

Metro

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Metro

Minutes

Thursday, June 15, 2017

2:00 PM

AGENDA REVISED 06/14/17

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the Metro Council meeting to order at 2:01 p.m. With the support of the Metro Council, President Hughes proclaimed June 19 as Juneteenth Independence Day, honoring the anniversary of emancipation in Texas and the abolition of slavery in the southern states more generally and celebrating the rich culture, legacy, and heritage of African Americans throughout the country.

Present: 7 - Council President Tom Hughes, Councilor Sam Chase, Councilor Carlotta Collette, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Kathryn Harrington, and Councilor Bob Stacey

2. Citizen Communication

There was none.

3. Consent Agenda**Approval of the Consent Agenda**

A motion was made by Councilor Craddick, seconded by Councilor Collette, to adopt items on the consent agenda. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

3.1 Consideration of the Council Meeting Minutes for June 8, 2017

4. Resolutions

4.1 Resolution No. 17-4802, For the Purpose of Authorizing the Chief Operating Officer to Amend a Non-System License to Forest Grove Transfer Station for Transport and Disposal of Putrescible Waste at the Coffin Butte Landfill Located in Benton County or the Columbia Ridge Landfill Located in Gilliam County

Council President Hughes called on Mr. Roy Brower, Metro staff, for a brief presentation on Resolutions Nos. 17-4802 through 17-4806. Mr. Brower stated that the five resolutions related to non-system licenses (NSLs). He provided an

overview of Metro's solid waste authority and responsibilities and explained that the resolutions would extend the term of five existing NSLs to transport waste outside of the region for disposal at the Coffin Butte and Columbia Ridge Landfills. He recalled that in December 2016, the Metro Council held an emergency council meeting during which it approved the five NSLs to address issues of uncertain capacity in the landfill the companies were originally using. Mr. Brower provided context about the Riverbend Landfill and outlined the alternative process the Metro Council had approved in December. He explained that when the Council authorized the five new NSLs to use the Columbia Ridge Landfill and begin moving away from the Riverbend Landfill, the NSLs were approved through June 30, 2017.

Mr. Brower informed the Council that to address ongoing issues and adjust to the current needs of the system, Resolutions Nos. 17-4802 through 17-4806 would extend the term of the NSLs through December 31, 2018; remove Riverbend Landfill as a disposal option through this period; and continue to include both Coffin Butte and Columbia Ridge Landfills as disposal options in the same period.

Council Discussion

Councilor Harrington highlighted that in past meetings, it was expressed that Waste Management would not hold residential customers and local haulers responsible for the cost increases due to the additional transport, but highlighted that this aspect had not been included in the written agreements. She noted that one of the cities in Washington County had expressed concerns about the transfer station fees that haulers would pay in the City of

Forest Grove and therefore it was important to recognize this expectation.

A motion was made by Councilor Stacey, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.2 Resolution No. 17-4803, For the Purpose of Authorizing the Chief Operating Officer to Amend a Non-System License to Pride Recycling Company for Transport and Disposal of Putrescible Waste at the Coffin Butte Landfill Located in Benton County or the Columbia Ridge Landfill Located in Gilliam County

Resolutions Nos. 17-4802 through 17-4806 were presented together; please see Resolution No. 17-4802.

A motion was made by Councilor Stacey, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.3 Resolution No. 17-4804, For the Purpose of Authorizing the Chief Operating Officer to Amend a Non-System License to Willamette Resources, Inc. for Transport and Disposal of Putrescible Waste at the Coffin Butte Landfill Located in Benton County or the Columbia Ridge Landfill Located in Gilliam County

Resolutions Nos. 17-4802 through 17-4806 were presented together; please see Resolution No. 17-4802.

A motion was made by Councilor Stacey, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.4 Resolution No. 17-4805, For the Purpose of Authorizing the Chief Operating

Officer to Amend a Non-System License to Hoodview Disposal and Recycling, Inc. for Transport of Putrescible Waste to Canby Transfer and Recycling Inc. for the Purpose of Transfer and Disposal at the Coffin Butte Landfill Located in Benton County or the Columbia Ridge Landfill Located in Gilliam County

Resolutions Nos. 17-4802 through 17-4806 were presented together; please see Resolution No. 17-4802.

