

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, November 25, 2003
Metro Council Chamber

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

Councilors Absent: Rex Burkholder (excused), Carl Hosticka (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:18 p.m.

1. FREIGHT MOBILITY AND THE REGIONAL ECONOMY

Andy Cotugno, Planning Director, introduced the topic, the freight industry and the transportation of the goods themselves. He introduced Bill Wyatt, Susie Lahsene, Mary Gibson, Lise Glancy from the Port of Portland, and Tom Zelenka from Schnitzer Steel and Oregon Freight Advisory Committee. Mr. Wyatt commented on key issues about freight mobility in the region. He talked about how the issue had changed. The transportation system was constructed to bring products from farm to market. Currently, the Port was dealing with deregulation of services. What that meant was that that industry would only be here if they could make money. We had to have infrastructure to support the carriers. We had a small nicely positioned market place. The opportunity to make money was not as great in this region as in other parts of the United States. Manufacturing sources the input to the manufactured good was now coming from all over the world. He gave an example of a Boeing airliner where each part was coming from all parts of the world. He spoke to the necessity of effective freight mobility, which had only arisen over the past few years.

Ms. Lahsene provided a power point presentation on the importance of freight mobility (a copy of this presentation is included in the meeting record). Councilor Newman asked about adequate land supply near freight corridors and how they classified those corridors. Ms. Lahsene said they had looked at key freight corridors as well as connectors such as Hwy 224. They looked at whom they served and how they made connections to other part of the industry. Councilor Park asked about freight movement in the United States, how much was represented by north/south freight activity from Mexico and Canada.

Councilor McLain talked about identifying Regionally Significant Industrial Areas (RSIAs) and narrowing the amount of land by looking at freight corridors. Mr. Cotugno said one of the criteria for a RSIA was two miles from an interchange. He gave examples of freight connectors such as Hwy 224. Councilor McLain said she wanted to make sure we finessed the criteria beyond two miles from an interchange. Councilor Park said he felt part of the discussion needed to include Clark County. Mr. Cotugno said the Clark County Commission was looking at the entire Columbia Corridor. The tax structure in Washington was heavier than in Oregon. Bridgett Wieghart, Planning Department, talked about Metro's freight policies in the Regional Transportation Plan (RTP). She detailed those policies. She talked about the integrated network. She talked about projecting the need over time. They were currently trying to get more specific about which routes were used with which products. They were working on better identifying the needs 20 years out. She noted that the tons of commodities flowing through the region were anticipated to double over the next 20 years. When the Port updated facilities they saw growth. She talked about the Regional Freight Committee. The Committee had been helpful in coordination. They were considering formalizing the committee through the budget process. The

goal was to better serve freight needs. The RTP in 2000 included freight mobility needs. She talked about the Bi-State Rail forum. She spoke to freight planning in other transportation studies and funding freight projects. She talked about the Oregon Transportation Investment Act (OTIA) funding for freight. She noted a memo to Joint Policy Advisory Committee on Transportation (JPACT) on October 9th (a copy of which is included in the meeting record) concerning freight project priorities. She spoke to the process for submitting nomination review forms. Over the next three months Metro would be asked to take steps for identifying priorities for the funding freight package. She noted the high priority freight projects being considered by the Oregon Advisory Committee (a copy of which is included in the meeting record).

Mr. Zelenka summarized his statement (a copy of which is included in the meeting record). He talked about the Freight Advisory Committee. They were trying to link Oregon activity with statewide, national and international markets. He talked about the Port security issue and its impact on freight mobility. He spoke to the natural tension that existed between growth and quality of life. That tension was a national phenomenon that needed to be dealt with. The planning has increasingly become localized. The catch was there could be a disconnection between local and global planning. The Interstate Bridge was recognized as a major choke point. What was the cost of delay? It had tremendous impact on private and public sector. They were concerned about the competitive advantage and were they losing this? He spoke to freight growth impact. The foundation for moving that freight was crumbling. He talked about rail impact and inefficiencies. Rail needed to be a part of the solution but was not the total solution. The Freight Advisory Committee advised the state on freight mobility. He talked about bridge and freeway repair and that freight mobility was key. The role of the Committee was to provide recommendations to Oregon Transportation Commission (OTC).

