

## MINUTES OF THE METRO COUNCIL MEETING

Thursday, December 16, 2004  
Metro Council Chamber

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

Councilors Absent: Susan McLain (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

### 1. INTRODUCTIONS

Council President Bragdon introduced Mayor Becker from Gresham.

### 2. CITIZEN COMMUNICATIONS

There were none.

### 3. DAMASCUS UPDATE

Council President Bragdon said in November, the residents of the Damascus area voted to incorporate as a city – the first new city in Oregon in more than 22 years. This was not only a historic moment, but also a moment of opportunity. The people of Damascus have created the opportunity to build a vibrant community from the ground up. Clackamas County and Metro have the opportunity to provide our technical expertise to help Damascus develop their vision. He was pleased to welcome the newly elected Damascus City Council to Metro today:

- o Councilor John Hartsock
- o Councilor Barbara Ledbury
- o Councilor James Wright
- o Mayor Dee Wescott (elected by the Council at their first meeting)
- o (Absent: Councilor Randy Shannon)

He said, to the Damascus Council, you have a formidable but exciting job ahead of you. Metro will continue to provide technical support, planning assistance, and whatever else you need in the interim to help you achieve your goal of a thriving, livable community.

Councilor Park said in 2002, the Metro Council voted to include 12,000 acres in the Damascus area to the urban growth boundary. Clackamas County, citizen groups, non-profit groups and Metro facilitated a series of meetings and studies over several years to determine the “core values” of residents of Damascus and envision what a planned community could look like. The Damascus City Council now has the responsibility to help ensure that the community core values will be integrated into the concept plan, including: Maintaining the rural character, planning efficient transportation systems, creating opportunities for employment and development of local business, protecting open spaces and wildlife corridors, etc.

Michael Jordan, Chief Operating Officer, introduced and acknowledged Maggie Dickerson, a Clackamas County staff person. He talked about his time as a Clackamas County Commissioner and his experience working with the Damascus folks to engage them in their future. It was an inspiring experience.

Councilor Park thanked Mr. Jordan in his other capacity. He spoke to the sense of place that Damascus had. Today they were going to get to take a look at some of the concept plan alternatives chosen by the community. He then introduced and recognized the contributions of Metro staff that had assisted with the Damascus concept planning process: Ray Valone, Kim Ellis, and Lori Hennings.

Ray Valone, Planning Department, provided a power point presentation on the Damascus Boring Concept Plan. He again introduced and acknowledged Maggie Dickerson, Project Manager and John Hartsock, City Councilor for Damascus (a copy of the power point presentation is included in the meeting record). Mr. Hartsock thanked the Metro team for their efforts. They were constant professionals. Mr. Valone talked about the public involvement approach and the development of core values and goals. He noted key issues and next steps.

Councilor Newman asked about the relationship between Clackamas County and Damascus. When the final product was develop, who approved it? Who resolved key issues? Ms. Dickerson said they had not officially negotiated the approval process. There were two cities that would have the responsibility for implementing the concept plan. Mr. Hartsock said they would have to work together on the Springwater piece.

Councilor Park commented on additional discussions that needed to occur such as sewage and storm water issues. He spoke to challenges and opportunities. Mr. Hartsock talked about bringing in the entire piece. He said Council accommodated that and now it was their challenge and opportunity to come up with a concept plan. He spoke to future public involvement efforts.

**4. CONSENT AGENDA**

4.1 Consideration of minutes of the December 9, 2004 Regular Council Meetings.

4.2 **Resolution No. 04-3510**, For the Purpose of Accepting the November 2, General Election Abstract of Votes.

Motion:	Councilor Hosticka moved to adopt the meeting minutes of the December 9, 2004 Regular Metro Council and Resolution No. 04-3510.
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Vote:	Councilors Burkholder, Monroe, Park, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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**5. ORDINANCES – SECOND READING**

5.1 **Ordinance No. 04-1063**, For the Purpose of Denying a Solid Waste Franchise Application of Columbia Environmental, LLC to Operate a Local Transfer Station.

Council President Bragdon said there was a motion already on the table since this had been considered at a previous meeting.

Motion to postpone:	Councilor Park moved to postpone a decision by Council and direct staff to do the additional work with Columbia Environmental and report back to Council by March 9 <sup>th</sup> .
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Seconded:	Councilor Newman seconded the motion
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Councilor Park said Columbia Environmental, LLC, submitted a solid waste facility franchise application in July of this year to operate a local transfer station at 14041 NE Sandy Blvd.

The Chief Operating Officer recommended denial of the application because, based on Regional Solid Waste Management Plan (RSWMP) criteria and the requirements of the Metro Code.