A motion was made by Councilor Stacey, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.5 Resolution No. 17-4806, For the Purpose of Authorizing the Chief Operating Officer to Amend a Non-System License to West Linn Refuse and Recycling for Transport of Putrescible Waste to Canby Transfer and Recycling Inc. for the Purpose of Transfer and Disposal at the Coffin Butte Landfill Located in Benton County or the Columbia Ridge Landfill Located in Gilliam County

Resolutions Nos. 17-4802 through 17-4806 were presented together; please see Resolution No. 17-4802.

A motion was made by Councilor Stacey, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 4.6 Resolution No. 17-4814, For the Purpose of Adopting Contracting and Procurement Administrative Rules

Council President Hughes called on Mr. Tim Collier, Metro's Finance and Regulatory Services Director, and Ms. Cary Stacey, Metro staff, for a brief presentation on the resolution. Mr. Collier explained that the resolution would formally adopt Metro's administrative rules, personal services contracting rules, and equity in contracting rules. He

stated that the rules had been in effect on an interim basis since April 6 with a comment period from April 7 to May 31. He noted that Metro staff received no comments during this period. Mr. Collier announced that there were two substantive changes made during the review period: the removal of a requirement that was in state law but was not applicable to Metro and the inclusion of a new clause of contracts in the personal services to mirror the already existing special procurement rules.

Ms. Stacey provided an update on the rules and the results of the interim period. She informed the Metro Council that the response to the rules had been positive and noted that the equity in contracting rules had been particularly well-received, especially by the small business community. She explained that Metro already had three contracts valued at roughly \$110,000 through the personal services COBID marketplace. Ms. Stacey noted that two procurement fairs had been held and 280 employees had completed training on the new rules. Ms. Stacey thanked staff for all of their work on the important project.

Council Discussion

Councilor Harrington expressed her support for having the rules clarified and better aligned with Metro's policies and values. She thanked staff for their efforts to institute the new rules.

A motion was made by Councilor Harrington, seconded by Councilor Craddick, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

4.6.1 Public Hearing for Resolution No. 17-4814

Council President Hughes opened up a public hearing on Resolution No. 17-4814 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. He then adjourned the Metro Contract Review Board and reconvened the meeting of the Metro Council.

4.7 Resolution No. 17-4769B, For the Purpose of Adopting the Annual Budget for Fiscal Year 2017-18, Making Appropriations and Levying Ad Valorem Taxes

Council President Hughes provided an overview of the agency's budget process so far. He explained that Metro's Chief Operating Officer Martha Bennett, in her capacity as Metro's Budget Officer, presented the proposed budget to the Metro Council, sitting as the Metro Budget Committee, at the council meeting on April 13. He stated that Resolution No. 17-4769A, which formally adopted the FY2017-2018 budget, was read into the record and a public hearing was held, before the resolution was carried over to the May 4 council meeting for a second public hearing, and then scheduled for June 15. President Hughes explained that on June 8 the Metro Council held a successful joint meeting with the Multnomah County Tax Supervising & Conservation Commission (TSCC) in which the group reviewed and clarified elements of the approved budget. He stated the Council would consider amendments to the budget and hold an additional public hearing before final Council consideration and vote to adopt the final budget on June 22.

Council President Hughes then introduced Mr. Tim Collier, Metro's Director of Finance and Regulatory Services, to provide a brief overview of the resolution. He noted that the amendments to the budget were discussed at the Council

work session on June 13 and included one councilor amendment and 27 department amendments that constituted nine substantive and 18 technical amendments. He stated that the amendments increased appropriations by approximately \$4 million and added about 13.6 full-time equivalent employees. He noted that if the Council approved the proposed amendments, the total budget would be \$646 million with 889.31 full-time equivalent employees.

Council Discussion

There was none.

A motion was made by Councilor Dirksen, seconded by Councilor Harrington, that this item be amended. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

4.7.1 Public Hearing for Resolution No. 17-4769A

Council President Hughes opened up a public hearing on Resolution No. 17-4769A and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing.

