

MINUTES OF THE METRO COUNCIL WORK SESSION MEETING

Tuesday, May 16, 2006
Metro Council Chamber

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

Councilors Absent: Rex Burkholder (excused), Susan McLain (excused)

Council President Bragdon convened the Metro Council Work Session Meeting at 2:03 p.m.

1. **DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, MAY 18, 2006/ADMINISTRATIVE/CHIEF OPERATING OFFICER AND CITIZEN COMMUNICATIONS**

Council President Bragdon reviewed the May 18, 2006 Metro Council agenda.

2. **STREETCAR PRESENTATION**

Councilor Newman said Council would be asked for two Locally Preferred Alternatives (LPAs). They would select a mode and an alignment on the Portland Eastside and from Portland to Lake Oswego. He wanted staff to update Council on the status of the two studies and to talk more on the policy level about the streetcar. These issues were becoming increasingly regional in nature.

Richard Brandman, Planning Department, described the two analyses—the Eastside Transit alternatives and the Portland to Lake Oswego alternatives. Both analyzed streetcars as well as bus options. Federal funds were attached. Each project had its own advisory committee. Metro had been working with the City of Portland.

Mr. Brandman said that, until recently, federal money had been weighted more towards light rail. But streetcar projects had recently become better funded. He described the funding process. Councilor Newman clarified that federal dollars had to have Metro involvement. He also asked for clarification that the City of Portland had “hired” Metro to do the analyses. Mr. Brandman explained that the City had asked for help due to Metro’s experience in planning federally-funded projects. He described the contractual arrangements that were involved.

Councilor Liberty asked about the projects’ origins—what was the idea behind the circulator? Mr. Brandman said that the City hoped development would be driven by the availability of the streetcar; additionally, more transit trips could take place on the east side. Councilor Liberty asked about protecting industrial zoning areas from development. Mr. Brandman emphasized that the property owners in the central east side preferred to stay industrial; they did not want their area “Pearl-ized.” Councilor Liberty wondered about potential employment in that area. Mr. Brandman thought that was a bigger issue than could be addressed in the current work session.

Councilor Hosticka ruminated about the effects of putting a streetcar on Martin Luther King Blvd. and Grand Ave., where traffic was already so heavy.

Ross Roberts, Planning Department, presented the geographic and financial outlines of the alternatives. He mentioned the no-build alternative, which would enhance the bus service. There was also a full-loop alternative. He mentioned where some of the funds would be coming from.

He described the rationale in analyzing both one- and two-way travel on Grand Ave. Councilor Newman asked if a traffic impact study was forthcoming. Mr. Roberts said this work was being completed and would be presented soon. Mr. Roberts stated that the results so far showed traffic would flow about as well as currently. No change in zoning would be required. Councilor Hosticka weighed in that there were probably other streets that were already more pedestrian-friendly, without trying to transform Grand Ave.

Mr. Roberts soldiered on, first presenting the no-build alternative. Councilor Newman asked for more information on the addition of buses. Mr. Brandman said there was more information available but the focus today was on the streetcar alternatives. Councilor Liberty asked why a streetcar across the Hawthorne Bridge had not been considered. Mr. Brandman said that the goal had been to service the Oregon Museum of Science and Industry (OMSI). Mr. Roberts persevered, providing information about ridership statistics. Councilor Hosticka asked if there was data available on ridership characteristics; who were the riders? Mr. Roberts said it was all rides that were counted. He talked about the accuracy of the modeling that had been used. A lot of the ridership was activity based.

Councilor Liberty asked how this work would be tied to the 2040 analysis. Mr. Roberts replied that land use had not changed as a result of the current alternatives analysis. There had been some potential for increased housing on the east side. Mr. Brandman said that federal planning requirements did not allow for zoning changes when doing transportation planning.

