

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, February 3, 2004
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 1:09 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, FEBRUARY 5, 2004

Council President Bragdon reviewed the agenda for February 5, 2004.

Councilor Hosticka said he had a substitute resolution that would authorize an extension of the contract. Councilor Newman said he would be calling in on Thursday for the meeting. Councilor McLain said her understanding of Councilor Hosticka's resolution would allow a discussion on contract extension. She noted information that they needed last week. Councilor Hosticka said the current contractor would judge whether they wanted an extension. Councilor Monroe said he wanted to know if an extension was a good idea. He wanted to hear from Solid Waste about this issue first. Councilor Newman asked about the information that Council was waiting for. He wanted to encourage more waste into our system. Councilor McLain said she had all the information she needed. She wasn't asking for an extension. The Request For Proposal (RFP) was comfortable for her with the current point system. She didn't feel staff could answer the question. She felt Councilor Hosticka's resolution allowed the process to be done in the right order. Councilor Burkholder talked about the process. Councilor Hosticka said his resolution would extend the process about three weeks. Councilor Newman spoke in support of going out for an RFP. Councilor Monroe said with an extension they would be looking at two to three years, with an RFP, the contract would last at least five years.

Mike Hoglund, Solid Waste & Recycling Director, talked about the extension possibility. He had spoken to other Metro folks about contract negotiations. They had started to have discussion with Councilors about sustainability and recovery issues. He was getting a pretty good idea of what they could expect in an extension. Councilor Monroe asked if they had any discussion with BFI about an extension. Mr. Hoglund said they had met with BFI several times.

2. REVIEW OF NON-REGULATORY ELEMENTS – GOAL 5

Chris Deffebach, Planning Department, spoke to two handouts on potential non-regulatory programs. She noted the need for balance between non-regulatory and regulatory. They were not just substitutes for each other. They served different approaches. She spoke to the positive and negatives for both regulatory and non-regulatory. She said non-regulatory approaches alleviated some of the property owner concerns. The regulatory approach could apply to the entire region where non-regulatory could be specific to areas such as wetlands. She talked about existing non-regulatory programs. There were many different approaches going on. Their success often depended upon funding. Non-regulatory options were often under-funded. There were some gaps in what was currently going on in the non-regulatory program area. There was need for funding

non-regulatory options. There was also opportunity to supplement existing funding. She gave some examples of these types of program.

Councilor McLain said if we were trying to meet federal or state regulations, we couldn't demonstrate with non-regulatory tools that there was protection. She assumed it would be part of our program but asked how much get results. Ms. Deffebach talked about the range of ideas on the non-regulatory options (a copy of which is included in the meeting record). She suggested Council add to this list. She spoke to Stewardship and Recognition programs. These rewarded good behavior for protection. She gave examples of these kinds of program. There was a range of incentives. Council President Bragdon asked about measures of effectiveness. Ms. Deffebach talked about the effectiveness column and how you measured these. She then reviewed Grants for Restoration and Protection. Councilor Newman asked about grant funding. Ms. Deffebach continued speaking about the grant options. She noted the effectiveness of the grant program. There was limited funding. Councilor Hosticka asked about a current grant program. Councilor McLain said we could get credit for what we had in our budget and the programs that we had completed. This was easy to measure. Ms. Deffebach talked about an information center at Metro such as a hotline or referral service. There were different ways to approach getting information out there. Councilor Newman suggested a web-based approach to providing information. Councilor McLain said there was a need for both a phone and web based tool. She spoke to the benefits of our current recycling center.

Ms. Deffebach then spoke to the technical assistance program focusing on local partners, residential owners as well as development and business activities. Councilor McLain asked about the award on street design. She felt some of those materials could be self-starters. Ms. Deffebach said they could also host or encourage workshops. There were a variety of implementation tools. She then reviewed habitat education activities and gave examples of these tools. She said curriculum for schools was a longer-term option. She reviewed volunteer activities. Metro had a lot of experience in this area. There were also activities that were agency led such as Metro, Clean Water Services, etc. She mentioned the property tax relief programs: Riparian Lands Tax Incentive Program and Wildlife Habitat Conservation and Management Program. She noted the requirements required for these programs. Councilor Burkholder asked why it was an interim relief? Ms. Deffebach responded to his question.