5. Ordinances (First Reading and Public Hearing)

5.1 Ordinance No. 17-1399, For the Purpose of Amending Metro Code Chapter 2.19 and Establishing the Natural Areas and Capital Program Performance Oversight Committee

Council President Hughes called on Mr. Brian Kennedy, Metro staff, for a brief presentation on Ordinance No. 17-1399. He informed the Council that approval of the ordinance would make several changes to the current Natural Areas Program Oversight Committee. He explained that in 2006, when the Metro Council referred the 2006 local

option levy to the ballot, one of the items required oversight of capital projects. Mr. Kennedy stated that Ordinance No. 17-1399 would add this oversight responsibility to the existing program by amending the charter and name to reflect it. Mr. Kennedy added that the ordinance would also add new categories of expertise to the charter for existing committee members, reflecting the additional responsibilities and broadening the representation on the committee. Mr. Kennedy explained that the ordinance would reduce the minimum number of committee members to provide flexibility in sizing the committee appropriate to the amount of work required. Mr. Kennedy stated that the ordinance would also dissolve the Capital Grants Review Committee as all of the grants has been awarded and update the committee terms to allow three two-year terms for committee members. Mr. Kennedy concluded by informing the Council that it would also extend the end date of the committee.

Council Discussion

Councilor Craddick noted that the resolution marked a milestone regarding past bond measures and highlighted the significant impacts the bond funds had made on the region and its natural areas and parks.

5.1.1 Public Hearing for Ordinance No. 17-1399

Council President Hughes opened up a public hearing on Ordinance No. 17-1399 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance No. 17-1399 would take place on Thursday, June 22.

6. Ordinances (Second Reading)

- 6.1 Ordinance No. 17-1403, For the Purpose of Annexing to the Metro District Boundary Approximately 5.08 Acres Located at 3780 SW 234th Ave in Hillsboro

Council President Hughes stated that the first reading and public hearing for Ordinance No. 17-1403 took place on Thursday, June 8. He informed the Metro Council that Mr. Tim O'Brien, Metro staff, was available for questions.

Council Discussion

There was none.

A motion was made by Councilor Harrington, seconded by Councilor Collette, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

- 6.2 Ordinance No. 17-1405, For the Purpose of Responding to the Remand from the Oregon Court of Appeals and the Land Conservation and Development Commission Regarding the Designation of Urban and Rural Reserves in Clackamas County and Multnomah County

Council President Hughes stated that the first reading and public hearing for Ordinance No. 17-1405 took place on Thursday, June 8. He called on Mr. Roger Alfred, Metro staff, for a brief update on the ordinance. Mr. Alfred noted that at the June 8 meeting the Metro Council had held a public hearing on the ordinance and received testimony from interested parties. He informed the Council that staff had received a few more written materials for the June 15 meeting and recognized that they would be included in the record. Mr. Alfred also noted that the materials for the meeting included the intergovernmental agreement between Metro, Clackamas County, and the Cities of Lake Oswego, Tualatin, and West Linn regarding the Stafford

reserves area. He explained that a resolution authorizing Council President Hughes to sign the agreement on the Metro Council's behalf would come before Council on June 22.

Council Discussion

Councilor Collette recognized the importance of the legislation, noting that it represented decades of work. She thanked Metro staff and Metro's jurisdictional partners for all of their hard work and expressed excitement about passing the ordinance. Council President Hughes and Councilor Harrington also expressed support for the ordinance, highlighting the long history of the reserves process and the role it played in Metro's overall urban growth management work.

A motion was made by Councilor Collette, seconded by Councilor Harrington, that this item be adopted. The motion passed by the following vote:

Aye: 7 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

7. Chief Operating Officer Communication

Ms. Martha Bennett invited the Council and staff to the annual Pollinator Celebration at Howell Territorial Park on June 17. She also recognized June as Pride Month and encouraged the Metro Council and staff to march with Metro at Portland's Pride Parade on June 18.

8. Councilor Communication

Councilors provided updates on the following meetings or events: the Joint Policy Advisory Committee on Transportation (JPACT), the Metro Policy Advisory Committee (MPAC), the Community Placemaking Grants

Application Review Committee, the open house for a new tiny house village in Kenton, the first Policy and Budget Committee meeting for the Division bus rapid transit project, and the grand opening of the Habitat for Humanity ReStore in Gresham.

9. Adjourn

There being no further business, Council President Hughes adjourned the Metro Council meeting at 3:06 p.m. He announced that the Metro Council would convene in the Council Annex for an executive session pursuant to ORS 192(660)(2)(e). The Metro Council will convene the next regular council meeting on June 22 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator