

MEETING OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

September 12, 1985

Highland Park Intermediate School
Beaverton, Oregon

Councilors Present: Councilors DeJardin, Gardner, Hansen,
Kirkpatrick, Kelley, Oleson, Van Bergen and
Waker

Councilors Absent: Councilors Cooper, Kafoury, Myers and Bonner

Also Present Rick Gustafson, Executive Officer

Staff Present: Don Carlson, Eleanore Baxendale, Dan Durig,
Vickie Rocker, Ray Barker, Doug Drennen, Randi
Wexler, Dennis Mulvihill, Buff Winn, Norm
Wietting, Peg Henwood, Marilyn Matteson, Rich
McConaghy, Mary Jane Aman and Patrick Minor

Deputy Presiding Officer Waker called the meeting to order at
6:05 p.m.

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Gustafson referred the Council to the Executive Officer's monthly report distributed to each Councilor. Regarding the Criminal Justice Block Grant Fund, he explained the Department of Justice requested Intergovernmental Resource Center (IRC) staff coordinate the distribution of federal grants. The Executive Officer commended staff in responding to the request and coordinating the application process with local jurisdictions within a limited time frame.

The Regional Committee on Convention, Trade and Spectator Facilities (CTS) met on September 10. The CTS endorsed study committee findings which recommended proceeding with the center and considering a comprehensive plan for major public facilities. The Executive Officer reported the CTS was very complementary about IRC's coordinating role in the project.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. ORDINANCES

6.1 Consideration of Ordinance No. 85-191, Relating to Solid Waste Disposal Charges and User Fees; Amending Metro Code Sections 5.02.015, 5.02.020, 5.02.025, 5.02.045 and 5.02.050; and Establishing Metro Code Section 5.02.065 for Collection of a Special Waste Surcharge and Permit Application Fee (First Reading and Public Hearing)

The Clerk read the Ordinance by title only.

Rich McConaghy reported the proposed Ordinance implemented staff's recommendations as explained in the staff report. The Ordinance, he said, was reviewed by the Solid Waste Policy Advisory Committee (SWPAC). SWPAC recommended the second reading of the Ordinance be delayed in order to obtain additional information about proposed rate changes. Staff had originally planned a second reading for September 26, he explained, which would have allowed for the obligatory 65 days notice before the Ordinance became effective on January 1, 1986. If the second reading were delayed to October or November, it would have to be adopted under emergency provisions to allow for a shorter notification period. He recommended the second reading occur late in November to allow ample time for comment.

Mr. McConaghy then reviewed a memo from the Rate Review Committee (RRC) to the Executive Officer, dated September 11, 1985, which outlined the RRC's recommendations on the 1986 Rate Study as follows: 1) The rate study be accepted as reasonably complete and accurate; 2) rate calculations be made on the basis of those waste quantities which were expected to be produced from within the Metro region; 3) it was appropriate to use rates as a waste diversion strategy; 4) special waste fees be established so that disposers of these wastes pay the allocated costs; 5) prudent amount of the fund balance be allocated toward smoothing rate increases over time and staff's recommendation to expend \$500,000 to reduce rate increases in 1986 was reasonable; and 6) prefinancing of significant future capital improvements through the accumulation of funds should not be planned for in the establishment of rates. The RRC also suggested staff provide a comparison of past projections with actual recent expenditures for disposal and transfer operations and for user fee programs. Finally, the RRC reported that although the allocation of user fees appeared appropriate, no close review had been made of user fee program costs. This review was usually conducted during the budget process.

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Shirley Coffin presented the Solid Waste Policy Advisory Committee's (SWPAC) recommendations regarding proposed rate changes. Although SWPAC made no formal recommendation at their September 9 meeting, the Committee agreed they recommend the Council delay adopting the rate changes until several policy issues could be resolved, possibly with the assistance of a SWPAC subcommittee. These concerns included: 1) before establishing rates on the assumption that waste generated from outside the region would not be received, an analysis of the potential and commitment for taking action to exclude these wastes be made; 2) fee exemptions be allowed for small quantities of special wastes generated within households; 3) a policy be established regarding the appropriate amount and disposition of the Fund Balance; 4) an analysis be conducted to determine whether funds set aside for St. Johns Landfill final improvements and post-closure were adequate and the analysis be conducted in conjunction with development of the landfill closure plan; 5) the rate structure include provisions for reducing the amount of waste landfilled; and 6) the 6.6 percent inflation assumption be reconsidered.

