that were of value to the Council and reports that were not valuable. She felt it was important to address some of the issues. She noted that the recommended audits included in the resolution were all encompassing. She felt some of the audits were management and some could be audit related. She noted item 15 which talked about cash handling at the cemetery. She had done an audit of the cash handling at remote sites. Some of these audits had to do with establishment of performance measures. She said one of the things that was important for the auditor to do was to keep a clear line between management and auditor responsibilities.

Council President Bragdon said performance measures seemed to be a gray area. How would Auditor Dow respond to the difference in performance measures? Ms. Dow said they needed to recognize that an auditor was a generalist. Auditors bring independence to study areas without bias. An auditor was an objective generalist who was going in and not tainted by an agenda. Councilor Newman asked what role was there for her in best practices. He felt she could be a repository for best practices. He struggled with this gray line. Ms. Dow suggested thinking of the auditors as a resource. She spoke to the research she did prior to doing an audit. The tools and information available to her would also be available to management. She said she tried to look for areas of risk. She also looked to see if an audit had broad applicability to Metro. She tried to look at where the work they were doing could bring the most benefit to Metro. She and the Council were trying to achieve the same goal but she, as an auditor, tried to provide an independent perspective to the Council. Councilor McLain talked about the first suggestion on cost benefit analysis of public outreach of other entities. She felt the most important part was to match the goal of the Council to the audit. Ms. Dow said when they did audits they looked to see what was the policy. She said public outreach was on her current list of audits. Councilor Burkholder said he saw a number of audits that jumped across departments. He suggested looking for

opportunities for improving future operations. Ms. Dow said those were judgments she tried to make in planning her audits. She was appreciative of the ideas that Council was providing her.

Councilor Hosticka said the charter doesn't give a lot of information on what the Auditor should do. He asked what was it that the Council did? Council was responsible for making policy. The auditor could give guidance on policy. A lot of the details about how the agency got managed may not relate to what the Council did. He suggested some of the suggested audits should be matched with what Council will be doing over the next five years. Ms. Dow said she was responsible for performance and financial audits. Councilor Hosticka said the charter wasn't very clear on her specific responsibilities. Ms. Dow said her role was to provide independent oversight. She said one of the things she could do was to make sure that the information that Council was given was accurate. Councilor Park asked what were the difference between managing and a management audit. Some of the audits seemed liked an opinion of another manager. Council sets policy, what they were not getting was good feedback on how well the policy was being carried out. How well was staff carrying those policies out? He would welcome that independent check. Ms. Dow said it was an aspect of their audits. She talked about best practices when they do an audit, looking at internal controls, complying with existing laws and policies. She gave an example of the recent Oregon Convention Center audit. They made recommendations to have written procedures. It was a matter of bringing awareness of best practices. The role of the auditor was to be a change agent. Their role was also an educational one. She felt a lot of good education had gone on. Councilor Park said checking to see if the policies that Council was putting forth was being adhered to. Ms. Dow spoke to a Solid Waste Grant audit and how she utilized Council parameters. To the extent that policy was not being followed the auditor tried to point that out in the audit. Council President Bragdon felt that this conversation had been productive.

Michael Jordan, Chief Operating Officer introduced Kevin Dull, the new Metro Labor Relations Manager.

### **3. ZOO PARKING UPDATE**

Tony Vecchio, Oregon Zoo Director, Sarah Chisholm said Terry Dresler, Oregon Zoo presented the Zoo Parking update. Mr. Vecchio reminded Council of the Condor opening this Thursday. Mr. Vecchio provided a background on the parking issue. He said Ms. Dresler was the point person concerning parking. He noted Ms. Chisholm's contribution to the issue, she had been asked to look at the numbers. He had asked her to look at changes in attendance due to charging for parking. He detailed the impact. Ms. Chisholm said the City of Portland owned the parking lot. She talked about the start up costs for having paid parking. She noted parking lot overflow issues. Mr. Vecchio said they lose a lot to the shuttle lot because many just go home and go to the Zoo another day. Ms. Chisholm talked about revenue assumptions.

Dan Cooper, Metro Attorney, talked about the history of the parking lot. Ms. Chisholm talked about the future revenue slits. Mr. Vecchio said when the negotiations occurred previously, the Children's Museum was not in the mix. Councilor Newman asked about the full fiscal year impact. Councilor Monroe asked if there was any thought in what this did to increase transit use in terms of assumptions. He suggested reducing attendees' cost if they chose to use Max. Mr. Vecchio spoke to cost prohibition by giving Max riders a reduction in admission. Councilor Burkholder talked about base costs or ongoing costs including debt service payments. He suggested running the numbers in another way. Ms. Chisholm talked about the three scenarios. Councilor Burkholder talked about validation and it being a policy question. He saw this as a management tool that can deal with more than just cash flow. Ms. Chisholm said the parking rate

stays flat overtime. These fees could grow overtime. They talked about discouraging park and ride and strategies.

