

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

July 11, 1985

Councilors Present: Councilors Cooper, DeJardin, Gardner,
Kirkpatrick, Kelley, Myers, Van Bergen, Waker
and Bonner

Councilors Absent: Councilors Hansen, Kafoury and Oleson

Staff Present: Don Carlson, Eleanore Baxendale, Jennifer Sims,
Vickie Rocker, Phillip Fell, Dennis Mulvihill,
Norm Wietting, Wayne Rifer, Judy Munro, Steve
Siegel, Kay Rich

Presiding Officer Bonner called the meeting to order at 5:30 p.m.

1. INTRODUCTIONS

None.

2. COUNCIL COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer's Monthly Report. Don Carlson referred the Council to the written monthly report and noted Metro would be sponsoring a resource recovery symposium on August 2 and 3 in the Council Chamber.

Legislative Report. Roger Martin presented an overview of Metro's activities with the 1985 Legislative Session and reviewed some of the difficulties in getting funding measures adopted. Mr. Martin reported that in contract to difficulties with the House of Representatives, Metro received much support and assistance from the Senate, especially from Senator Glenn Otto. Support was obtained for all Metro measures except inclusion in the cigarette tax, he said.

Concerns were raised from Representatives and the Governor about when Metro would put a tax base before the voters. Mr. Martin explained the timing of this question seemed inappropriate in light of Legislators' attempts to reduce property taxes.

Mr. Martin said Legislators demonstrated a poor understanding of Metro's role in regional government and the need to educate state officials would be addressed by Phillip Fell in more detail.

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Mr. Fell reported the main issue before the 1985 Legislature was Metro's property tax base. SB 662 and Metro's role in solid waste management was another important issue. He explained Legislators' understanding of Metro's solid waste authority, activities and accomplishments was, for the most part, minimal. He referred Councilors to a memorandum distributed before the meeting which explained some of the problems encountered. He also said Legislators expected to see a very aggressive and immediate waste reduction campaign but had little concern for related costs.

Mr. Fell reported Metro was successful in working with the Port of Portland, Tri-Met, League of Oregon Cities and Oregon Counties to accomplish legislative goals. Metro, he said, was well entrenched in the local government network.

In summary, Mr. Fell explained Metro's tasks were complicated and not often understood by the Legislature. He said staff would discuss Metro issues with Legislators between sessions and present basic information about our activities and funding. Legislators would also be updated regarding projects. For example, he said, Legislators from Washington County would be kept abreast of issues about siting the Washington County Transfer & Recycling Center.

A discussion followed regarding educating Legislators about Metro issues. Mr. Martin explained he and staff would present a specific program to the Executive Officer for implementation.

Presiding Officer Bonner and Mr. Martin thanked the many Councilors who testified before legislative committees and worked for the passage of specific measures.

Metro Funding Issues. Mr. Carlson reported preliminary work had begun to prepare for funding issues that could be before the voters in 1986. He referred Councilors to his memorandum dated July 11, 1985, regarding a program and schedule for a decision on a May 1986 tax base election. Two questions were posed in the memo: whether to have a tax base measure on the ballot and, if so, the purpose or purposes of the measure. He then reviewed the proposed schedule of activities for gathering information. Councilors were requested to submit names of people staff should contact to attend tax advisory group meetings to Katie Dowdall.

Presiding Officer Bonner requested staff prepare concise summaries of the funding issues in order to answer questions from the public. Councilor DeJardin asked staff to prepare a summary of other local government funding issues that could be on the ballot in May of 1986. Mr. Carlson said IRC staff were currently compiling data and would share their findings with Councilors.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Councilor Kelley said she had received a letter from a resource recovery finance specialist and had distributed copies to Councilors.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Judy Dehen, 2965 N.W. Verde Vista, Portland, Oregon, representing the Columbia Group of the Sierra Club, addressed the Council regarding the upcoming Solid Waste Alternative Technology Symposium. She said letters announcing the symposium were not received by at least two experts in alcohol technology. She was concerned about this oversight because firms interested in participating had to file a report with Metro the following week. In response to Presiding Officer Bonner's question, staff said they were aware of the situation.

Janet Kasameyer, 1212 S.W. Upland Drive, Portland, representing the Ladybug Theater Board of Directors, said she accepted that Metro had taken a position on the Ladybug Theater building and, as a result, the Theater had to relocate. She was concerned the Zoo's new Master Plan had addressed the Ladybug Theater only in the context of a possible alternative use for new building space and that a Theater representative had not been included in the master planning process. As a result of the Council's decision and the lack of adequate space at the Zoo to house the Theater, the Theater would no longer be part of the Zoo and a 20-year relationship had been terminated by default, she explained. She suggested that if the well-being and continuance of the Ladybug Theater had been viewed as an important and integral part of the Zoo facility, the end result would have been different.

Councilor Kelley asked if the Ladybug Theater had located an alternative space. Ms. Kasameyer responded the Theater was still looking for space and hoped to relocate soon.

