

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, March 23, 2004
Metro Council Chamber

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

Councilors Absent: Brian Newman (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:08 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, MARCH 25, 2004.

Council President Bragdon reviewed the upcoming agenda for March 25th. Andy Cotugno, Planning Director, talked about the time limitations on the Sherwood ordinance. Councilor Monroe spoke to the simulator ride resolution. Councilor McLain asked about the simulator ride resolution. Councilor Monroe talked about the original contract and the amended contract. The upcoming contract allowed for more certainty. There was also additional simulator rides available with the amended contract.

2. REGIONAL SOLID WASTE MANAGEMENT PLAN (RSWMP) KEY PLANNING ISSUES

Council President Bragdon talked about the update to RSWMP and soliciting both Council's and stakeholders' input for the plan update.

Janet Matthews, Solid Waste and Recycling Department, reviewed what had happened at the work session two weeks ago. They were asking stakeholders about goals and objectives in the current RSWMP and if they were still viable. She then passed out a sheet on key issues identified in 1995 (a copy of which is included in the meeting record). She said the outreach was different in 1995. They were currently asking for input from a bunch of stakeholders.

Arnold Cogan, Cogan, Owens and Cogan, summarized the results of the current outreach process. Mr. Cogan said, in the packet of materials, there was a draft report. They weren't finished with the stakeholders' contact. There would be several phases of contact with stakeholders. They were half way through with those contacts. He noted a summary of the results (a copy of which is included in the meeting packet). He talked about the six groups they had already talked to. These were noted in the summary. They had yet to talk to citizen and business groups such as NIKE, shopping centers, and those businesses that weren't necessarily in the solid waste business. The citizen groups would be randomly selected. He noted that this draft was a work in progress. Councilor McLain said they were interested in how random groups were selected. Council had some specific questions. There were folks in the public group that balanced industry responses. She cautioned that we needed expertise from the public groups. These groups needed to include sustainability groups. Mr. Cogan agreed. They had talked about an outreach process to talk to people that were legitimately representative of citizens in addition to people who had specific expertise. Councilor McLain suggested talking to kids who had formed earth and green clubs. They would be our next generation of users. There were also individuals who were looking at sustainability such as Portland State University and other collegiate institutions. Mr. Cogan continued that the next steps was to talk to randomly selected groups. Councilor McLain talked

about general users who had different opinions. She suggested talking to people who used our products such as our Metro paint. Mr. Cogan said they had met with six groups, none of which represented all of the groups. They tried to meet with a small sample of each group. They also met with Solid Waste Advisory Committee (SWAC). Sixteen people attended that meeting. They focused on their perception of the critical issues facing Metro in updating the RSWMP. SWAC's input was similar to the focus groups. Councilor McLain noted that a number of people who attended focus groups were members of SWAC. Mr. Cogan said they were looking for commonality or consensus between the groups. He noted summaries of conversations about each issue. They promised confidentiality to each group. They had five groups that spoke to specific needs to reevaluate the waste reduction goals. He noted the results of the implementation required recycling policies. Councilor Hosticka asked if there were any suggested answers. Mr. Cogan said there were suggestions in the report. Councilor Hosticka asked about reexamining the goal. Mr. Cogan said there were mixed opinions but concurrence that this was an issue. Mr. Cogan then talked about the issue of Metro as an owner and regulator causing conflict. There were a lot of people that weighed in on this. Councilor McLain suggested Council give them their thoughts on each of these issues.

Councilor Park asked how the general public would respond to each comment area. Mr. Cogan said most of what was asked was open-ended questions. The issues that were raised came from the focus groups. He said all six focus groups felt that sustainability was important. He then focused on the accessibility goal and the groups' feedback.

He said the purpose of this meeting was to get the Council's reaction to the issues as well as additional issues that should be included that were not included yet. Council President Bragdon said one issue was the changing structure of industry, which changed flow patterns. Second, the public service aspects for such waste as hazardous waste. How do we ensure that the public services continue to be provided? There were things that happened at Central and South that may not be happening in the private sector.