Ms. Deffebach then spoke to acquisition. These programs would be effective in the long term but were expensive. They tried to flesh out some possible programs. She asked for feedback. Council President Bragdon asked if there were other things that could be included on the list. He urged citizens provide input. Councilor Park asked why these couldn't be used as step one and then regulation is considered as step two. He asked what we were leading with? Councilor Burkholder said the lead in should be "what's the problem". He thought that people had to understand there was a problem. If we take a non-regulatory approach, we still had to have a program. He spoke to the need to know the cost. Councilor McLain suggested additional examples for agency-led restoration activities. She urged citizens provide additional examples. The non-regulatory tools were as effective as we put in our budget. She asked, what does effectiveness cost? Councilor Hosticka suggested talking about how non-regulatory options hadn't done the job but if we scaled up the funding, how would that impact protection. The current programs weren't effective enough to protect. Council President Bragdon talked about cost and effectiveness. It was easy to leap to having an incentive program without the willingness to fund. Councilor Monroe suggested expanding school-based education such as restoration work. Ms. Deffebach said this additional information would be included in the open houses. She said there wasn't as much in the literature currently as she expected. Councilor Burkholder suggested including all the local watershed groups at the open houses. Councilor Park talked about the property tax relief program. He felt

they could calculate the cost of this program. This was similar to farm deferral. This would give a comparison and a base line cost.

Ms. Deffebach said they were continuing to work on what would be provided at the open houses.

3. CAPITAL IMPROVEMENT PROGRAM (CIP)

Bill Stringer, Chief Financial Officer, said they would like to discuss the proposed CIP program. It contained all of the CIP programs for a five-year span. He outlined the program. This year for the first time they would present the CIP with operations expenditures at the same time. He explained why the CIP should be concurrent with the proposed budget. He spoke to the importance of the CIP and hoped that they could look at the operating budget in a five-year plan. We needed to take a longer look. They were also analyzing CIP projects more rigorously. They would also track the current projects. This allowed for refinement. Councilor McLain said she felt the news of a five-year plan had positives and negatives. She spoke to the policy driven issues. How did she get the policy review? Mr. Stringer said he sought Council's guidance on the process. He emphasized that they were not looking for a decision today.

Karen Feher, Financial Planning Department and CIP Coordinator, talked about the materials that were provided to Council (a copy of which is included in the meeting packet). They were trying to eliminate redundancies. She talked about renewal and replacement as well as maintenance plans. She noted the brand new projects. Councilor McLain asked about the annual budget and the CIP numbers. Her question was the transition between the yearly budget and the five-year CIP. Mr. Stringer said there might be amendments to FY 05-06. Councilor McLain asked where the decision-making occurred about what projects were funded. Ms. Feher said what was before Council was the proposed projects that departments were planning to implement. She spoke to Council review of these projects. She noted the un-funded projects as well as which projects were happening this year. She noted the operating budget and the fund balances and how these projects influenced these trends. She offered assistance to any councilor who had questions.

Casey Short, Financial Planning Director, talked about the specific projects by department. He highlighted the requests for FY 04-05. He talked about Information Technology (IT) projects. There were no new projects. He talked about a renewal and replacement contribution annually. He then talked about the 7 Metropolitan Exposition-Recreation Commission (MERC) projects, including four new projects. He gave some details of these projects. Council discussed Expo projects. They talked about naming rights donations. Councilor Burkholder talked about donations and how we get assurance that we weren't buying something that wouldn't be paid for. Council President Bragdon asked how you treat donations. Mr. Stringer talked about expected donations. Ms. Feher said historically the Zoo doesn't begin a program with funding in place. The exception was the Condor project. Mr. Short continued reviewing the MERC projects. He noted City of Portland's annual contribution. He then reviewed Property Service projects including carpet replacement and satellite copier replacement. Councilor McLain asked what carpet would be replaced in this building. Ms. Feher suggested that they would take care of this project as they had to. Councilor McLain asked about the outside of the building and the need to repair. She hoped they would look at these needs as well. Mr. Short talked about roof replacement for this building. Councilor McLain suggested getting the replacement report in the budget so they could make informed decisions. Mr. Short continued with the Oregon Zoo projects, the next phase of the Great Northwest project and the next phase of the Condor facility. Council President Bragdon asked what money was in hand and what had not been received yet. He asked what was accepted practice when some of the projects had "expected funds". Mr. Stringer said he wanted a certain proportion in hand with an assurance for the rest of the money to begin a project. Councilor

