

**MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

**Regular Meeting
August 25, 1983**

Councilors Present: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Councilors Absent: Councilor Banzer.

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Ray Barker, Andrew Jordan, Steven Siegel, Mark Brown, Peg Henwood, Jennifer Sims, Leigh Zimmerman, and Andy Cotugno.

Testifiers: Tim Ramis, Mike Lindberg, Wes Myllenbeck, Robert Behnke, Nellie Fox, Charles Davis, Bob Tenner, Sam Naito, Ted Spence, Henry Lorenzen, Pam Ragsdale, Robert Hoffman, Ray Polani, David Lawrence, Gary Conkling, John Gillam, Leeanne MacColl, Robert Casey, James Munyer, Dale Kresge, and Edward Lilly.

A regular meeting of the Council of the Metropolitan Service District was called to order by Deputy Presiding Officer Oleson at 7:35 p.m.

1. Introductions.

There were no introductions.

2. Councilor Communications.

There were no Councilor Communications.

3. Executive Officer Communications.

There were no Executive Officer Communications.

4. Written Communications to Council on Non-Agenda Items.

There were no written communications to Council on non-agenda items.

5. Citizen Communications to Council on Non-Agenda Items.

There were no citizen communications to Council on non-agenda items.

6. Consent Agenda.

The Consent Agenda consisted of the following items:

- 6.1 Minutes of the meetings of July 26, 1983.
- 6.2 Resolution No. 83-422, for the purpose of amending the Banfield Scope of Work to include the addition of seven light rail vehicles.
- 6.3 Resolution No. 83-425, for the purpose of recommending approval of Washington County's request for acknowledgment of compliance with LCDC goals.
- 6.4 Resolution No. 83-427, for the purpose of providing comments to Multnomah County on their request for post-acknowledgement amendments to the Framework Plan.
- 6.5 Resolution No. 83-426, for the purpose of continuing the Bi-State Policy Advisory Committee.
- 6.6 Contracts for Workers' Compensation and Employee Health Benefits.

Motion: Councilor Kafoury moved adoption of the Consent Agenda. Councilor Hansen seconded the motion.

Councilor Bonner requested that Consent Agenda Item 6.4 be removed from the Consent Agenda for discussion.

Vote: The vote on the motion to adopt the Consent Agenda, except for the item 6.4, resulted in:

Ayes: Councilors Bonner, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilors Banzer, Deines, and Etlinger.

Motion carried, Consent Agenda adopted.

6.4 Resolution No. 83-427, for the purpose of providing comments to Multnomah County on their request for post-acknowledgement amendments to the Framework Plan.

Councilor Bonner said it was not clear to him what the status was on the Council's request for changes in Multnomah County's plan and ordinances with respect to landfills.

Mr. Steven Siegel, Development Services Director, responded that discussions were taking place with Multnomah county under a separate process.

Councilor Bonner asked if that meant there would need to be a request of Multnomah County for a special procedure to look at the standards for landfills in agricultural areas. Mr. Siegel responded that it appeared so. Mr. Andrew Jordan, Legal Counsel, added that the plan update process was well along when the LUBA decision came down on the Wildwood Landfill. He said the County Executive had indicated he would initiate a plan change or zone change, whichever was necessary, as a separate request to the Planning Commission.

Motion: Councilor Kelley moved adoption of Resolution No. 83-427. Councilor Kirkpatrick seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion carried.

7.1 Consideration of an Order in the matter of a petition of Mutual Materials, Inc. for an amendment to the Regional Urban Growth Boundary, and Ordinance No. 83-160 amending the Metro Urban Growth Boundary in Clackamas County for Contested Case No. 82-1. (First Reading)

Mr. Mark Brown, Development Services Planner, presented the staff report, as contained in the agenda of the meeting. He said no exceptions to the inclusion of the area in the UGB had been received. He noted that the Hearings Officer for the case,

as well as the applicant's representative, were present to respond to any questions.

Motion: Councilor Hansen moved adoption of the Order.
Councilor Deines seconded the motion.

Councilor Kafoury asked what the proposed use was for the property.

Mr. Tim Ramis, 1727 N.W. Hoyt Street, Portland, applicant's representative, responded that the proposed use was residential.

Vote: The vote on the motion to adopt the Order resulted in:

Ayes: Councilors Bonner, Deines, Etlinger,
Hansen, Kafoury, Kelley, Kirkpatrick,
Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion carried, Order adopted.

Ordinance No. 83-160 was then read the first time by title only.

Motion: Councilor Deines moved adoption of Ordinance No. 83-160. Councilor Kafoury seconded the motion.

There was no public testimony.

The ordinance was passed to second reading on September 8, 1983.

