

Metro

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Metro

Minutes

Tuesday, January 10, 2017

2:00 PM

Metro Regional Center, Council Chamber

Council work session

2:00 Call to Order and Roll Call

Councilors Present: Council President Tom Hughes, Councilor Craig Dirksen, Councilor Bob Stacey, Councilor Shirley Craddick, Councilor Sam Chase, Councilor Carlotta Collette, and Councilor Kathryn Harrington

Councilors Excused: None

Council President Tom Hughes called the Metro Council work session to order at 2:03 p.m.

2:05 Chief Operating Officer Communication

Ms. Martha Bennett, Chief Operating Officer, made the following introductions:

- 1) Mr. Don Robertson, interim Director of Parks and Nature.
- 2) Ms. Olena Turula, Metro's Connect with Nature project manager. Ms. Turula discussed previous and upcoming Connect with Nature workshops. Council discussion centered on the recruitment of community members to attend workshops, and the potential expansion of gathering spaces at natural areas.
- 3) Ms. Lisa Goorjian, Metro Parks and Nature, who provided winter weather and park closure updates.

Work Session Topics:

2:10 Material Recovery Facility/Conversion Technology Update

Mr. Paul Slyman, Metro's Property and Environmental Services Director, introduced the purpose of the discussion, which was to share findings and recommendations of the Solid Waste Alternatives Advisory Committee's (SWAAC) Material Recovery Facility/Conversion Technology (MRF/CT) subcommittee.

Mr. Roy Brower, Metro Program Director and Chair of the MRF/CT subcommittee, provided an overview of the SWAAC subcommittee process. The subcommittee was tasked with deciding whether MRF/CT facilities should be subject to

Metro oversight and regulation. Mr. Brower shared with the Council a list of subcommittee members, and he provided a brief overview of the discussions held within the subcommittee. He explained that the subcommittee discussed system changes that had taken place over time, as well as market conditions, trends, and volatility. The subcommittee had also reviewed Metro's legal authority to regulate facilities and clarified that Metro's intention was to focus its regulatory oversight on mitigation of the operational impacts of facilities such as nuisance, litter, and odor. Additionally, the subcommittee sought to define the line between regulated and exempt facilities.

Mr. Dan Blue, Metro, offered his thanks to the subcommittee and to stakeholders. He explained that subcommittee discussion had centered around two types of MRFs and two types of CTs. The two categories of MRFs discussed were those that processed curbside recyclables and those that processed specific materials. The two categories of CTs discussed were those that processed mixed solid waste and those that processed specific materials. Mr. Blue informed the Council of the subcommittee's SWAAC-endorsed recommendations. The recommendations regarding MRFs were that Metro should: authorize MRF facilities that processed curbside recyclables, establish operating standards for these types of recovery facilities, and exempt certain "specific material recyclers" from obtaining a license. The recommendations regarding CTs were that Metro should: franchise CT facilities that managed putrescible waste, license facilities that managed non-putrescible waste, establish operating standards for both types of facilities, add a "conversion technology" definition to Metro code and use the current Oregon State definition, and exempt certain CT facilities from obtaining a license.

Mr. Brower asked for any questions or concerns from the Council about these recommendations. He also asked the

Council if staff should move forward and develop code changes and administrative rules implementing the recommendations of the SWAAC subcommittee.

Council Discussion:

Councilor Collette asked whether the subcommittee had discussed the monetary costs of making the prescribed alterations to regulation. Mr. Brower informed her that regulatory costs of these facilities were low. Councilor Harrington expressed curiosity about the exemption process for facilities. She asked if an exemption, once granted, would be everlasting, or if exemptions were subject to change. Mr. Brower explained that Metro would establish conditions for exemptions and facilities that met said conditions would be exempt; if a facility changed its conditions, its exemption would be invalidated. Mr. Brower also informed Councilor Harrington that routine facility inspections determined the exempt status of facilities. Councilor Harrington asked about the addition of a “conversion technology” definition to Metro code that mirrored the state definition; she inquired if the state definition of “conversion technology” was up to date. Councilor Craddick supported the recommendations provided to the Council. She also agreed with Councilor Harrington that there should be a process in place to examine the exempt status of facilities. Councilor Craddick asked when would be the best time to engage in a discussion about the volume of recycling in the region, the amount of contamination that occurred, and improvement of the current recovery rate. Mr. Brower informed her that such discussion would be best reserved for the upcoming Regional Waste Plan. Councilor Chase noted the complexity of recycling programs and of keeping the public informed of correct processes and procedures. Councilor Chase asked how the regulatory role of Metro compared to the regulatory roles of local governments, the Department of Environmental Quality (DEQ), and other government entities. He wondered if regulations were being duplicated, or if Metro relied on other agencies to regulate facilities. Mr.