Mr. McConaghy referred Councilors to a letter from City of Portland Commissioner Dick Bogle. Commissioner Bogle concurred with staff's recommendation but requested the Council postpone further consideration of Ordinance No. 85-191 until policy issues affecting the management of St. Johns Landfill could be addressed. Commissioner Bogle offered the City's assistance in this effort.

After some discussion regarding SWPAC's concerns, the Council concurred that time was needed to address the above issues and that a second reading of the proposed Ordinance should occur sometime in November, 1985.

Motion: Councilor Kirkpatrick moved to adopt Ordinance No. 85-191 and to instruct staff to prepare an amendment to the Ordinance to include a declaration of emergency conditions. Councilor Kelley seconded the motion.

Deputy Presiding Officer Waker opened the public hearing on the Ordinance. These being no public testimony, the public hearing was closed. The Deputy Presiding Officer announced a second reading of the Ordinance would occur sometime in November.

At 6:35 p.m., Deputy Presiding Officer Waker called a recess. The Council reconvened at 7:05 p.m.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 85-591, for the Purpose of Designating Sites for the Washington Transfer & Recycling Center (WTRC) and Authorizing the Executive Officer to Enter into Negotiations to Acquire the Sites

Deputy Presiding Officer Waker introduced the WTRC Advisory Group to the audience and explained the Group had conducted preliminary work in evaluating many sites for the proposed transfer and recycling center in Washington County. He explained the public had also been involved in that selection process. The three final sites being considered for Council adoption were recommended by the Group, he said.

Motion: Councilor Hansen moved to adopt Resolution No. 85-591 and Councilor DeJardin seconded the motion.

Randi Wexler, Metro staff, introduced members of the WTRC Advisory Group to the Council and audience: Beth Mason, elected spokesperson for the group and member of the Washington County Solid Waste Advisory Committee; Steve Baker, Director of Operations, city of Beaverton; Ross Van Loo, Planning Department, Washington County; Gary LaHale, Hillsboro resident and business man; Shirley Coffin, member of the Metro Solid Waste Policy Advisory Committee; Tom Miller, sitting in for his father, Carl Miller, representing the solid waste collection industry; Merle Irvine, representing the recycling industry; and Tim Davison, State of Oregon, Department of Environmental Quality, Solid Waste Division.

Ms. Wexler explained Metro's Solid Waste Management Plan, adopted in 1975, called for building a solid waste management system to include three transfer and recycling centers. These centers would serve as collection points in the system to allow for processing and packaging of waste, convenient disposal for the public and the collection industry, and for waste to be trucked to a variety of ultimate disposal sites or alternative technologies. Because of the above functions, successful transfer stations must be sited close to where waste was generated, she said. She further explained that because of specific siting criteria, transfer stations were often sited before ultimate disposal sites were located and operating.

Ms. Wexler outlined the proposed siting process if Resolution No. 85-591 were adopted. The resolution authorized staff to negotiate for specific site locations with landowners. Negotiations would occur for approximately 30 days, land use procedures would be examined and remaining design questions would be addressed. The Council would select a final site in October, she said.

Beth Mason reviewed the WTRC Advisory Group's recommended sites in order of priority: 1) The Champion Wood Products Building, Western and Allen Streets in Beaverton, only if the operating business were vacated; 2) 160th and Tualatin Valley Highway in Beaverton; 3) Cornelius Pass at Highway 26 in Washington County; and 4) the south side only of 160th and Tualatin Valley Highway in Beaverton. Ms. Mason then reviewed the criteria by which the Group rated all possible sites including location from the center of waste generation, transportation access, compatibility, current zoning, and development constraints. She also reviewed public involvement and participation in the process of recommending sites for the WTRC.

Ms. Mason referred the Council to a letter from U.S. Plywood, dated August 27, 1985. She said the letter let the Advisory Group to believe that Champion Wood Products would continue to be an operating business and as such, the Advisory Group recommended that site, located at Western and Allen streets, be withdrawn from consideration at this time. She said when the Group made its previous recommendation, it was not known whether the business would continue to operate at the site.

Motion: Councilor Van Bergen moved to amend Resolution No. 85-591 to delete any reference to Site N, the Champion property at Western Avenue and Allen, in Beaverton, and that the Council designate two sites for further consideration. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kirkpatrick, Kelley, Oleson, Van Bergen and Waker

Absent: Councilors Cooper, Kafoury, Myers and Bonner

The motion carried and the Resolution was amended.

Deputy Presiding Officer Waker opened the public hearing on the Resolution.