McLain said the general question was could they give Council some choices or strategy when they knew they could include a project in the CIP.

Councilor Newman asked about a project that we had committed where donations were indicated but we ended up funding ourselves. Councilor Monroe said the boards he served on rely on hopeful donations for operation. This was different. The difference if the money doesn't come in was you didn't do the project. Councilor McLain said she wanted to know when you didn't have the money in hand. We wanted to make sure we get people to think ahead. Councilor Monroe said it was easier to raise money for a CIP than deficits. Mr. Stringer said he would provide Council with best practices.

Mr. Short talked about solid waste projects. They were all funded projects. He talked about the two new projects at the transfer stations. Councilor McLain asked about the solid waste project review. Mr. Stringer said there was \$6 million remaining for remediation and other St. Johns Landfill issues. Councilor McLain said they were talking about some big changes in solid waste rates and other programs. She needed to have these questions resolved.

Mr. Short then talked about the Regional Parks and the last amount of acquisition funds. He detailed these projects. Councilor McLain asked about the Cooper Mountain Master Plan. How were they recognizing the potential list? Ms. Feher said they would include it in the CIP when they received the request. He then talked about renewal and replacement for Parks.

He then covered the un-funded projects (a copy of which is included in the CIP). Councilor Newman asked about the land acquisition phase 2 and how this was included in the CIP. Wasn't that a policy decision? Councilor Monroe talked about the history of the parks measure. The first was phase 1. Council discussed the un-funded items and how they got put on the list. Councilor McLain asked Tony Vecchio, Zoo Director, about un-funded projects. Mr. Vecchio assured the Council canceling the project would not risk the health and safety of the animals. Ms. Feher said the CIP would be updated after the quarterly report.

Bill Stringer and Casey Short walked through the 5-year forecasts. MERC's 5-year projection was dramatic—current conditions as of October 2003 projected that they would run out of money in 07/08 if they did not significantly change their business practices. Councilor Park talked about MERC's operating budget. Ms. Feher said this forecast was a very conservative forecast. She talked about Jeff Blosser's marketing efforts. They had been very innovated. Councilor Park said this pointed out that MERC might be able to get by. What does that do to other local partners that were looking at hotel motel tax? Councilor Burkholder said he would like to see the Zoo assumptions for projected revenue. Councilor Newman asked about Portland Center for the Performing Arts, in all future years, expenditures were out stripping revenues. Ms. Feher responded to his question. Councilor Newman asked about Portland Center Stage and a move. Ms. Feher said they discounted the facility for them. They would get more renting it out than what we get now. Mr. Short talked about the planning fund. The fund balance was going negative. This assumes the same programs as currently in place. They can't sustain their current work at the level of funding they get. Councilor Burkholder talked about how excise tax was tied into the CIP.

4. BOUNDARY ADJUSTMENT REPORT

Mary Weber, Planning Department, said the Metro Code had a number of annual reporting requirements such as the annual compliance report. Amy Rose, Planning Department, gave an overview of the end of the year boundary adjustment report (a copy of which is included in the

work session packet). She detailed the requirements of the report. She also talked about minor adjustments. There was only one adjustment this year in the Sherwood area.