Deputy Presiding Officer Oleson noted that the hearing on the West-side Light Rail was scheduled for 8:00 p.m. and there was time before the hearing for the Council to take up Agenda Item 9.1.

9.1 Sublease of Office Space.

Ms. Jennifer Sims, Budget and Administrative Services Manager, reported that negotiations had taken place with Columbia Research Center to sublease approximately 3,000 square feet of Metro space. She said the sublease over the term of Metro's existing lease would net Metro approximately \$50,000 in revenue.

Motion: Councilor Kafoury moved approval of a sublease with Columbia Research Center. Councilor Bonner seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion carried.

The Council then recessed for five minutes.

8.1 Consideration of Resolution No. 83-423, for the purpose of selecting the preferred alternative for the Westside Corridor, allocating the Westside (e) (4) Reserve and allocating the Westside Section 3 Reserve.

Deputy Presiding Officer Oleson outlined the procedure he would use to conduct the hearing.

Councilor Williamson made a brief statement on the history and process of the project. He reported that TPAC and JPACT as well as the Regional Development Committee had approved minor modifications to the Resolution and recommended its adoption.

Motion: Councilor Williamson moved adoption of Resolution No. 83-423. Councilor Kirkpatrick seconded the motion.

Executive Officer Rick Gustafson noted that if the Council adopted the Resolution it would not only be approving over \$80 million in bus and highway improvements, but would be approving a systematic multi-year effort of technical and public review for determining the long-term preferred alternative for the Westside.

Mr. Siegel discussed the issues raised during the public process and how the resolution before the Council responded to those concerns.

Deputy Presiding Officer Oleson then opened the public hearing.

Commissioner Mike Lindberg, Portland City Council, spoke in support of the Resolution. He said concerns raised at the public hearing before the City Council were addressed in the Metro Resolution. He stressed the five areas of concern to the City: 1) preservation of housing and neighborhoods; 2) the phasing of bus and highway improvements and a light rail system; 3) the need for a one-year assessment of the Banfield operation before any right-of-way acquisition for the Westside LRT; 4) a commitment for building the Westside LRT from new funding sources; and 5) continuation of the project under a management committee with representatives from all jurisdictions.

Mr. Wes Myllenbeck, Chairman, Board of Commissioners for Washington County, submitted a letter indicating support of the selection of the Sunset Corridor as the preferred alternative (a copy of the letter is attached to the agenda of the meeting). He also said that the County wanted to see the alignment fixed as soon as possible so Washington County would not have to hold up development.

Mr. Robert W. Behnke, 2002 Wembley Park Road, Lake Oswego, submitted and read testimony opposed to a Westside LRT (a copy of the testimony is attached to the agenda of the meeting). He said the ridership and revenue projections for the Sunset light rail system appeared to be unrealistically high and the cost and deficit projections appeared to be unrealistically low. He suggested that before further work was conducted that a team of independent transportation consultants review the entire project.

Councilor Deines agreed with Mr. Behnke and urged that the Council consider an independent review of the project's assumptions and analyses.

Ms. Nellie Fox, member of the Tri-Met Board of Directors, submitted and read testimony indicating that the Tri-Met Board had adopted a resolution endorsing the Sunset light rail alternative as the preferred long-range option for the Westside Corridor (a copy of the testimony is attached to the agenda of the meeting). She said the Board agreed that it was prudent to proceed cautiously in the next stage of the project to assure that concerns about costs and impacts were fully addressed before any decisions to construct were made.

Mr. Charles Davis, 4295 S.W. Melville, Portland, 97201, expressed concern that Metro did not have enough information to make

a decision. He said the Council should be looking very closely at the economic factors involved in such a decision.

Mr. Bob Tenner, 7695 S.W. Wilson, Beaverton, 97005, member of the Citizens Advisory Group for the Westside Corridor Project, submitted and read a letter from David Frost, Chairman of the Group, which supported the Sunset LRT alternative (a copy of the letter is attached to the agenda of the meeting).

Councilor Williamson said the Council should express its appreciation to the citizens who had spent a great deal of time working on the project.

Mr. Sam Naito, 4830 S.W. Fairview Blvd., 97201, member of the Westside Corridor Citizens Advisory Group, submitted and read testimony supporting the Sunset Corridor alternative (a copy of the testimony is attached to the agenda of the meeting). He said the Westside Corridor was an essential link to downtown Portland's business community.

Mr. Ted Spence, representing the Highway Division of the Oregon Department of Transportation, submitted and read testimony indicating the Oregon Department of Transportation Commission's support of the Sunset Corridor alternative, and the phasing of related bus and highway improvements as the best long-range transportation solution (a copy of the testimony is attached to the agenda of the meeting). He said the Commission concurred with the need to carefully identify the capital and operating feasibility of the preferred alternative and supported a one-year assessment of the Banfield operations prior to proceeding with implementation of the Sunset LRT.

