

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, April 26, 2005
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Carl Hosticka, Rod Park, Robert Liberty, Rex Burkholder, Brian Newman

Councilors Absent:

Council President Bragdon convened the Metro Council Work Session Meeting at 2:02 p.m.

1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, APRIL 28, 2005/ ADMINISTRATIVE/CHIEF OPERATING OFFICER AND CITIZEN COMMUNICATIONS

Council President Bragdon reviewed the April 28, 2005 Council meeting agenda. Councilor Liberty asked if they could determine a certain time for the Nature in Neighborhoods. Council President Bragdon suggested moving the public hearing right after the consent agenda to address the concerns of the Councilors about being able to get to all items on the agenda.

There were no citizen communications.

2. DISPOSAL SYSTEM PLANNING

Mike Hogle, Solid Waste and Recycling Department reminded the councilors where they were in the disposal system planning process and reviewed the four directives received from the Council. He began an update where they think they are going.

Council President Bragdon discussed one of the Council's values of protecting the public's investment. In the current context he suggested it may mean recouping the best investment for the public. It should not mean continuing public ownership but instead to get the best value for the public given the money that has been put into the system.

Mr. Hogle talked about the importance of defining the Councilor's criteria to judge the solid waste disposal system models and suggested having a facilitated work session to discuss the criteria.

Councilor Burkholder expressed interest in seeing what models other jurisdictions use. Mr. Hogle said they are researching that information.

Mr. Hogle presented 3 areas that could set the groundwork for a discussion for the disposal system. These include legal issues/constraints, value of stations, and strategic consideration.

Councilor Liberty asked if Metro's authority to operate the business was transferable. Marv Fjordbeck, Office of Metro Attorney, responded by said it was unclear if Metro could sell the stations with conditions that increase the value because Metro was delegating its authority. It is clear that Metro has greater flexibility to control the flow of waste as long as Metro owns the transfer stations.

Councilor Burkholder asked Mr. Fjordbeck about the automatic extension of the 90% waste disposal contract guarantee and asked specifically if there was an option to get out of that agreement.

Mr. Fjordberk answered that the extension period goes until 2014. There are two market rate comparisons that will be made before 2014, which can allow for extensions of the contract. The operator can also buy an extension. The contract could be renegotiated based on policy decisions made by Metro Council.

Mr. Hoglund continued discussing Exhibit B, the system characteristics and constraints.

Councilor Park suggested a work session addressing on how the whole system works and walk through detailed scenarios. Council President Bragdon suggested involving local government regulators in that discussion to enhance their understanding of the underlying costs. Mr. Hoglund stated he will work with Councilor Park to determine the information to be covered during that session.

Mr. Hoglund continued by covering the strategic considerations of Metro being involved in the solid waste system. He stated that there was a lot of development to be done on the solid waste disposal system model matrix. They need to lay out what does the private franchise model look like and have someone to review them. He stated that the Solid Waste and Recycling Department was thinking about assistance they may need. This additional help may include a contract of determining the evaluation of the transfer stations and a contract for the cost of service delivery under the various models. They will also need to look at assistance with legal issues and stakeholder outreach.

Councilor McLain urged using contractors who have no local involvement in the solid waste system. Councilor Burkholder suggested to change the title of the work away from divestiture analysis to looking at a number of ownership models so possible consultants would consider a number of options.

3. DISPOSAL VOUCHER PROGRAM

Mike Hoglund, Solid Waste and Recycling (SW & R) Department, presented to the Metro Council the future direction of the Metro Disposal Fee Waiver Program. Jan O'Dell, Senior Public Affairs Specialist, Solid Waste and Recycling Department, began a discussion with the Council about the goals of the Metro Disposal Fee Waiver program. Ms. O'Dell briefly described some budgetary options they will consider once the Council approves their budget.

Councilor Liberty expressed concern about the some of the groups receiving money may have used it to raise money and asked Ms. O'Dell if she information about how many groups were doing this. Ms. O'Dell answered that they are not required to report this however she said the City of Portland does keep information and in talking with them Ms. O'Dell stated that at least one-third to one-half of the neighborhood associations in the City of Portland charge or request a donation at these events.

Councilor McLain expressed did not agree that the neighborhood associations are trying to make money off these grants. She stated that she agreed with tightening the criteria.

Councilor Liberty stated that he did question the connection. He supported the use of the money to extend the waste collection cleanup.

Councilor Burkholder agreed with removing this program from the Metro code. He stated this would allow the program to adjust so that well to do neighborhoods would not be able to take advantage of the program.

Councilor Newman stated he saw the program to benefit the citizens, the neighborhood associations are executing the program. He said he would support neighborhood associations inviting donations but not requiring people to pay in order to participate in cleanups. He also stated he would support advertising in low-income areas but didn't think they should get into means testing. He also agreed it should be taken out of code and made a departmental program. The first and last options made sense to him. Also stated the thought there is a need to publicize.

Council President Bragdon also agreed with taking it out of the code and shares the discomfort with neighborhood associations using this as a fundraising tool. He stated the purpose of this is to provide access to people who would not otherwise have access. He stated there needs to be some criteria as to how the money can be used.