Councilor Monroe talked about fixing the bottlenecks and giving people alternatives to get people to and from work. The functional transit system may be just as critical to freight mobility. Mr. Zelenka said moving people was just as important as moving freight. He asked how do we get the right balance. Councilor Monroe said they were moving forward on both fronts. Council President Bragdon asked about the privately owned rights of way. Mr. Zelenka explained that local match could come from private sector. Mr. Wyatt added that the Port had extensive relationships with rail in the area. Who invests in what? He suggested identifying the real choke points in the rail system. The I-5 Bridge was a problem but was not the only problem. Were there public investments that could be made in the rail system that would improve other transportation modes? The regional rail network was an enormous asset. We must draw the railroads to the table. This was a new policy area that our region hadn't contended with. Mr. Cotugno talked about the analysis of the whole rail system. We had a much better analysis on where the problems were and where improvements could be made. There was an important economic reason for how well the rail system worked. It armed us with the information to better understand impacts. Mr. Wyatt said the State had made investments in rail. The Port intended to get more actively engaged in rail. He spoke to the economic assets of rail. Council President Bragdon talked about the ranking process for the State. Had they taken a look about how we were applying the freight category? Did they have any recommendations for Metro? Mr. Zelenka concurred there weren't enough projects. We needed to do a better job. Metro's participation in the State's criteria had a major role.

2. ECONORTHWEST CONTRACT AMENDMENT FOR ESEE ANALYSIS – PHASE 2

Chris Deffebach, Planning Department, briefed the Council on the need to amend the contract with EcoNorthwest. They had been doing the economic portion of the Economic Social

Environmental and Energy (ESEE) analysis. They now had more work to do. They needed to update the Phase 1 report and they were now going forward on the Phase 2 of ESEE analysis. She spoke to the original contract, which only covered Phase 1 in the budget. This contract amendment was for an additional \$40,000. She spoke to previous contract amendments and the adjustments. She spoke to the resolution, a draft of the agreement and the staff report. She reviewed what Metro was providing. EcoNorthwest needed to do the economic piece for Phase 2. Councilor Newman asked what Metro got with this work. Ms. Deffebach talked about the lands and the potential impacts. Mr. Cotugno said it would provide relative numbers for economic impact. Councilor McLain further explained the economic impact. She didn't want them to come in and be a mini-Economic Technical Advisory Committee (ETAC). Councilor Park asked if they would address the positive effects, the long-term livability issues for example. Ms. Deffebach said the City of Portland was studying this issue. Councilor Park talked about the Springwater site and the value of the Springwater Trail. Ms. Deffebach said there were different ways to look at economic value. She detailed specific economic value and ESEE trade-offs. Mr. Cotugno spoke to timing of this contract.

3. RENEWAL OF SOLID WASTE FACILITY FRANCHISES AND PUTRESIBLE WASTE NON-SYSTEM LICENSES

Mike Hoglund, Solid Waste and Recycling Department, said Roy Brower would be reviewing the non-system licenses and the franchise. Mr. Brower would get Council up to speed concerning non-system licenses and franchises. He noted letters received from the industry (a copy of which is included in the meeting record). Mr. Brower talked about the legislation before Council in December. He talked about the six non-system licenses, five were renewals and one was new. He talked first about the non-system licenses for Pride and Forest Grove. There was no cap on the facility because they went to Riverbend, a Waste Management facility. These two were status quo licenses. There had been no issues raised. Councilor McLain said in Forest Grove they had had a neighborhood committee to take care of issues of concern raised. She suggested checking with the City and the company to make sure there had been no issues raised about either of these facilities. Had there been any neighborhood complaints? Mr. Brower said they raised those issues with franchise renewal. She wanted to make sure we checked with the City and the neighborhoods. Mr. Brower said they usually checked on the destination facility. Councilor McLain noted a letter from Yamhill indicating that they had no issue with receiving waste from the region. Councilor Monroe asked about the location of Pride and how close it was to Metro Central. Mr. Brower said both Riverbend and Metro Central were close to Pride.

Mr. Brower continued explaining the other four non-system licenses that sent waste to non-Metro facilities. He talked about allocation of the 10% (a copy of the 10% tonnage authorization allocation is included in the meeting record). He reminded Council that this was wet waste. He spoke to projections that the Solid Waste Department had done. Councilor McLain reminded the Council about the 10% requirement. We were legally responsible for limiting tonnage outside of Metro facilities to 10%. Councilor Park asked about the increase in recycling and the mechanism for ratcheting these down. Mr. Brower said they had suggested some new mechanisms. If they believed the 10% was about to be violated they could request more frequent reporting. Mr. Hoglund said they had not heard back from the NSLs about the 10% concerns. Councilor McLain talked about monitoring and the Code requirement.

Mr. Brower talked about the franchises and detailed the requirements of franchises. This was the first time in five years that these franchises had been renewed. Staff had tightened requirements over the past five years. These franchises reflected the latest language being used by Metro. They had recommended a four -year franchise instead of five years to better line up the licensing.

Councilor Newman asked about an alternative of a one-year extension to Forest Grove. Mr. Hoglund said you started to lose policy direction if you extended.