Councilor Newman asked if they had assumed any changes in bus service resulting from these plans. Mr. Roberts said they had used the Regional Transportation Plan (RTP) financially constrained work as their foundation. They were basically assuming most bus service would stay the same and that the increase in ridership would be mostly new riders. Some bus traffic would be decreased but many new streetcar trips would be added. Mr. Roberts then presented information on rider origins by districts. He also discussed the impact on local economic development. Typically, development has moved closer to the streetcar and also become more intense.

He then turned to the Lake Oswego project, which was in the earlier stages of planning. This was based on the 2040 growth concept. Complementary trail connections were being considered as a part of this project. The committee was now working on definitions of the alternatives. A draft Environmental Impact Statement (EIS) would probably be required.

Councilor Newman asked if the streetcars weren't limited, capacity-wise. Mr. Brandman said the ridership analysis for this area had not been done. He felt the streetcar would not limit future capacity. Councilor Newman asked how heavy bus traffic in this area was. Mr. Brandman wasn't exactly sure but it might be fairly high. Council President Bragdon asked whether east side routing was being considered. Mr. Brandman said yes.

Councilor Liberty said zoning in this area was unresolved. He did not see how it connected to the larger vision for planning. He wanted to see more information about the context and the relationship of these projects to other Metro goals. He pointed out the "choke point" on the Steel Bridge. How did it all relate to 2040? Councilor Park wondered how a streetcar on the west side would affect the building of the light rail on the east side. He felt it may come to a choice between one or the other project. Mr. Brandman said that the travel sheds on the east side and the west side were very different, due to a lack of crossing points across the Willamette. He felt that the information coming out of the alternatives analysis would shed a lot of light on Council's deliberations.

Council President Bragdon appreciated that staff was trying to answer Council's question about what streetcars in these areas would be like. But he wondered if they could also analyze a question such as, "If you had \$200 million, how could it best be used to alleviate traffic and provide more transit?" Mr. Brandman was not aware of a way in which this could be addressed.

Councilor Hosticka thought that all alternatives from Lake Oswego to downtown should stay on the table. Councilor Newman would like to see better coordination of the mode and alignment decisions with the development decisions. Council President Bragdon thought the Council had some reservations about the pace of the work and the information that Council had received so far. Mr. Brandman suggested that he be given the opportunity to present more information to the Council during future work sessions. He would like the Mayor of Lake Oswego to come and give her eloquent thoughts. Similarly with the east side projects, he would like to be able to bring in some people with a vision for these regions and how the streetcar fit into it.

3. REGIONAL FREIGHT AND GOODS MOVEMENT PLAN TASK FORCE

Bridget Wieghart and Deena Platman, Transportation Planning, presented an update on this task force. Ms. Wieghart emphasized that they were working hard to incorporate this work into the RTP as well as the New Look. Ms. Platman reviewed the genesis of the task force creation. She described the nominated task force members. They had worked to increase representation in the areas of economic development and environmental concerns.

Councilor Liberty wondered if there were any unconventional thinkers on the task force. He thought it would be interesting to have a member who was not necessarily a freight system user. Council President Bragdon thought that the Council's role was to incorporate this information themselves.

Ms. Wieghart thought there was a variety of viewpoints represented, due to the fact they were in different industries and had different transit needs. Council and staff discussed the representation on the task force and whether there would be a sufficient variety of viewpoints. Council discussed the need to incorporate different viewpoints at the committee level or whether the variety of viewpoints at the Council level was the best way to do this.

4. BREAK

5. SOLID WASTE DISPOSAL SYSTEM

Mike Hoglund, Solid Waste and Recycling Department, said CH2MHill was looking at the alternatives. Marv Fjordbeck, Senior Attorney, talked about the limits of the use of proceeds, the contract with Waste Management if the transfer station was sold, and changes in operations following the current bonds being paid off. He described the statutory limitations. He advised that the proceeds of the sale would be limited to solid waste purposes, the same as the revenue was. If Council wished otherwise, he would recommend consultation with the state legislature. Similarly with the charter; Section 15 required that charges for services may not exceed the cost of the services. Thus, the charter limitation would require that the proceeds of the sale of a service be either refunded to the service users or used to provide the service.