In response to Councilor Gardner's question, Ms. Kasameyer explained Gene Leo could not assure the Theater would have predominate use of the multi-use auditorium included in the Master Plan. Also, the auditorium would not be completed for another three to five years.

6. APPROVAL OF MINUTES

Motion: Councilor Kirkpatrick moved the minutes of the meeting of June 13, 1985, be approved. Councilor Waker seconded the motion.

Vote: A vote on the motion resulted in:

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Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick,
Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilor Hansen, Kafoury and Oleson

The motion carried and the minutes were approved.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 85-580, for the Purpose of Extending the Completion Deadline for Petitions for Locational Adjustments of the Urban Growth Boundary Received by July 1, 1985

Jill Hinckley discussed the information contained in the staff report. There was no discussion about the Resolution.

Motion: Councilor Kirkpatrick moved the adoption of Resolution No. 85-580 and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick,
Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilor Hansen, Kafoury and Oleson

The motion carried and Resolution No. 85-580 was adopted.

8. OTHER BUSINESS

8.1 Consideration of Alternatives for Developing Metro's Solid Waste Management Plan Subsequent to the Passage of SB 662

Dennis Mulvihill reported his memo to the Council of July 13, 1985, had outlined the legal basis for Metro's solid waste management planning and the alternatives Metro might use in developing their policy and program options. The passage of SB 662, however, would alter the process and timetable for implementing the Solid Waste Management Plan. Mr. Mulvihill said staff were meeting with the Department of Environmental Quality (DEQ) to reach an understanding of how the legislation should be interpreted.

Mr. Mulvihill reported staff were working to develop a two-phase plan. Phase one would allow Metro to use its authority to achieve a substantial reduction in the volume of waste disposed in landfills and would identify the role of local governments in the waste

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reduction process. Local government participation would be voluntary, he said, but staff would work to achieve good cooperation. Phase two would allow Metro to develop all its planning authorities. This would occur after an understanding was reached with DEQ about the interpretation of SB 662, he said.

The main impact of S.B. 662, Mr. Mulvihill explained, was the shortened time frame for developing a Solid Waste Management Plan, especially the public and local government involvement phases of the plan adoption.

Wayne Rifer discussed specific work to be accomplished before January 1, 1986, and reviewed the "Principles of the Waste Reduction Program Planning Effort" as contained in the staff report. He then distributed handouts describing the final product, primary considerations and work schedule for the Waste Reduction Program and reviewed this material in more detail. Mr. Rifer emphasized the citizen involvement process would have to be brief and staff were in the process of planning a process that would provide public input within a limited time frame.

Councilor Hansen was concerned staff would be interpreting the input of citizens for the Council and thought the Council should be directly involved in the process. He understood a consultant would be contracted to design a citizen participation program and requested the Council approve the program before it was implemented. Presiding Officer Bonner said he planned to appoint two Councilors to work with staff and consultants to develop such a program to be approved by the Council.

Councilor Hansen then asked if the planning process would take into consideration whether tax credits for energy recovery facilities would be available after January 1, 1986. Mr. Rifer said the question struck on one of the most difficult issues staff had to address. Staff were in contact with Senator Packwood and other federal officials to determine an answer to that question. One scenario, he said, was that any capital intensive project initiated after January 1 would cost the public more money. Councilor Hansen suggested a plan be developed which would allow for submission of energy recovery facility proposals at a key time rather than at the end of the waste reduction planning process. Mr. Rifer said staff would work to achieve this goal.

Regarding citizen involvement in the Waste Reduction Plan, Councilor Waker said it would be naive to assume an expanded citizen participation process was the same as a vote. It would be impossible to conduct a referendum between now and January 1, he said, and the Council would be in a position of exercising its best judgment on the issues.

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Councilor Van Bergen said although he supported public participation, he did not think much would be gained by it in this case. Councilors, he said, should have a good notion of what the public would accept which usually related to how much money they would be willing to pay for solid waste disposal. He did not think the public would be willing to pay a high fee for energy recovery even if it were be argued the environmental future was at stake.

Councilor Cooper thought if mandatory source separation would be proposed, staff should plan for plenty of citizen participation. He did not encourage this alternative, saying it involved too much government intervention.

Presiding Officer Bonner appointed Councilors Kelley, Gardner and himself to review the public involvement alternatives and propose a plan for Council adoption. He also appointed Councilors Hansen and Myers to serve on the panel of judges for the Alternatives Technology Symposium.

EXECUTIVE SESSION

Presiding Officer Bonner called the meeting into executive session at 7:10 p.m. under the authority of ORS 192.660(1)(h). All Councilors present at the regular session were present at the executive session. The Council reconvened into regular session at 7:20 p.m.

9. COMMITTEE REPORTS

Council Management Committee. Councilor Van Bergen announced the July 18 meeting had been canceled due to lack of agenda items.

Multnomah County Solid Waste Task Force. Councilor Gardner reported the committee had completed its work and a final report would be presented to the Board of County Commissioners on July 18, 1985.

There being no further business, Presiding Officer Bonner adjourned the meeting at 7:25 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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