Councilor McLain suggested adding the issue of market. You must have a market if you have recycling. How should Metro be involved in creating markets for recyclable goods? They had talked a lot about sustainability. What was the minimum sustainability we should consider and were there different costs for using different tools. Where do we want our money be spent? There should be an effort to find out from the public, which they felt were important sustainability issues. Councilor Park asked about how to achieve the lowest cost system to the consumer. Mr. Cogan said this came up in a variety of ways. The industry felt that the greater the competition the more likely the public would achieve lower costs. The industry recommended privatization. Councilor Park said he thought you should be asking how you lower cost to the consumer. Mr. Cogan said they had discussed why do costs get set as they do. Were they getting what they were paying for? Was all that they were paying for going to the waste stream? Councilor Hosticka questioned if privatization and competition was synonymous. Mr. Cogan said no.

Councilor Monroe talked about the relationship between the cost of disposal and the rate of recycling. The question of the balance between charges and recycling was a critical question. He talked about creating a system where there was an incentive to travel the shortest miles possible. He talked about the caps to drive garbage to the closes facility. He suggested looking at this and how successful this was currently. He felt that this needed to be tweaked. He talked about trucking efficiencies, hauling garbage up the gorge and coming back empty. He suggested the need for efficiencies. He suggested aggregate might be a possibility for back hauling. Was there a possibility of a two-way transportation system? Councilor McLain added that they had a philosophy that it was better to be part of the industry rather than just be a regulator. As we move

closer to the bonds being defeased, what was the regional perspective of being part of the industry or being a regulator?

Councilor McLain suggested talking about the whole idea of a commitment to recycling. Was there a commitment to recycling? Does the region really want this? Mr. Cogan said none of the groups objected to recycling, it was the percentage itself. There ought to be some rational basis for reaching the number. The issue was what was the commitment to recycling and what should be the percentage. Councilor Burkholder suggested measuring production per capita. How many tons per person were generated per year? How did you measure this? He was interested in changing the behavior up front. How did cost of disposal effect peoples' behavior. Mr. Cogan felt they could ask the citizen's groups. Councilor Burkholder talked about impact on people's behavior.

Councilor Hosticka said if reuse was a goal, they should have a standing policy on the bottle bill. He thought that reuse should be promoted through this type of stance. Michael Jordan, Chief Operating Officer (COO), talked about the responsibility of Metro not specific to recycle goals but the responsibility that they had to the industry to make sure that the market worked in a particular way. He gave an example of having a single industry providing the service. It was a dilemma that all regulators faced.

Councilor Park suggested looking at the recycling question and the distinction between renewable versus non-renewable. Would the public do better by subsidizing the food waste versus spending it on parks? Councilor McLain suggested dealing with consistency of reduction programs, the desire to have services everywhere in the region. She talked about the hazmat program. She felt consistency of services provided by the public should be maintained, if not, how would these be taken care of?

Council President Bragdon asked about next steps. Ms. Matthews said they would be finishing phase 1 of their input process over the next several weeks. Then staff would be reviewing the input to package these issues. In last April they would be coming back to Council to share discussion issues with Council. The discussion guides would serve as their lead to go out for phase 2 of the process. They were trying to get the issues sorted out and defined before they came back to Council. Mike Hogle, Solid Waste & Recycling Director, talked about issues and solutions, defining possibilities. Councilor McLain said they had already given the department values. They knew there were conflicting values. SWAC supported the plan as configured in Chapter 5. Mr. Jordan said this solid waste system provided Metro with 75% of its general fund resources. Had there been feedback about this? Ms. Matthews said there were some comments about this in the report. Mr. Hogle said there wasn't a lot of discussion. Council President Bragdon suggested comparing these issues to the Council values identified last summer. Mr. Cogan talked about the existing RSWMP and the comments from the six groups. There were some comments and the strength of those comments was in the report. Councilor McLain said they had a balance at a SWAC meeting of all of the groups. Councilor Burkholder suggested identifying the ends we were trying to achieve and then separate out the means of achieving the goals. He also suggested asking the public groups and how comfortable were they that we taxed waste. Does it harm or help our efforts in the eyes of the public.