William F. Bernard, Standard Plaza, Suite 1105, Portland, residing in Washington County near Garden Home, testified his client, Riviera Motors, was located near Site 59 on Cornelius Pass Road. He objected to the selection criteria requiring the transfer station be located where waste was generated. He said one of the prime goals of the state of Oregon was economic growth and the Sunset Corridor was a prime area for development in the region. Its potential was known nationally and internationally, he explained. Mr. Bernard asserted it was counterproductive to plan a waste station in this gateway for development opportunity.

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Deputy Presiding Officer Waker asked Mr. Bernard if he favored the construction of a transfer station. Mr. Bernard said he favored construction but thought it should be located on the perimeter of the waste generation area.

Arthur J. Gemmell, 3055 Orchard Drive, San Jose, California, Sr. Vice President of Fujitsu America, Inc., said he wished to express his company's great concern about the Advisory Group's recommendation to consider a transfer station at Cornelius Pass and Sunset Highway. He explained in 1984, Fujitsu America began a search for suitable headquarters in a location that would represent the company's commitment to quality and excellence. Over \$120 million was invested in siting the headquarters in the Sunset Corridor area, he said, and this commitment would not have been made had Fujitsu known Metro planned to site the transfer station in that area. He did not think the transfer station should be located in an area that had a reputation as a first class science and technology center. He urged the Council to remove the Cornelius pass site from further consideration.

David Sudtell, 7219 S.W. Cedar Lane, Hillsboro, testified he formerly owned a landfill on the west end of Hillsboro. He said this property met all of Metro's siting criteria and offered the land for sale to Metro as a site for WTRC. In response to Councilor Gardner's question, Mr. Sudtell said his site was some distance from Murray Road and Allen Boulevard, the center of waste for the Washington County area.

Douglas J. McCaslin, 4755 S.W. Griffith Drive, Beaverton, representing the Tualatin Valley Economic Development Corporation, read a statement he circulated to the Council. He urged the WTRC site be identified after a new landfill was sited. The WTRC site should not have a negative impact on the area's economic growth, he said.

Keturah A. Brown, 4500 S.W. Hall Boulevard, Beaverton, speaking on behalf of her client, Tri-County Concerned Citizens, circulated copies of a letter to the Council which she read into the record. She said the passage of Senate Bill 662 strengthened the organization's position that Metro should delay siting the WTRC until another regional landfill was sited. She also said she had met with representatives from the Department of Environmental Quality who supported this position. When it was appropriate to site another transfer station, she said, private industry could best handle the job rather than Metro.

Deputy Presiding Officer Waker read into the record a letter from Donald G. Andersen, Mayor of Oregon City. Because 18 percent of the waste entering the Clackamas Transfer & Recycling Center was generated in Washington County, Mayor Andersen urged Metro to proceed as

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quickly as possible with siting WTRC in order to alleviate demands on the transfer station in Clackamas County.

John Maddocks, 3601 S.W. Murray Boulevard, Beaverton, representing Floating Point Systems, Inc., testified Floating Point's complaint was with the proposed site Site 56 located on the Tualatin Valley Highway. Transportation access to the site was not suitable, he said, because trucks traveling to the site would have to pass through several blocks of residential area. Creating more traffic in an already congested area seemed inconsiderate, impractical and improper, he said. He was concerned that some residents living in 160th Avenue had not been informed of this meeting. Mr. Maddocks also testified had WTRC already been present in the proposed area, Floating Point Systems would not have located there. The research and development industry would employ far more people than the assembly and distribution type of industry the transfer station would attract, he said, and it was time someone started taking the economic development argument seriously. Finally, Mr. Maddocks testified that as a resident of Northeast Portland, he had for years traveled 18 miles to St. Johns Landfill to dispose of waste. The North Plains area was about 20 miles from the Beaverton area, he said, and residents would probably travel to that location without problems if WTRC were sited there.

Wayne Atteberry, 12285 N.W. Big Fir Court, Portland, President of the Sunset Corridor Association, testified the WTRC Advisory Group did not sufficiently examine economic development issues before making their recommendation. The development potential for the Corridor could not be ignored, he said, and to site WTRC in that area would send disturbing signals to those interested in locating in that area. Mr. Atteberry thought the Advisory Group's criteria of locating a site within 7 miles of the center of waste generation was arbitrary. He also did not think it prudent to site WTRC before the next regional landfill was sited.

Dennis Wilde, 2320 N.W. Quimby, Portland, representing a coalition of businesses in the Sunset Corridor, explained the coalition was formed after the WTRC Advisory Group made its initial recommendation regarding sites for the transfer station. Initial recommendation did not recognize the facility's impact on long-range industrial growth, he said. His association recognized the need for a transfer station in Washington County and attempted to work with the Task Force to develop suitable siting criteria and acceptable locations. Because of the negative impact on economic growth in the Sunset Corridor and because of what Mr. Wilde perceived to be the arbitrary nature of the 7-mile criteria, he urged the Council to consider sites in North Plains and Roseway Industrial Park. Another site on the Tualatin Valley Highway should also be considered, he said.