Councilor Liberty wondered about the definition of being used for service. What would this include? Could proceeds be used for education, etc.? Mr. Fjordbeck said it would not be limited

to just disposal, but other solid waste and recycling issues could be addressed, as long as they were of a solid waste nature. Councilor Newman wondered if grants could be used to help citizens, for example with self-haul. Mr. Fjordbeck said Metro would not lose any of its solid waste powers. We could use the funds to implement solid waste plans.

He then commented on the potential impacts of divestiture on the waste management contract. Our contract required Metro to deliver certain amounts of waste. Sale of the transfer station would not eliminate our contractual obligations. If we wanted to terminate the contract, we would have to negotiate with Waste Management or pay damages. Councilor Hosticka wondered if we could use the proceeds to pay the damages. Mr. Fjordbeck said why not?

Lastly, he addressed changes in operations at the transfer stations following payoff of the bonds. This would be assuming we paid off the bonds but kept the transfer stations. We made promises to the bondholders that we would be released from upon payment of the bonds. Most important might be the rate covenant that required us to set rates at 110% of debt service. If we paid off the bonds, rates could become more variable; it would eliminate the put or pay model. He shared a memo (a copy is included in the meeting record). Councilor Hosticka wondered about restrictions on the flow of cash. Were there any similar court cases? Mr. Fjordbeck said he had found some similar, though not exactly parallel cases, seeming to support his analysis. Dan Cooper, Senior Attorney, related that the state tended to follow similar opinion, even though we had no exactly analogous case to compare with. Council and staff discussed the finer points of the use of bond-funded facilities.

Mr. Hogle had a handout on disposal system planning (a copy is included in the meeting record). This included a list of stakeholders who had provided input. He described the status of the work to date and future steps. The draft report would be coming from CH2MHill in a few weeks.

Councilor Liberty had a question about the list of stakeholders. Was anybody from another region being consulted? Mr. Hogle thought the consultant had presented information on other regions; this could be good feedback as the next steps were taken.

Councilor Hosticka had some questions about the next steps, which Mr. Hogle responded to. The final decision would have to be voted on, even if the recommendation was to retain the status quo. Council President Bragdon wondered who represented the ratepayers. Mr. Hogle thought that, if the ratepayers did not end up paying a lot more or less, and their service was not materially changed, it might not attract a lot of notice. Paul Ehinger, Solid Waste & Recycling, commented that the self-haul customers were hard to reach. He felt the local governments had been the proper venue to receive ratepayer comments.

6. COUNCIL BRIEFINGS/COMMUNICATIONS

Councilor Liberty related two Zoo events, Bike to Work, and volunteering for southwest community cleanup.

Councilor Park related information from prep-JPACT and the breakdown of funding.

Councilor Newman reported on today's Zoo committee meeting. They were lacking in staff support.

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Council President Bragdon reported on Measure 37 claims against Metro. There was a series of hearings scheduled, during regular Council meetings. Councilor Liberty would appreciate a work session presentation on Metro's strategy in this area and how it was working.

Council President Bragdon reported on the Environmental Protection Agency grant on brownfields; Metro received \$250,000.

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:33 p.m.

Prepared by,

A handwritten signature in black ink, appearing to read 'Dove Hotz', written over a horizontal line.

Dove Hotz

Council Operations Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
MAY 16, 2006**

Item	Topic	Doc. Date	Document Description	Doc. Number
1	Agenda	5/18/06	Agenda: Metro Council Regular Meeting, May 18, 2006	051606c-01
5	Disposal system	5/10/06	To: Paul Ehinger From: Marvin D. Fjordbeck Re: Disposal System Planning Issues	051606c-02
5	Disposal system	undated	To: Metro Council From: Mike Hoglund Re: Disposal System Planning, Tentative Milestone Dates	051606c-03