He had reviewed the staff report and recommendation and he thought that there were other considerations Council should consider in their review of the Columbia Environmental proposal, which offered the following: 1) The ability for a significant number of remaining small, independent haulers to compete in this region and ensure their competitiveness in the ever-increasing vertically integrated system. 2) An innovative approach to increasing recycling through enhanced mechanization and by going after the significant amount of recyclable materials mingled in with multi-family wet waste. 3) A significant reduction in truck VMT given Columbia Environmental's proximity to their customers. 4) Potential cost savings to ratepayers on the east side. 5) Would provide a second transfer station in a waste shed that currently generates about 130,000 tons a year.

He suggested postponing a decision on Ordinance 04-1063 to allow staff time to work further with Columbia Environmental to analyze cost savings and evaluate the applicant's recovery plan.

Accordingly, he requested that Council extend the review time by 60 days as allowed by Code. This would give staff until March 9 to complete the additional work with Columbia Environmental.

If they worked successfully with Columbia Environmental, he would direct staff to report back to Council on or before March 9 with a plan that did the following: 1) Laid out a process and timeline for Council to take action on granting a franchise to Columbia Environmental. Grant 38,000 tons of wet waste to Columbia Environmental. Sets recovery performance targets consistent with Columbia Environmental's application that would be reviewed by Metro staff and Council, if necessary, on an annual basis. Exempts wet waste recovery from eligibility under the Regional System Fee Credit Program.

Councilor Monroe said he would support this motion. He was taken by the testimony from Columbia Environmental. He urged staff to look at options. He said we must maintain the viability and vitality of the transfer stations that we own. He urged Council to support the postponement. Council President Bragdon concurred with Councilor Monroe's remarks. He hoped we could provide opportunity with out injury to our public investment.

Councilor Hosticka asked who beside staff would be looking at this issue, any advisory committees? Mike Hogle, Solid Waste and Recycling Director, responded Solid Waste Advisory Committee (SWAC) had been silent on the issue. There had been a few letters supporting the new transfer station. Councilor Hosticka said one of his real concerns about this was they were in the process of developing a Regional Solid Waste Management Plan. Dan Cooper, Metro Attorney, clarified the date to postpone. He suggested a date 60 days after January 8, 2005. Councilor Park suggested March 9, 2005. Mr. Cooper said he wasn't sure if there was a Council meeting on March 9<sup>th</sup>.

Vote to postpone:

Councilors Park, Hosticka, Burkholder, Newman, Monroe and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.
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5.2 **Ordinance No. 04-1067**, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule for the Purpose of Transferring \$92,902 from contingency to personal

services in the Planning Fund to Add 1.0 FTE Regional Planning Director (Program Director II); and declaring an emergency.

Motion:	Councilor Burkholder moved to adopt Ordinance No. 04-1067.
Seconded:	Councilor Monroe seconded the motion

Councilor Burkholder said this would add 1.0 for a regional planning director. They were looking at the needs of the Planning Department. He felt this position was necessary for leadership in issues such as the Big Look, Habitat Protection program. They had had a few discussions about the characteristics of the position. This was a high level position. He urged support. Councilor Park said they were setting a policy direction on what they would like to see come out of the department. The expectations that were laid out were on point. Council President Bragdon said when he recommended that this money be put in contingency he was looking for completion of some efforts before any position was considered. He would be voting no and explained his reasoning. He couldn't support the motion. Councilor Hosticka asked what the full-time commitment would be for next fiscal year. Mr. Jordan responded that attached to the staff report was a job description, which laid out salary ranges. Councilor Hosticka said it could be up to \$180,000. He shared the Council President's concern. This was a budgetary issue. He expressed concern about the uncertainty.

Council President Bragdon opened a public hearing on Ordinance No. 04-1067. No one came forward. Council President Bragdon closed the public hearing.

Councilor Park noted that this was a management decision. Councilor Hosticka said the question was did they want to spend up to \$180,000 in additional resources. Council President Bragdon concurred with Councilor Hosticka. He saw this budgetary decision as a policy decision. Councilor Burkholder urged an aye vote. He felt the strategic planning work had identified a need in this area. This department had had quite a few cuts over the past two years.

Vote:	Councilors Park, Burkholder, Newman, Monroe voted in support of the motion, Councilor Hosticka and Council President Bragdon vote no. The vote was 4 aye/2 nay, the motion failed because an emergency clause required 5 votes in support of the motion.
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Motion:	Councilor Newman asked that this ordinance be reconsidered on January 13, 2005.
Seconded:	Councilor Burkholder seconded the motion

Council President Bragdon said it would be reconsidered on January 13, 2005 without objection.

## 6. RESOLUTIONS

6.1 **Resolution No. 04-3513**, For the Purpose of Receiving the Performance Measures Report and Directing the Chief Operating Officer to Submit The Report to the Oregon Department of Land Conservation and Development.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3513.
Seconded:	Councilor Burkholder seconded the motion

Councilor Newman introduced the resolution and called Andy Cotugno, Planning Director, and Gerry Uba, Planning Department, to provide additional information. No additional information was necessary. Councilor Newman urged an aye vote.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Monroe, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

6.2 **Resolution No. 04-3520**, For the Purpose of Directing the Chief Operating Officer to formulate regional policy options relating to Ballot Measure 37.

Motion:	Councilor Newman moved to adopt Resolution No. 04-3520.
Seconded:	Councilor Hosticka seconded the motion

Councilor Newman turned this resolution over to the Council President to introduce. Council President Bragdon spoke to the resolution and the need to work collaboratively with their local partners. He spoke to possible options in coordinating this effort. He also noted public involvement standards. There needed to be a search for other outcomes that we all wanted to achieve. He urged an aye vote. Councilor Hosticka asked about the scope of the activities of this group. He suggested trying to put some sort of outside deadline as to when people would have to file claims. He also suggested that under circumstances where payment was made, that payment act as a final decision on the claim. Councilor Burkholder suggested that the State of Oregon needed to be represented in this group as well. Council President Bragdon urged an aye vote.

Vote:

Councilors Park, Hosticka, Burkholder, Newman, Monroe, and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

Council President Bragdon said the 2004 Functional Plan Compliance Report was not ready yet.

**7. CHIEF OPERATING OFFICER COMMUNICATION**

Michael Jordon, Chief Operating Officer, reminded the council about the reception for Councilor Monroe.

**8. COUNCILOR COMMUNICATION**

Council President Bragdon personally acknowledged Councilor Monroe for his many years of service. He spoke to the many contributions that Councilor Monroe had made to Metro. He thanked him personally for his civility.

Councilor Newman noted Councilor Monroe's contribution to this institution as well as the region. He talked about his own experience working with Councilor Monroe as chair of Joint Policy Advisory Committee on Transportation (JPACT). More than his progressive ideas, it was the attitude and professionalism that Councilor Monroe brought to the job. He shall be sorely missed.

Councilor Park said there was life after Metro. He had watched Councilor Monroe over the years. It had helped him become a better leader. He noted his work with the Convention Center and transportation. He thanked him for his many years of services to the general public.

Councilor Hosticka said he was sorry to see Councilor Monroe go. He had served with Councilor Monroe for over 20 years in a variety of capacities. They will miss him in this panel.

Councilor Burkholder recognized that this body was called upon to think regionally. He noted Councilor Monroe had worked on regional issues such as Bi-State Committee, Area 93, and a variety of other regional issues. He had done work to solve regional problems and provided a lot of leadership.

Council President Bragdon gave Councilor Monroe a plaque recognizing his years of service.

Councilor Monroe said it had been more than a decade serving at Metro. He had served in the legislature and as a teacher. He felt that Metro was an entity that looked out many years in the future. He said Metro was about his grandson's life a lot more than his own. He recognized his son, daughter-in-law and his wife. He will treasure this award. He offered to help in anyway. He expected to continue in public and private leadership roles if the come available.

**9. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:25 p.m.

Prepared by

Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF DECEMBER  
16, 2004**

Item	Topic	Doc Date	Document Description	Doc. Number
4.1	Minutes	12/9/04	Metro Council Meeting Minutes of December 9, 2004	121604c-01
3	Power Point Presentation	12/16/04	To: Metro Council From: Ray Valone, Planning Department, Re: Damascus Boring Concept Plan	121604c-02
3	Timeline	12/16/04	To: Metro Council From: Ray Valone, Planning Department Re: Damascus Organization Chart and Timeline	121604c-03
5.1	Memo and Metro Transfer Station Policy Study	12/14/04	To: Metro Council From: Michael Hogle, Solid Waste and Recycling Director Re: Study to be continued and made part of the public record	121604c-04
6.2	Resolution No. 04-3520	12/16/04	Resolution No 04-3520, For the Purpose of Directing the Chief Operating Officer to Formulate regional policy options relating to Ballot Measure 37	121604c-05
6.1	2004 Performance Measures Report	12/16/04	To: Metro Council From: Gerry Uba, Planning Department Re: 2004 Performance Measure Report	121604c-06