3. REGIONAL SOLID WASTE MANAGEMENT PLAN CONTINGENCY PLAN

Mike Hogle, Solid Waste and Recycling Department, said they had given an overview work group recommendations. What strategies might be considered to meet the 62% recycling goals? He spoke to the four recommendations (a copy of which is in the meeting packet). They heard

back from local governments. He reported that Metro Policy Advisory Committee (MPAC) had suggested it was worthwhile to look at some methods to recycle. Begin processes to implement mandatory business recycling. They could develop work programs to work toward implementation of those two programs. They hadn't gotten total input from local governments.

Lee Barrett, Solid Waste & Recycling Department, reported back about their discussion with MPAC. They focused on mandatory MRFing and mandatory business requirements. The City of Hillsboro raised issues about the impact rates. He said there were only two facilities that would need to be required to recover material. The facilities would have to do some capital improvement projects (CIPs). They might raise their rates to accommodate those CIPs. Councilor McLain said she felt Metro made a commitment that we would make visits to the area to talk more to those that might have concerns. Metro could prepare some information for that area. Councilor McLain suggested moving forward by resolution. Mr. Hogle said even under a short cut route, there would be legislation action to implement the program. He agreed with Councilor McLain about wrapping it into one package and then running two parallel programs. Mr. Barrett talked about the process for Construction & Demolition (C&D) implementation. They needed to define C&D and a whole number of things that Metro would have to decide. They needed to talk about what the program would look like. Councilor Burkholder asked about the amount of tonnage. Mr. Barrett responded that they were looking at 46,000 additional tons. Councilor Burkholder asked about the assumptions. Mr. Barrett responded to his question. Mr. Hogle responded that there were plan level results and realistic level results. Councilor Monroe asked about recovery percentages. Mr. Barrett said it could be between 30% and 60%. Councilor Monroe said it should be fairly high.

Councilor McLain asked if staff would put these forward and included talking to those individual sites, having formal visits. Mr. Barrett said that would be the tactic with the business recycling program and goal. MPAC supported having businesses recover more material. They disagreed with how we approached that mandate. He talked about Mayor Drake's recommendations. They urged talking to groups such as Western Economic Alliance, the city councils, and chambers of commerce. Mr. Barrett added that as a result of the MPAC conversation, Lake Oswego had requested Metro come out and talk about the business recycling. Mr. Hogle said they had suggested meeting with specific councilors or coming to a city council meeting. Mr. Barrett said the mandatory business requirement wasn't going to happen. They were looking for local governments to voluntarily implement having businesses recover more material. Mr. Hogle said they had heard proceeding cautiously from the Council and meeting with all of the stakeholders that might be concerned about these programs. Come up with options other than mandatory. They would leave some regulatory options on the table so there was a comparison. Councilor Monroe asked about the organics program. Mr. Barrett said they would be coming to Council on April 1st about an organics Request For Proposal (RFP). Councilor Monroe suggested talking to him about the issues around Three Mile Farm. Council President Bragdon suggested coming and talking about the Organics RFP at the next work session.

4. CITIZEN COMMUNICATION

There were none.

5. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, talked about the three Transit Oriented Development (TOD) seven day letters.

6. COUNCILOR COMMUNICATION

Council President Bragdon asked about the 10-day letter on tire recycling (a copy of which is included in the meeting record). He talked about the schedule for Council meetings. April 8th was cancelled due to a lack of legislation.

Councilor Burkholder asked if Planning Department could present first at Budget Briefing tomorrow. Councilor McLain asked about a summary of last week's budget briefings.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 2:38 p.m.

Prepared by,

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 23,
2004

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	3/25/04	Metro Council Agenda for March 25, 2004	032304c-01
2	Summary	3/23/04	To: Metro Council From: Arnold Cogan, Cogan, Owens and Cogan Re: Regional Solid Waste Management Plan Update Public Involvement – Phase One Potential Regional Issues Summary	032304c-02
2	Key Issues	3/23/04	To: Metro Council From: Janet Matthews, Solid Waste and Recycling Department Re: Key Issues Identified in 1995 for RSWMP	032304c-03
2	Councilor Issues	3/23/04	To: Metro Council From: Karen Blauer, Solid Waste and Recycling Department Re: Summary of Council Key Issues concerning RSWMP public involvement	032304c-04