Council President Bragdon suggested we begin exploring the issue with the other parties. Councilor McLain suggested that this should be done in three stages. Mr. Vecchio said he felt this was a bad idea but he would do whatever the Council directed him to do. Council President Bragdon said we needed to explore paid parking. Councilor Monroe suggested continuing to investigate was appropriate but he cautioned about losing support from the community. Councilor McLain suggested continuing to evaluate the issue before we go forward. Mr. Vecchio said some of the issues were public relations issues. Councilor Hosticka suggested getting answers to the questions from an independent source such as the auditor. Councilor Monroe asked about an outside consultant to make a recommendation. Mr. Vecchio said Rick Williams had done a study on parking for the Zoo. Councilor Newman asked for more information. They were still looking at what they gain and lose. He suggested an expanded validation program. He would like a copy of Mr. Williams' recommendation. Mr. Vecchio suggested at a future Work Session they include some of the other stakeholders.

#### **4. RECYCLING CREDIT TASK FORCE REPORT**

Ted Kyle, Chair of Recycling Credit Task Force, said they were to look at four questions (a copy of which is included in the work session sheet). They learned that the credit program was a program that reduced the number of tax that a facility had to pay on materials. He spoke to the different types of Material Recovery Facilities (MRFs). He spoke to the history of the credit program. There were five facilities participating in the credit program. To be in the program they have to recycle 30%. 160,000 tons went through these facilities and achieved about one third recovery. The credits cost this agency about \$1 million a year. He talked about the MRF model and what the credit program did. Today in the market place, the dry waste landfill was cheaper.

They had come to the following conclusions, 62% goal of recycling was a driver. The credit program did support real recovery. Recovery wouldn't happen without some assistance. Their estimate that 33,000 tons would be lost if they ended the program. The question of tax credits could be made more efficient mechanism for creating behavior in the market place. They thought there was some merit there. There were no other approaches on the ground today. Improvement could be made in the program 1) 30% qualifying benchmark obscures behavior.

Councilor McLain said they heard that the 30% discouraged recovery. Councilor Monroe talked about the decision to take a load to a MRF versus a landfill. If they increased the tip fee, it would encourage use of MRFs. Implementation would be difficult. Councilor Park said Metro had the ability to require mandatory MRFing. The upside was that we could get out of the credit program. It changed the relationship Council had with the industry. He talked about alternatives, kill the program, replace the program or keep some kind of credit program but modify it. He spoke to issues they were struggling with. He suggested looking at this program as part of the solid waste program. He suggested when they look at revising the RSWMP, they look at a revision in this program. Mike Hoglund, Solid Waste & Recycling Director, said there needed to be a larger look at waste reduction through the RSWMP update. Councilor McLain suggested talking about the tweaks. What parts of the program could be changed?

Mr. Kyle said the MRFs were doing a good service. Councilor McLain asked what should we be giving credit on. Mr. Kyle asked if a ton was equal to a ton. Does density matter in terms of value of what we didn't landfill. Councilor Hosticka asked if we have a cut off date. Councilor Monroe said we were out of money this month unless we add \$300,000. Doug Anderson, Solid Waste &

Recycling Dept., talked about the budget note releasing \$300,000 for the credit program. Councilor Hosticka said it seemed that the program does work and there were no alternatives. We think we ought to fix it. He suggested continuing the program and determining what was the most effective way to run the program. How will we continue it? Council President Bragdon suggested preparing a resolution. Mr. Kyle asked what question did the Council want them to answer. Councilor Burkholder talked about the 62% recovery rate. Councilor McLain asked how we intrigue folks to MRF. Mr. Anderson responded that they had two new NSLs, which might impact the other facilities. Councilor Hosticka suggested seeing some scenarios. They needed to examine the different alternatives. He was not into creating categories. There would always be ambiguity. Councilor Park suggested looking at a regulatory scenario. How much was turned away from these facilities? Maybe they could count these differently. Councilor Monroe said his concern was with the numbers. We were running out of money right now. If we were going to continue this program we will have to have a budget amendment. Councilor Newman asked when the contingency committee was providing their report. Mr. Hogle said they would be reporting in December. He clarified their charge. Councilor McLain urged coordination. Mr. Jordan said he had been getting the minutes from the Contingency Committee. Councilor Monroe thanked Mr. Kyle and the committee. Mr. Hogle said the committee had been very committed.

## **5. REDUCTIONS IN STUDY LANDS**

Council President Bragdon said there had been a small group from Metro Policy Advisory Committee (MPAC) meeting about Title 4. Mr. Benner was working on a list of issues from this group. How industry was defined, role of industry, role of office and commercial space, tiers of lot sizes, non-conforming uses, specific questions on sites, transit facilities, were there ways to shape regulations with performance measures, and the suggestions that RSAs were back handed way to promote centers. Mr. Benner was trying to quantify some of these issues to drive the discussion at MPAC. Councilor Hosticka asked about intentions of some jurisdictions. Council President Bragdon said there was a certain amount of correcting perceptions. The intent was to protect industrial land. When industry was indicating that this harmed industry, they needed to reexamine direction. Councilor McLain said this Council set on track the acknowledge Title 4 and we said we would do better than that with RSAs. If we were truly doing something that impacted industry, this needed to be examined. She asked what was Council's process. Councilor McLain said Washington County Farm Bureau was delighted with the Agricultural Symposium. She saw the relationship with the Ag Symposium being the beginning conversation. They felt Metro was doing a better job of the land we had inside the boundary.

