

## MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, June 22, 2004  
Metro Council Chamber

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

Councilors Absent: Rex Burkholder (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 1:13 p.m.

### **1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JUNE 24, 2004.**

Council President Bragdon reviewed the June 24, 2004 Council agenda. He noted the last hearing on Ordinances 04-1040B and 04-1041. Councilor Monroe asked about the cemetery ordinance. Council President Bragdon spoke to Michael Jordan and Dan Cooper's goals and performance reviews and revisiting their bonus and goals. Ruth Scott, Human Resource Director, talked about Resolution No. 04-3472, a 1.6% increase for COLA for non-representative employees. She spoke to the costs and what departments had budgeted. They thought that by awarding the same COLA, there would be no disparity. Councilor McLain asked about the MERC agenda and pay-for-performance items. Ms. Scott said they were proposing to the MERC Commission that they would move their market target. Mark Williams, MERC General Manager, had asked Ms. Scott to look a look at their positions. Councilor McLain said she would like to have a better understanding of the market target and mid-point. Councilor Monroe said he would like to see all of the MERC and Metro employees treated similarly. Councilor Newman suggested the MERC Commission Chair come and talk with Council about the adjustment. Ms. Scott said they had been working towards having pay plans look more similar. Councilor Hosticka said if we were giving the same benefits to non-representatives as representative employees, what was the benefit to be unionized? Ms. Scott said they typically followed the COLA's for representatives and awarded these to non-representative. She spoke to parody within the positions. Councilor Monroe talked about the history of the Council office staff when they decided the Council staff would be non-represented.

### **2. ADOPTING THE I-205/PORTLAND MALL FUNDING PLAN AND MULTI-YEAR MTIP COMMITMENT.**

Richard Brandman, Planning Department, spoke to a draft resolution to endorse the funding strategy for the I-205/Portland Mall project (a copy of which is included in the meeting record). He talked about the timelines for the project. They would be submitting materials to the federal government concerning the light rail project in September. He noted a table concerning I-205/Portland Mall funding plan. He reviewed the funding sources. Mr. Brandman said in prior decisions by the Council, Metro had pledged funding. He said there was still a gap of \$25 million. The costs did shift around but there was still a need to close the gap. They were trying to reduce the cost as well as add more money for the project. Portland business community wanted to add more shelters downtown but had pledge to cover the increased costs. The end result was the suggestion that the Metro Transportation Improvement Plan (MTIP) commitment be increased, and each of the other entities add a certain amount of money to the project. He noted in Exhibit A, the Multi-year commitment of MTIP funds to regional funding plan. He said the first question was what did that do to the availability of MTIP funds for other projects. He then handed out a

MTIP revenue stream after takedowns for South Corridor, Commuter Rail and North Macadam (a copy of this chart is included in the meeting record). He spoke to the unallocated MTIP balances. He added that the resolution was more detailed because Tri-Met would use this as evidence when it went to sell the bonds. He said the plan was subject to change. Our commitment to MTIP funds was subject to the other partners' commitments. Finally, for Oregon Department of Transportation (ODOT), in order to commit money to this project, they were taking monies away from other projects. They were assuming that Metro would assist them in seeking additional federal funds.

Councilor Newman asked about the ODOT commitment and were they working with the federal legislature. Mr. Brandman said yes. Councilor Park suggested Mr. Brandman review Portland's commitment. Mr. Brandman said Portland's commitment was large. He explained their strategy. It was a hard sell for some of the downtown property owners. Councilor Newman asked about their strategy to get funds appropriated by the federal government in February 2005 if commitments were not firm.

### **3. PROPOSED AMENDMENTS TO TPAC BYLAWS TO CLARIFY SUBCOMMITTEE ROLES**

Tom Kloster, Planning Department, provided a set of proposed by-laws for Transportation Policy Alternatives Committee (TPAC). Some were housekeeping amendments as well as the formalization of two new sub-committees for TPAC. He said the two committees were TransPort and Regional Freight subcommittees. He explained what Transport was. He explained the relationship with TPAC. The Regional Freight Committee was an existing committee. The goal was to formalize the committees and put notice requirements on the committee. These committees would have their own bylaws. He noted several other housekeeping amendments, which included representation on the committee. Councilor McLain talked about the membership issue. She was concerned about giving away the one spot, which represented Metro. Council President Bragdon said it was better to have one voting member rather than two non-voting member. Andy Cotugno, Planning Director, said it made sense to have a Council staff represent the voice of the Council. He felt that his staff person shouldn't be one of the committee members. Councilor McLain asked if Mr. Jordan could be the Council's representative. Councilor Monroe said TPAC was advisory to Joint Policy Advisory Committee on Transportation (JPACT) and Council. Mr. Cotugno was the chair of the committee. Councilor McLain expressed her concern about losing a vote on the committee. She felt that we were giving up a tool.

Michael Jordan, COO, said given the fact that Mr. Cotugno controlled a flow of information, he felt it might be an advantage to not have Mr. Cotugno vote. He explained why. Councilor McLain concurred with Mr. Jordan's remarks. Councilor Monroe said if there was a tie vote, they needed to forward some kind of information. To allow Mr. Cotugno to vote in a tie situation, allowed them to forward a recommendation. Mr. Cotugno said he didn't think it was that important that he vote. He felt Mr. Jordan was right. We shouldn't try to insert a vote but if TPAC felt it was important to have a tiebreaker, they allow it. He spoke to the history of TPAC. Mr. Kloster said another recommendation was that Council could ask staff to make a recommendation that was not necessarily TPAC's recommendation. He also noted a clarification which would allow JPACT and Metro Council enact bylaw changes. Their recommendation was to include JPACT in bylaw amendments. Councilor Park made some suggestions about wordage. Councilor McLain expressed concern about wordage on amendments to the bylaws. Councilor Park said he felt it was an issue of cooperation. Councilor Monroe said, under the old rules, TPAC was advisory to JPACT. Now TPAC was advisory to JPACT and Council. He felt it was empowering Council. In the future, JPACT would get to weigh in on the bylaw changes.

#### **4. COOPER MOUNTAIN MASTER PLANNING ACTIVITIES**

Heather Nelson Kent, Regional Parks and Greenspaces Department, said she had talked about the Cooper Mountain master plan in early January 2004. She was giving the Council an update because they were moving into the decision making process for the master plan. They had been doing public outreach as part of this planning effort. They had sent out two newsletters on the planning process and conducted a survey. She spoke to other outreach efforts to get the word out to constituents in the area. She noted the survey results summary included in the meeting record. She said hiking and walking trails were important. Council President Bragdon asked if was a survey of the neighbors. Ms. Kent said yes, most were in the surrounding areas. Councilor McLain said the Aloha people were not close neighbors but they saw Cooper Mountain as their park. Council President Bragdon asked about the dog issue. Ms. Kent said in the survey they had surveyed people with the statement that, Metro had a no dog policy in our natural areas. How did they feel about it? Ms. Kent said there were people who felt strongly about the dog issue, one way or the other. Councilors talked about survey respondents and the number of people who responded that was over 55 years of age. Ms. Kent said they tried to come up with a menu of comments about things people liked and didn't like about development of the park. She noted planning goals for the park as well as design concept summaries. Councilors talked about someone living on the site. They also talked about the issues of bikers, equestrian use and walkers. Councilor Monroe wondered if there was a possibility of one trail available for bikers only. Ms. Kent explained some of the proposed options. They were hearing that the site was too small for all of the proposed uses. She spoke to recommendations from Tualatin Nature Park and Powell Butte concerning mountain biking. They both did not recommend biking. Ms. Kent said this would be consistent with other natural areas that Metro owned. Councilor Hosticka asked how they would resolve this issue. Ms. Kent explained the upcoming process before the open house in September. They would come back to Council with the preferred alternative.