Mr. Henry Lorenzen, 1055 S.W. Douglas Place, Portland, representing the Canyon Road Citizens Association, stated that the Association had two major concerns: 1) Whether the project made sense economically and how such a conclusion could be reached if there were no other options against which to compare light rail. He urged that the Council consider the bus service expansion alternative. 2) The affect of the light rail on the individual homes of the people who lived in the Canyon Road area. He urged that the staff look at all tunnel options, not only on the north, but also on the south side of Canyon Road.

Ms. Pam Ragsdale, 14325 N.W. Belle Place, Beaverton, 97006, Executive Vice-President of the Beaverton Area Chamber of Commerce, submitted and read a letter from John Marling, President-Elect of the Beaverton Area Chamber of Commerce, supporting the Sunset Corridor alternative (a copy of the

letter is attached to the agenda of the meeting). She also indicated that the support of the alternative should not be interpreted as unqualified support for building a Sunset light rail system and enumerated several concerns contained in the letter. She said she had also been a member of the Advisory Group which studied the Project and that she agreed with the testimony of Mr. Tenner regarding their recommendation.

Mr. Robert Hoffman, 11 S.W. Curry, 97201, spoke in opposition to the project. He said that there were other, more advanced, modes of transportation which should be considered. He also said, referring to Mr. Naito's testimony, that businesses downtown should take care of themselves.

Mr. Ray Polani, 2717 S.W. Spring Garden Street, 97219, representing Citizens for Better Transit, testified that the Citizens for Better Transit supported in principle light rail in the Sunset corridor, but encouraged creative engineering options to lower the operating costs. He said they also supported the option of a 15,000 foot tunnel through the Canyon Road area which would shorten the route by one-half mile and decrease the environmental impacts in the area. He said they were opposed to an alignment between the Sunset and T-V Highways which would miss both of the existing highways where traffic congestion exists.

Councilor Williamson pointed out that some options were being excluded with the adoption of the resolution. He said they would be excluding a track along the Sunset Highway past the 217 Highway. Mr. Siegel said the proposed alignment would go to 185th as indicated in the DEIS and Washington County's Comprehensive Plan. He said if the capital or operating financial feasibility analysis on the proposed alignment west of Beaverton between 158th and 185th turned out to be infeasible, the project staff would go to the Washington County Commission and make recommendations as to alternative alignments west of Beaverton. He said those alternatives would become part of another study, a second study, on the extension from Beaverton.

Mr. David Lawrence, Planning Director, City of Hillsboro, testified in support of the resolution and urged continuation of the project and process. He said he was a member of the Planning Management Group and was impressed with the staff support.

Mr. Gary Conkling, Manager of Government Relations, Tektronix, Inc., submitted written testimony (attached to the agenda of the meeting). He summarized his testimony by stating that

Tektronix was opposed to the project. He said they were concerned about the transportation problems within Washington County and that the Sunset Corridor LRT wouldn't solve them. He said education-at-home and work-at-home was near reality and would change the demands on transportation systems. He also said that their data indicated a trend of development patterns which encircled Portland and Beaverton and not a radial line pattern from Hillsboro to Portland to Gresham as proposed by the Westside Project.

Mr. John Gillam, Transportation Planner for the City of Beaverton, read into the record a letter from Mayor Jack Nelson indicating the City of Beaverton's support for the Sunset Corridor and light rail transit option (a copy of the letter is attached to the agenda of the meeting).

Ms. Bebe Rucker, representing Multnomah County had to leave the meeting but requested that a letter from Dennis Buchanan, County Executive, be read into the record. His letter indicated the County's support for the Sunset light rail transit as the preferred alternative (a copy of the letter is attached to the agenda of the meeting).

Ms. Leeanne MacColl, 2620 S.W. Georgian Place, Portland, submitted and read testimony supporting the resolution designating Sunset as the corridor for a light rail project. She said she agreed with the proposal that right-of-way acquisition not occur until one year after the construction on the Banfield was completed.

Mr. Robert Casey, Vice President of Administration for Floating Point Systems, Beaverton, testified in opposition to the Sunset light rail, asking if it was really the best alternative and urging that an independent review of the data be conducted before a decision was made.

Mr. James Munyer, Portland, said he was a driver of the handicapped and elderly and used the Sunset highway many times a week. He expressed concern about the dangers of the Vista Tunnel eastbound and the 217 interchange. He said he hoped the planning for the light rail would be better than that used in these problem areas.

Councilor Williamson pointed out that the 217 interchange was already funded for improvements and ramp metering of the tunnel was proposed as one of the improvements to be undertaken by the resolution before them.