Council President Bragdon introduced Lydia Neill, Planning Department, who spoke about Reduction in Study Areas. Lydia provided three handouts: Periodic Review – Industrial Lands, Memo: Formation of Industrial Neighborhoods, Technical Assessment of Reducing Lands within the Alternatives Analysis Study Areas and Critical Date timeline for Reduction in Alternative Analysis Study Areas Resolution (copies of which are included in the meeting record). Councilor McLain asked about 300 acres. Ms. Neill responded that she had used this as a minimum threshold. Councilor Park asked about the number of jobs for the 300 acres. Part of what we were hearing was efficiency increases. He suggested looking a job threshold to create a critical mass. Councilor McLain suggested connection to what was already in existence.

She spoke to the purpose of reducing the areas under consideration. She talked about the methodology they had gone through to determine reducing study areas of industrial lands. Council President Bragdon said they had gotten some conflicting advice from Land Conservation and Development Commission (LCDC). Councilor Park said we had put in place the concept of centers. How were communities such as Boring going to plan to include residential and industrial.

Councilor McLain said it did not consider the crucial agricultural acres. She suggested flagging something that needed to be put in the report about ag land. Councilor Burkholder asked about green corridors. Did we go for a complete industrial mass or piece meal. Andy Cotugno, Planning Director, talked about hierarchy of land. They should be studying lands that actually meet the need. This study would look at all of the land. We had to consider the State criteria first. We were not to the point of applying factor such as ag in the criteria. He clarified this stage of the process. Councilor Park asked Mr. Benner about current hierarchy. Mr. Benner said Mr. Cotugno was correct. Right now you were trying to identify the factors that Council had set down. Hierarchy first, State policy next. Mr. Cotugno said the hierarchy would apply next. Councilor Hosticka said this was a policy decision. It was a policy of what kind of land they were looking for. Mr. Cotugno spoke to current and next steps.

Councilor McLain talked about the technical level, hierarchy chart, exceptions lands first, then we could add things like green corridors. She felt the 300 acres was arbitrary. Councilor Newman suggested going through the map. Ms. Neill talked about the series of maps. Councilor Burkholder raised the issue of access. Councilor Newman suggested the importance of adjacency. Councilor McLain spoke to criteria. Councilor Park asked about eliminating exception areas and there were areas that fit the criteria. Mr. Jordan suggested that the Council use policy for narrowing in the resolution. Mr. Benner said the staff report should describe the specific criteria. Councilor Burkholder suggested refining accessibility. Ms. Neill said they had looked at that in more depth. It left the question undone for TV Hwy and Hwy 99. Councilor Park returned to the issue of 300 acres and jobs per acre. Councilor Newman asked about clarifying the process. He would like to see the three criteria treated equally. Ms. Neill asked about TV Hwy and Hwy 99. Councilor Burkholder asked about travel time. Mr. Jordan talked about his own experience in determining industrial land. He asked what would be the qualitative criteria.

#### **6. CREATIVE SERVICES UPDATE ON METRO WEB SITE IMPROVEMENTS**

Sue Gemmell, Creative Services, presented the new web site. She said they had about 77,000 visitors the web. She explained the changes to the web and the home page. Councilor Newman felt the new version was much more intuitive. Ms. Gemmell said they did a feasibility study in June. The testers helped made navigation easier. Web trends can give details of the kind of visitors that are visiting the web site.

#### **6. CITIZEN COMMUNICATION**

There were none.

#### **7. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.**

Members Present: Nancy Chase, Jim Morgan, Dan Cooper, Metro Council, Michael Jordan,

Time started: 4:05 p.m.

Time ended: 4:24 p.m.

#### **8. CHIEF OPERATING OFFICER COMMUNICATION**

There were none.

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**9. COUNCILOR COMMUNICATION**

There were none.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:24p.m.

Prepared by,

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER**  
**4, 2003**

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	11/6/03	Metro Council Agenda for November 6, 2003	110404c-01
5	Memo	10/24/03	To: David Bragdon, Council President From: Lydia Neill, Principal Regional Planner Re: Formation of Industrial Neighborhoods	110403c-02
5	Memo	10/30/03	To: Council President Bragdon From: Lydia Neill, Principal Regional Planner Re: Technical Assessment of Reducing Lands within Alternative Analysis Study Areas	110403c-03
5	Issue Responses on RSIA's	11/4/03	To: Metro Council From: Lydia Neill, Principal Regional Planner Re: Quick Responses to some issues from 11/3/03 Title 4/RSIA Meeting	110403c-04
5	Timeline	10/30/03	To: Metro Council From: Lydia Neill, Principal Regional Planner Re: Periodic Review – Industrial Lands Reduction in Alternative Analysis Study Area Resolution	110403c-05