Councilor McLain raised the issue of cost. She was hopeful that was included in the information provided to Council. Ms. Kent said she was hopeful to provide that information to Council prior to going to the public in September. Councilor Monroe asked if there was Friend of Cooper Mountain group. Ms. Kent said not yet. Councilor Monroe spoke to the benefits of a "Friends" group. Ms. Kent said the equestrian group had been fairly active. There were a lot of horse users coming onto Cooper Mountain property now. She shared where the key habitat areas were on the mountain. She spoke to the oak prairie areas that had unique habitat. Councilors and staff talked about equestrian use. Councilor Hosticka suggested criteria for use. How able were we to make these designations stick? Council President Bragdon asked about the land use planning permitting. Ms. Kent said they had asked Washington County to be included in their work program. Councilor McLain talked about safety issues and how many uses we could allow on this site. We needed to make sure that we were putting things together that would not cause safety problems. Councilor McLain asked if Greenspaces Policy Advisory Committee (GPAC) was involved in this. Ms. Kent responded, not yet.

#### **5. TRANSFER STATION SERVICE AREA**

Mike Hoglund, Solid Waste and Recycling Department, said he would be talking about the Service Area report, which was published in March. He gave a background on services areas, highlight issues, discussed options for some issues, had they covered all of the issues and how should they attack each issue relative to timing. He spoke to the definition of service areas, which was based on number of miles to the transfer stations. They had established service areas based on equal distance from the transfer stations. The amount of putresible waste was established

based on the capacity. The capacities were roughly the same. The boundaries for setting caps had been ignored. Also of interest was minimizing travel distances. The idea was to have proximity—people would use the nearest transfer station. The decision of hauler was to weigh time of travel versus getting the best deal possible. What was adequate tonnage to keep operation going? He spoke to the potential for a new transfer station. How would a service area be adjusted to accommodate a new transfer station? He talked about transfer station renewals. It was likely they would want additional tonnage. There were a lot of options, issues and questions that were just being formulated. Councilor McLain asked if he was describing the issues. Mr. Hogle said yes. Councilor McLain noted adequate tonnage levels and capacity. She spoke to relationships and that these were important to talk about as they talked about solutions. Councilor Hosticka asked, from a regulatory approach, what was required? Ms. Matthew said the service area did impact the COO's ability to make administrative decisions. Councilor McLain said the other issue related to how it related to the contract and the 10% that didn't have to go to the facility in Arlington. Mr. Hogle continued that there were a number of options related to each of the issues. It was time consuming planning analysis information. He felt it was best done through the Regional Solid Waste Management Plan (RSWMP) update. He talked about available options on page 2 of the work session form (a copy of which is in the meeting record). He suggested how to address inequity in the system. Councilor Hosticka asked if it could be done administratively or by resolution adopted by the Council. Paul Garrahan, Metro Assistant Attorney, explained the COO's administrative authority. He explained when Council would have to take action. Mr. Hogle then spoke to #3 in options available having to do with long-term issues. He spoke to issues that Council had raised. Mr. Hogle talked about issues that were raised if you added a new transfer station. Councilor Hosticka asked about the criteria for granting a new transfer station. Councilor McLain said it was in the Code and had to do with need and underserved areas. She suggested we look at Council's desire right now. She wasn't sure the RSWMP process was the way to go on this issue. She said they had a 120-day window. She suggested putting together an analysis of need and underserved areas. Mr. Hogle said you could do an analysis to find out if there were holes in the system. Councilor Hosticka said, if there was no overall need for a new transfer station, the number could say most anything you wanted them to. The numbers weren't going to tell you if there was an underserved area. Councilor Monroe said this Council had reviewed in the past if we wanted to stay in the transfer station business. If that was where we continued to be, one of our high priorities was to keep those transfer stations in business so they stayed viable. One way to accomplish this was to cap Forest Grove and possibility Troutdale. We needed a review of all of those issues and he didn't think we could wait years to determine this.

Mr. Hogle said they were going to have an all day retreat for a work program for the RSWMP process. Councilor McLain said she hoped they would ask council to weigh in before they went out to the public. Mr. Hogle said they would be looking at the short term and long term issues and how to deal with them. Councilor Hosticka suggested an auction system could protect our financial interest. He felt this was worth spending some time on this issue. Councilor Monroe gave a scenario of the current impact. He felt that the system was screwed up. Councilor Hosticka suggested that the way to fix it was to make the private marketplace respond to need. Councilor Monroe said you would have to have cooperation from the counties. Councilor McLain said she wanted to include in the criteria that they needed to make sure that the product they got was to the public's benefit.