Councilor Park said he agrees with the other councilors but suggested figuring out how the targeted area can go above the cap.

Councilor Liberty suggested taking the program out code, focus on equity and access to disposal, not exclude everyday household garbage, and he stated the criteria make sense to him.

Councilor Hostika stated they might need to rate and compare the grantees if they are to set priorities to judge them by.

Councilor McLain stated that she would like the finished criteria be presented to the Metro Council so they could have a legislative action that blessed the criteria.

Councilor Newman expressed concern about limiting the number of grants that agencies are allowed to apply for.

Mr. Hogle said they would come back with a new program, which would require a code amendment. At that time they would come back to the Council to present the components of the new program.

4. BREAK

5. DAYCARE CONTRACT DISCUSSION

David Biedermann, Finance and Administrative Services, reviewed the questions the Metro Council asked them at last week's council work session. The first question was "Are there methods to reduce or eliminate the subsidy provided by Metro that is attributable to non-Metro customers of Metro Kids?" He reported on four options. The first would be to require the operator to reimburse Metro at full cost of the subsidy. The second option would be to implement a two-tiered rate structure. David stated that this option would have ethical implications, therefore not making it a viable option. A third option would be to convert daycare subsidy to a benefit paid directly to staff who have children enrolled in MetroKids. The fourth option would be to close the daycare.

Councilor Liberty clarified that if Metro closed the daycare Metro would only save \$66,000.

Deputy Council President Burkholder asked if this is an issue that the Metro Council should really be considering. He stated that recapturing the subsidy would mean that the daycare would charge above market rates or cause them to close down. He asked if the council should really be considering this?

Councilor Liberty added that he doesn't think there is an eager tenant to take over the space so Metro would lose money if they tried to rent it out.

Deputy Council President Burkholder continued by stating that Metro's building, including the parking garage, is being underutilized. He questioned whether the Council was being smart by looking so closely at this subsidy.

Councilor McLain stated that if the Daycare is willing to pay part of the subsidy, Council should allow them to stay. She stated that the council should continue to look at providing daycare at the other Metro facilities.

Councilor Park asked if there was the potential to get reciprocal agreements with City of Portland and other employers.

Councilor Newman stated that he hopes the daycare does stay and his preference would be to continue with an existing contract but sharpen that these employees get first in line to being admitted. He recommended shortening the time on waiting list for Metro employees.

Deputy Council President Burkholder asked Chief Operating Officer Michael Jordan does he have enough direction from the Metro Council to enter into negotiations.

Chief Operating Officer Jordan said yes.

Mr. Biedermann reminded the council that they had not yet discussed the other two issues that were raised at the prior work session.

Councilor Park asked if the Metro Council has an option for an extension to be able to look at some of the issues or did they have to enter into a multi-year contract?

Mr. Biedermann answered that if the Metro Council chose to, a resolution could be brought to the Council extending the current contract, but the Council would have to act on it.

Deputy Council President Burkholder stated some of the issues raised do not specifically relate to the discussion on the current contract.

Mr. Jordan agrees and adds that the other issues are complex and not revenue neutral and should be addressed when discussing budgetary issues and employee benefits.

Councilor Liberty expressed a desire to look into ways to reduce costs and provide tuition coverage to those with those employees with more modest incomes.

Mr. Jordan stated that a scholarship already existed but stated that the staff could look into augmenting the scholarship program and look at the equity question.

Mr. Jordan reflected what he heard the Council tell him, that he has a prerequisite to have a certified, good quality day care.

**6. DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE
REAL PROPERTY TRANSACTIONS.**

Members Present: Jim Desmond, Dan Cooper

Time Began: 3:52pm

Time Ended: 4:10pm

7. COUNCIL BRIEFINGS/COMMUNICATIONS

Dan Cooper, Metro Attorney, briefed the Metro Council on legislative activity in Salem. They discussed their strategy for SB 245.

Councilor Newman announced a symposium taking place at PSU May 20, 2005. The purpose of the symposium was to discuss the relationship between the Metro Council and the cities and counties. The objective of the symposium is to have a candid discussion as regional partners to identify concerns and issues regarding the roles, responsibilities, and relationships among cities, counties, and the Metro Council.

There being no further business to come before the Metro Council, acting Deputy President Park adjourned the meeting at 4:14 p.m.

Prepared by,



Kathryn Schutte
Acting Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 26, 2005

Item	Topic	Doc Date	Document Description	Doc. Number
1	Agenda	April 28, 2005	Metro Council Agenda for April 28, 2005	042605c-01
2	Daycare Contract Discussion	April 25, 2005	Staff report for Resolution No. 05-3756	042605c-02
3	Real Property Transactions	April 26, 2005	OMSI-Springwater map	042605c-03
4	Real Property Transactions	April 26, 2005	Regional Trails and Greenways – Westside map	042605c-04
5	Regional Issues Symposium	April 25, 2005	Roles, Relationships and Goverances: Regional Issues Symposium Agenda	042605c-05
6	Public Comment	April 26, 2005	Articles submitted by Michael H. Kepcha, 39215 N.E. 28 th , Washougal, WA 98671	042605c-06