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Robert D. Rankin, 1408 Standard Plaza, Portland, representing Standard Insurance Company, explained his company has committed over \$12 million to develop a 600 acre parcel south of Sunset Highway between Cornelius Pass Road and 185th Avenue. He said Standard was very concerned about the ability of the Cornelius Pass and Sunset Highway interchange to service projected traffic generated by the transfer station. Mr. Rankin said he shared concerns with other businesses and potential developers that the transfer station was not compatible with the type of industry proposed for the area and was concerned that the station would damage future development potential. Job-producing industries must be the priority, he said, and WTRC would not accomplish that goal.

Joe Willis, 1800 PacWest Center, Portland, representing the Archdiocese, owner of Site 56 at Tualatin Valley Highway and Millikan Way, requested that site be removed from consideration. It was the only proposed site that would require a zone change and he thought the Archdiocese and land owners adjacent to the property would oppose that change. Such a change would also increase Metro's acquisition costs, he said. He urged the Council to consider other available and more suitable sites.

Vicki Gerome, 5720 S.W. Spruce, Beaverton, Co-chairman of the Royal Woodland Neighborhood Association, said that although Site N had been removed from consideration by the Council, she wanted to be kept informed of the transfer station selection process. She said Site N would not be finally eliminated until the facility was in operation. She submitted for the record a petition signed by approximately 400 families who wished to be kept informed of Metro's activities regarding this project.

Chuck Ruttan, 851 S.W. 6th Avenue, Suite 1500, Portland, representing Emkay Development Company, explained Emkay was the developer for Beaverton Creek Tech Center, immediately adjacent to Site 56. Emkay requested that site be eliminated from further consideration based on negative traffic and economic impacts to the immediate area. Mr. Ruttan said he supported the testimony of others concerned about locating WTRC in the Sunset Corridor.

Cindy Schmid, 5855 S.W. Elm, Beaverton, board member of the Royal Woodlands Neighborhood Association, testified she was concerned about elements of the transfer station siting process, especially the center of waste generation criteria and traffic congestion. She requested the Council consider sites for which they had willing sellers.

C. K. "Bud" Maguire, 14795 S.W. Kilchis, Beaverton, member of the Beaverton City Council, said the City Council had been asked to make recommendations to the Metro Council regarding WTRC. He reported

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the City Council recommended the Champion site not be considered and that Metro should wait until issues raised by the passage of Senate Bill 662 were resolved before siting WTRC. Finally, he requested the Metro Council change the 7-mile criteria and open the process to allow private businesses to operate the transfer facility.

Deputy Presiding Officer Waker explained Metro was committed to having the private sector build and operate WTRC.

James Neuman, 2456 N.W. Charlston Street, Portland, said he was a general partner of a firm that recently acquired property known as the Burlington Railroad/Times-Litho property in the West Union Hills Industrial District. Mr. Neuman showed the Council a chart which illustrated development work underway in the area, particularly road improvements. He was concerned about negative traffic and development impacts if the transfer station were sited in that area. He explained a Korean company interested in his property would not locate there if WTRC were built in that area. Mr. Neuman urged the Council to consider alternate locations.

Richard P. Buono, 7901 S.E. 30th, Portland, representing PacTrust, testified the Cornelius Pass site was a poor choice for the transfer station due to negative development and traffic impacts. The property would also have to be condemned, he said. He expressed many of the same concerns as other business representatives and said this was a case of prime industrial land not being used for the best purpose. Mr. Buono's comments were submitted in writing for the record.

Edward F. Ritter, 20795 N.W. Wahula Court, Portland, said he was very concerned about heavy traffic and the safety of children bussing to school if WTRC were built in the Rock Creek area. He said the site being proposed for the Rock Creek area was inappropriate for the same reasons the one proposed to be built near the future Nike headquarters was deemed inappropriate.

Richard Peters, 163 S.E. Crestview Drive, Hillsboro, distributed a written statement to the Council from Tri-County Concerned Citizens. Mr. Peters raised the same points addressed by the previous testimony of Keturah Brown.