Blue informed Councilor Chase that Metro was working with the DEQ closely on this issue, and the DEQ did not directly regulate most of the facilities in question. Councilor Dirksen discussed the administrative rule process and proposed the creation of an application for facility exemption. He noted that as new technologies were created, it was important not to place unnecessary and inhibiting restrictions on new facilities.

2:40 Urban Growth Readiness Task Force Recommendations

Mr. Ted Reid, Metro, discussed urban growth management. He explained that the Urban Growth Readiness Task Force (UGRTF) had provided recommendations to the Council and that the Council had expressed interest in the creation of a resolution supporting the recommendations. Mr. Reid presented a draft resolution to the Council. The draft resolution committed to accepting the UGRTF recommendations and to making necessary changes to processes, Metro code, and state code. The resolution accepted three broad recommendations: to clarify expectations for cities making UGB expansion requests, to seek greater flexibility for determining regional housing needs, and to seek greater flexibility for the Council when it chose among concept-planned urban reserves for UGB expansion.

Council Discussion:

Councilor Harrington clarified her understanding that the Metro Council's flexibility to choose among concept-planned urban reserves would be limited to the mid-cycle; at the full six year cycle, Metro would have to assess all planned and unplanned urban reserves. Mr. Reid confirmed that this would be necessary under current state law. Councilor Harrington asked if state law would allow the Metro Council to choose planned urban reserves over unplanned reserves after both had been assessed. Mr. Roger Alfred, Metro Legal Counsel, explained that there was uncertainty about whether state law would permit this. Councilor Dirksen

agreed with the language as recommended in the draft resolution. He thought it would give the Council the flexibility to consider concept plans of local jurisdictions without compromising state land-use language that required the Council to consider regional need at the six year cycle. Councilor Craddick asked what specifically the state legislature needed to help the Metro Council with this session. Mr. Reid explained that the legislature needed to help in two key areas. First, it needed to help provide the Council with flexibility during mid-cycle decisions. Second, it needed to help provide the Council with the ability to make minor revisions to the previous urban growth report analysis at the mid-cycle, in order to demonstrate a need to make mid-cycle expansions. Councilor Craddick asked if one bill could accomplish this goal, and Mr. Alfred informed her that the goal was accomplished by a single draft bill. Councilor Stacey discussed some changes to phraseology in the proposed resolution that he felt were necessary. He asked if there was a way for the Metro Council to determine if it would be premature to expand the UGB, and inquired about the potential consequences for plans within existing boundaries should the UGB be expanded. Councilor Dirksen addressed Councilor Stacey's concerns with the language used in the draft resolution. While he believed that Councilor Stacey's issues were with the semantic presentation of the content, not the intent of the content, he also encouraged changes in the draft resolution's phrasing. Councilor Craddick wondered if there would be any challenges during the legislative process. Council President Hughes explained that the Task Force had reached a consensus about the recommendations that he hoped would last through the legislative cycle. He believed that the biggest threat to the bill would be a widening of the scope; the goal was to keep the scope narrow and prevent any additions that might result in a loss of support. Council President Hughes stated that the bill would provide Metro with opportunities to work with communities to help them achieve their aspirations, while still adhering to overall land

use strategies.

3:25 Councilor Communication

Councilor Harrington discussed Chehalem Ridge Nature Park events. Councilor Dirksen discussed a Region 1 Area Commission on Transportation meeting. Councilor Craddick discussed a Southwest Washington Regional Transportation Council meeting, shared that the Clark County Public Transit Benefit Area Authority (C-TRAN) was adding new hybrid diesel electric buses to its fleet, and mentioned a project that would connect Troutdale to the Springwater Corridor. Councilor Craddick also reported that at the next JPACT meeting, regional flexible fund distribution would be discussed, and highlighted a possible project selection alteration. Councilors Harrington and Stacey voiced their support for the suggested project substitution. Councilor Chase discussed a recent Low Income Fare Task Force (LIFT) meeting and shared information about the current low income fare program in Seattle.

3:45 Adjourn

Seeing no further business, Council President Tom Hughes adjourned the Metro Council work session at 4:24 p.m.

Respectfully submitted,



Taylor Unterberg, Council Policy Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 10, 2017

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
2.0	PowerPoint	01/10/17	PowerPoint: SWAAC's MRC/CT Subcommittee Recommendations	011017cw-01
4.0	Handout	01/10/17	Clark County Transportation Alliance 2017 Policy Statement	011017cw-02