Mr. Brower then addressed the right to inspect, the term of the franchise and tonnage limitations. Council President Bragdon asked about cap adjustments. Councilor Park asked about excise tax and the exemption of the regional system fee. He asked about the ODOT inspection. Why were they allowed to inspect our facilities? Marv Fjordbeck, Metro Assistant Attorney, said it was because they were public facilities. Councilor McLain said she felt inspection should be included for all facilities not just our facilities. Mr. Hoglund said they needed to do more work on this issue. He suggested having ODOT do the inspection all on day with all of the facilities. Council President Bragdon asked if they were handicapping our facilities by these inspections. Councilor Park asked who paid for the monitoring? Council expressed the need for consistency. Councilor Monroe said he was sympathetic with the private sector about not wanting ODOT dropping in without notice. Council President Bragdon asked about the term, the de-staggering. Councilor Park asked about excise tax and waste outside the region. Mr. Brower said the waste was tracked both in district and out of district. Councilor Park said, over a period of time, there was a possibility that waste could increase. He talked about the impacts. Mr. Fjordbeck talked about the 65,000 tons limits. Councilor McLain talked about capacity. There were some costs to the regional capacity. Council President Bragdon said they wanted to understand the impact on neighboring cities. Councilor Park suggested looking at positive impacts as well. Councilor Monroe said issues of cap counting and four-year versus five-year length were concerns.

Ray Phelps, Willamette Resources Inc. (WRI) delivered a letter to each council member one week ago. He had brief comments (he summarized his letter, a copy of which is included in the meeting record). Councilor McLain talked about the confidentiality issue. Councilor Newman said some of the points he supported. He asked about the ODOT inspections and why they had issue with this? Mr. Phelps said the language was vague. There was no protocol as to how those inspections would be done. Council President Bragdon said, with regard to ODOT, it was a matter of consistency with our own facilities. He didn't think ODOT inspections should be an issue. Mr. Phelps said there was no scope.

Dave White, Oregon Refuse and Recycling Association, talked about the ODOT matter. He didn't understand the driving force for these inspections. He felt that it was not ODOT driven but Metro driven. Their position was that the language is vague. They didn't know what periodic access meant. They didn't know what was meant by truck weights. He suggested clarification from ODOT. He also suggested identifying when industry can testify.

Mike Duey, Waste Management, talked about the ODOT issue and wanted to make comment next week.

Councilor Park asked Mr. Hoglund about NSLs. We audit records all of the time. What did we do with the records? Mr. Hoglund said they were on file. He said the licenses were for their haulers to take waste outside the region. Councilor Park asked if this was public information. Mr. Hoglund said yes. Mr. Phelps clarified where the information was obtained. Councilor Newman asked about the ordinance amendment.

5. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

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6. COUNCILOR COMMUNICATION

Councilor Newman and Councilor McLain were doing a tour of industrial sites. They invited other councilors to join them.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:36 p.m.

Prepared by,

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOVEMBER
25, 2003**

Item	Topic	Doc Date	Document Description	Doc. Number
1	Pamphlet	2001	To: Metro Council From: Bridget Wieghart, Planning Department Re: Getting There Freight Service Strategy	112503c-01
1	Study Recommendations	February 2003	To: Metro Council From: Bridget Wieghart, Planning Department Re: I-5 Rail Capacity Study Summary of Rail Freight Recommendations	112503c-02
1	Map	November 2003	To: Metro Council From: Bridget Wieghart, Planning Department Re: Map of Freight Network in the Metro Region	112503-c-03
1	Power Point Presentation	11/25/03	To: Metro Council From: Susie Lahsene, Port of Portland Re: Importance of Freight Mobility in the Portland Region Power Point	112503c-04
1	Project list	11/25/03	To: Metro Council From: Bridget Wieghart, Planning Department Re: Candidate Region 1 – High Priority Freight Projects being considered by the Oregon Advisory Committee	112503c-05
1	Memo	10/9/03	To: Joint Policy Advisory Committee on Transportation From: Andy Cotugno and Bridget Wieghart, Planning Department Re: Freight Project Priorities	112503c-06
1	Testimony	11/25/03	To: Metro Council From: Tom Zelenka, Chairman of Oregon Freight Advisory Committee Re: Testimony on freight mobility in the region	112503c-07
2	Draft resolution	November 2003	To: Metro Council From: Chris Deffebach, Planning Department Re: Draft Resolution No. 03-3397, Amending Contract with EcoNorthwest to complete Phase of ESEE analysis	112503c-08
3	3 letters	November 2003	To: Metro Council From: Michael Leichner, Pride Disposal Company, Mike Huycke, WRI, and G. Frank Hammond, Attorney for Waste Management Re: Ordinance No. 03-1025, 1026 and 1027	112503c-09
3	Tonnage allocation	November 25, 2003	To: Metro Council From: Roy Brower, Solid Waste and Recycling Department Re: 10% tonnage authorization allocation	112503c-10

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3	Testimony	11/25/03	To: Metro Council From: Ray Phelps, WRI Re: comments on franchise language	112503c-11
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