5. REVIEW OF 2629 DOCUMENT

Lydia Neill, Planning Department, gave an overview of Measure 26-29 Technical Report. She talked about satisfying the requirements. 65,000 people will be mailed the summary document on February 23, 2004. They were using the summary document to provide notice to the property owners. She talked about what was addressed in the report such as air quality and congestion impacts. They were looking for efficiencies. A lot of the work was a compilation of the Urban Growth Boundary (UGB) process. One of the questions they got continually was how they arrived at specific assumptions like 10% slope. Councilor Burkholder asked about the difficulty or ease of putting this information together. He said the goal was to add to the public's understanding of benefits and goals. He asked how success this was in conveying the information to the public. Ms. Neill said it was difficult to get cost information in a meaningful way. The information was more meaningful and real once the acreage was narrowed down. She talked about Clackamas County's study. She felt that the workshops would allow for feedback. She talked about looking at public service costs and that the shear magnitude was large. Councilor McLain felt this was a first good step. She felt that Table 4 might cause controversy. Councilor McLain felt this was an honest attempt to remind the voters what they had asked Metro for. This was a direct response to what they asked for. Karen Kane, Public Affairs Department, talked about a draft brochure. Councilor McLain suggested emailing the Council the text so they could look at it. Ms. Kane said this brochure was the public notice that told people that they were doing this because they had asked for it. This would mail to 67,000 people. This would also be on the web as well as the technical report. Councilor McLain suggested the title of the brochure needing to be changed. Ms. Neill said they also had an interactive map to see where was their property. Councilor McLain talked about the necessary message to the public. Janice Larson, Creative Services Director, asked about the voice of the brochure. Councilor McLain suggested that there wasn't a negativism in letting the public know about this good information. She wanted to make sure that it wasn't just that we had a requirement but that we wanted to share this good information. Councilor Park said he felt the brochure had too much Metro speak. If it was going to city councils as the audience it was OK. To go out the general public, it needed to be simplistic. Ms. Larson said it met several different requirements. Dick Benner, Senior Attorney, talked about Ballot Measure 56 requirements. .

Councilor McLain thanked Dan Cooper, Metro Attorney, for his participation in the agricultural symposium.

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, Dan Cooper, Laura Oppenheimer, members of the Council and Council staff

Time started: 3:37 pm

Time ended: 3:50 pm

8. CHIEF OPERATING OFFICER COMMUNICATION

There were none.

9. COUNCILOR COMMUNICATION

Councilor McLain reported on the ag symposium last Friday. She talked about the urban ag mix. She noted that farmers were a bit confused about why they were there. They did encourage dialogue. She felt that the dialogue that the lawyers had was very good. She urged that the Council continue working with the agricultural community.

Councilor Park talked about the Joint Policy Advisory Committee on Transportation (JPACT) retreat. There was decent agreement on the federal agenda and they wanted to work on the state agenda. The big look at how it worked with Tom Kloster's project was helpful. Councilor McLain said she felt Oregon Department of Transportation (ODOT) was the one rouge in this arena. She urged a work session with ODOT. Council President Bragdon talked about state agencies working together including ODOT, LCDC, Dept of Ag and Economic Development. Councilor McLain urged being the leader in this area. Councilor Newman talked about funding for mega-transportation projects.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:01 p.m.

Prepared by,

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEBRUARY 3,
2004**

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	02/05/04	Metro Council Regular Council meeting agenda for February 5, 2004	020304c-01
3	CIP Notebook`	04-05 to 08-09	To: Metro Council From: Karen Feher, Financial Planning Re: CIP Notebook	020304c-02
2	Draft non-regulatory tools	02/03/04	To: Metro Council From: Chris Deffebach, Planning Department Re: Draft non-regulatory tools for Fish and Wildlife Habitat Protection Program	020304c-03
2	Power Point Presentation	2/3/04	To: Metro Council From: Chris Deffebach, Planning Department, Re: Non-Regulatory Options Metro Fish and Wildlife Habitat Protection Program	020304c-04
5	Technical Report	January 2004	To: Metro Council From: Lydia Neill, Planning Department Re: Measure 26-29 Technical Report Assessment of the impacts of the June 2004 UGB Expansion decision on property owners	020304c-05
5	Public Notice	Spring 2004	To: Metro Council From: Karen Kane, Public Affairs Department Re: Draft Public notice Measure 26029 Industrial Lands Expansion Report	020304c-06