Councilor Hosticka suggested seeing if there was an alternative system. Mr. Hogle said he didn't have direction on equalizing the cap. They would have to bring forward an ordinance. Councilor McLain raised the issue of host fees. She felt this could be dealt with shortly. Mr. Hogle said it would take longer than a few months. Councilor Newman said he felt all of these

issues seemed to be long-term and could be coupled with the RSWMP update. Council President Bragdon spoke to vertical integration. Councilor Park talked about the value of our transfer stations based on tonnage. If you were going to add tonnage outside the transfer station, what was the policy basis for why they were doing it? Until they got that number, he was concerned about granting additional transfer stations. Mr. Hogle talked about unit cost per ton. It was cheaper the more tons went through there. Mr. Jordan talked about the issues that were raised both positive and negative to the public. Councilor Park suggested looking at the value of the transfer station. Mr. Hogle said the short-term adjustment to the cap could be brought forward by ordinance. He thought the rest of the issues were long term according to Council.

Mr. Hogle then reported that the evaluation team had finished their work and their recommendation was that they enter into an agreement with Oregon Resource Recovery. He talked about the evaluation team. He then talked about scoring. All submittals were deemed response to our Release for Proposal (RFP). Therefore the scoring was ORR first with BFI coming in second. He spoke to next steps. If they were successful in their negotiations, they would then submit their recommendation to Council for review and ultimately adoption. He spoke to other choices the Council had. They would be bringing more information on how they scored the criteria. Councilor Hosticka asked about the feasibility. Mr. Hogle said feasibility was based on ability to perform. He spoke to why ORR scored lower. Councilor Monroe asked about timeline. Mr. Hogle said they would have an answer within a month because the existing contract ran out in November. Council President Bragdon talked about the necessity of feasibility. Dan Cooper, Metro Attorney, explained the negotiation process.

Councilor Monroe asked about the organics RFP. Mr. Hogle said the recommended facility was Cedar Grove in Pullalup. They had not requested any grant money. They want the tonnage. They were interested in opening a facility within the Urban Growth Boundary (UGB) and one outside the UGB. There was an odor issue. The facility that they were opening in Everett would give them an idea if this were going to be an issue. He explained their process for keeping odors contained.

Councilor Park asked about the transfer station scoring. Mr. Hogle said it was an ordinal scale scoring.

## **6. CITIZEN COMMUNICATION**

There were none.

## **7. CHIEF OPERATING OFFICER COMMUNICATION**

Michael Jordan, COO, reminded Council about the retreat tomorrow at 1pm.

## **8. COUNCILOR COMMUNICATION**

Councilor Hosticka said they would have the first work party at the Solenius site this weekend on Saturday.

Councilor McLain said they had started a fork it over campaign. They were working with restaurants to provide eatable food to shelters and the food bank. Councilor Monroe talked about the freezer purchase and the good it was doing.

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Councilor Park talked about an article in the Gresham Outlook about Goal 5. He talked about an individual who cut all of his trees down in Wood Village. They may want to put some onus on MPAC. to get ordinances in place.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:40 p.m.

Prepared by,

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 22, 2004**

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	June 24, 2004	Metro Council Agenda for June 24, 2004	062204c-01
2	Funding Plan	6/22/04	To: Metro Council From: Richard Brandman, Planning Department Re: I- 205/Portland Mall Funding Plan	062204c-02
2	MTIP Revenue Stream	6/22/04	To: Metro Council From: Richard Brandman, Planning Department Re: MTIP Revenue Stream After Take- Downs for South Corridor, Commuter Rail and North Macadam	062204c-03
3	Exhibit A	6/22/04	To: Metro Council From: Tom Kloster, Planning Department Re: TPAC bylaw proposals	062204c-04
4	Design Concept Summary	6/22/04	To: Metro Council From: Heather Nelson-Kent, Regional Parka and Greenspaces Department Re: Cooper Mountain Natural Area Design Concept Summary	062204c-05
5	Transfer Station RFP Update	6/22/04	To: Metro Council From: Mike Hoglund, Solid Waste and Recycling Department Re: Transfer Station RFP Update	062204c-06