Mr. Dale Kresge, 11090 S.W. Allen, Beaverton, said his company was a landowner in the Sunset Corridor. He expressed concern

about the alignment west of Beaverton and 158th. He said there had been no definitive studies conducted of the proposed alignment and urged adoption of the resolution which would provide a review of the alignments west of 158th. He said alignments which use existing right-of-way corridors as opposed to the alignment proposed should be studied.

Mr. Edward Lilly, representing Franklin Service Corp., 11090 S.W. Allen Blvd., Beaverton, stated his company owned 40 acres of property in the Sunset Corridor. He said he was unable to develop his property because Washington County required that he dedicate or reserve 16 acres for light rail. He said there was no guarantee that the light rail line would be constructed and he was left with a piece of property he was not being compensated for or allowed to develop.

At this time, Councilor Waker noted that he had been professionally involved with Mr. Kresge and Mr. Lilly but did not believe there was a conflict of interest. Councilor Bonner also noted that he was under contract with the Department of Public Works to do some work between 185th and Cornelius Pass Road but did not believe a conflict of interest existed.

At this time, the public hearing was closed and the Council recessed for ten minutes.

Councilor Kelley submitted and summarized a letter from Gresham Mayor Margaret Weil to JPACT. She said the letter emphasized the importance of Resolve No. 10 which reaffirms a commitment to the Westside light rail after the Banfield and the I-505 alternative projects; and Resolve No. 2 which addressed the need for an assessment of the Banfield operations prior to construction of the Westside. Councilor Kelley also proposed that a discussion occur at a Regional Development Committee meeting to establish a mechanism to assure that the citizens of the Eastside and Westside have an open communication link.

Councilor Van Bergen asked if any of the amendments which were to be proposed would affect approvals by other jurisdictions. Mr. Siegel responded that they would not.

Councilor Kirkpatrick commented for the record that she did not view the resolution as a definite decision to implement the Westside light rail. She said the Council did not have enough information at this point to make that decision.

Councilor Waker commented that he tended to fall on the anti-light rail side. However, he said it was not his technique to

make decisions without facts. He said if they clarified what facts were needed to make a decision, they might be best served to move ahead and preserve the light rail option. He said he had previously requested language in Resolve No. 1 to add "capital and operating financing feasibility" to the FEIS. He said the light rail option should be examined with respect to 1) conformance with travel time criteria in the RTP; 2) compatibility with other transportation investments and services, and 3) cost-effectiveness of the route selected.

Motion to
to amend:

Councilor Waker moved that Resolution No. 83-423 be amended to add the following to Resolve No. 2:

2(e) A cost effectiveness analysis based upon the newly prepared data.

Councilor Van Bergen seconded the motion.

Vote:

The vote on the amendment resulted in:

Ayes: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion to amend carried.

Motion to
amend:

Councilor Bonner moved to amend Resolution No. 83-423 to add the following language to the end of Resolve No. 1:

"which are supported by the Metro Council and included as an integral part of this Resolution as Attachment D."

Councilor Etlinger seconded the motion.

Councilor Bonner said the intent of the motion was to attach all of the resolutions adopted by the involved jurisdictions to Metro's resolution to indicate Metro's support of their actions.

Councilor Waker noted it was still unclear to him what constituted a hardship acquisition and that he would tend to be cautious in examining any hardship acquisition that may come to

the Council. Mr. Siegel stated that a policy regarding hardship would be addressed by the Project Management Group and forwarded to all the participating agencies.

Vote: The vote on the motion to amend resulted in:

Ayes: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion to amend carried.

Motion to amend:

Councilor Bonner moved to amend Resolution No. 83-423 to add the following language to Resolve No. 3:

3(d) The Project Management Committee should review ways to accomplish an independent professional review of the employment and population growth rates, transit ridership expectations, cost and other fundamental assumptions of the Sunset LRT; and recommend an action to the Metro Council and other governing bodies of this region.

Councilor Kafoury seconded the motion.

Vote: The vote on the motion to amend resulted in:

Ayes: Councilors Bonner, Deines, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Motion to amend carried.

Vote: The vote on the motion to adopt Resolution No. 83-423, as amended, resulted in:

Ayes: Councilors Bonner, Etlinger, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilor Banzer.

Abstention: Councilor Deines.

Motion carried, Resolution adopted.

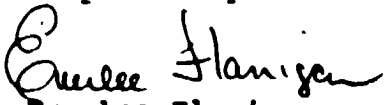
Councilor Williamson expressed appreciation to Mr. Siegel and Ms. Peg Henwood for their hard work on the project.

9.1 Sublease of Office Space.

See after agenda item 7.1 for action on this item.

There being no further business, the meeting adjourned at 10:50 p.m.

Respectfully submitted,


Everlee Flanigan
Clerk of the Council