Chris Van Dyke, representing Nike, 3900 S.W. Murray, Beaverton, testified Nike had been exploring the possibility of building a world corporate headquarters in order to consolidate its physical plant. Property was purchased near Murray and Jenkins Road last fall for this purpose, he explained, but plans were put on hold when Nike learned of Metro's proposal to site a transfer station in that area. Mr. Van Dyke explained as a result of Nike's concerns, Metro dropped consideration of siting a transfer station near Murray and

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Jenkins Road and proposed sites in the Sunset Corridor area. He said that although he appreciated the difficulty of the siting process, he still took issue with some of the criteria used by the WTRC Advisory Group to recommend sites, particularly that of the 7-mile radius from the central location of waste generation because of potential negative long-range impacts on economic development. In conclusion, he requested the Council reconsider its siting criteria in an effort not to discourage development of a valuable economic resource.

Norm Price, 15098 S.W. Barcelona Way, Beaverton, representing Reser's Fine Foods, supported the statements made by Mr. Van Dyke and the position of the Sunset Corridor Association. He said had the transfer station been sited in the two areas originally proposed, Reser's could have suffered considerably. He said in the minds of Reser's consumers and government inspectors, the image of garbage on the table would have been much worse than the notion of garbage in one's back yard.

Peter Gray, P. O. Box 3066, Portland, representing the Beaverton Area Chamber of Commerce, distributed written testimony to the Council. He stated the Commerce believed that siting WTRC was good public policy and that Metro deserved support in its efforts. However, he said, because of the negative aspects with the sites recommended, Metro should alter its criteria and more closely examine the issues of transportation impacts and land use compatibility.

Rodney Adams, 4500 S.W. Hall Boulevard, Beaverton, representing Eager Beaver Transfer Service, shared the concerns expressed earlier by Keturah Brown and Richard Peters. In addition, he urged the Council to carefully consider the comments made by key business people at this meeting, explaining these people represented the cream of Oregon's economic base.

Lloyd B. Rosenfeld, 4500 S.W. Downs View Court, Portland, President of Sea-Port Industry Group, read a letter he distributed to each Council. He said siting a transfer station at the proposed Cornelius Pass site would not only have serious negative impacts on Sea-Port's development plans, but would have even more serious impacts on the development potential of the Sunset Corridor. He concurred with previous testimony of business leaders and urged the Council to consider more reasonable alternatives.

Deputy Presiding Officer Waker announced Governor Victor Atiyeh had addressed a letter to Metro's Presiding Officer indicating support of Mr. Rosenfeld's position and that of other Sunset Corridor business leaders.

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Scott Schmid, 5855 S.W. Elm, Beaverton, asked if Site N were to be reconsidered at a later time, would another public hearing be required. Deputy Presiding Officer Waker said the Council would schedule another public hearing if that were to occur. Councilor Oleson added that adoption of the resolution now before the Council would not preclude consideration of new sites.

Dick Porn, 4930 N.W. 187th, Portland, Managing Director of Lansing Property Corporation, developer and owner of properties within the Sunset Corridor, and former Director of the Economic Development Department, State of Oregon, testified regarding the same concerns expressed earlier by Mr. Van Dyke of Nike. He stressed the importance of preserving the Sunset Corridor for the best economic development opportunities.

Mrs. G. Tunger, Route 5, Box 300, Hillsboro, explained she was a small land owner who had purchased property 13 years ago for retirement income. She said a transfer station in her neighborhood would diminish her property values and the beauty of the environment.

Maurine Warneking, 12835 N.W. Laidlaw Road, Portland, Chairman of CPO7, testified there was strong opposition to the proposed Cornelius Pass and Sunset Highway site at two recent CPO7 meetings. She said no decision should be made that would be detrimental to the attractiveness and economic development potential of the surrounding area. She urged the Council to consider alternate sites.

Paul H. McGilvra, P. O. Box 7, Forest Grove, President of Times-Litho and the previous owner of Site 59, thought the Roseway Nursery site was the most suitable location for the transfer station. The site was smaller, he said, but it could handle the needs of central Washington County. Another station could be sited in Forest Grove.

John Carroll, 4129 S.W. Greenleaf Court, Portland, representing Prendergast & Associates, said his company had recently purchased 250 acres in the Sunset Corridor for the purpose of developing a quality, high-tech industrial park. He explained that 120 acres of the property was subsequently sold to Fujitsu. Fujitsu was in the process of constructing phase one of their expansion plan which would, over the years, supply thousands of jobs, he said. Mr. Carroll said Fujitsu, in initial purchase negotiation, had expressed concern over environmental quality and the possibility of a solid waste transfer station being sited in the Sunset Corridor would be an awful signal to send to them. He requested the Council explore other sites.

Drew M. Snodgrass, 5734 N.W. Deschutes Drive, Portland, representing a group of Rock Creek homeowners, said the group wished to go on

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record as being totally against the selection of the site on Cornelius Pass Road. That site was not suitable because it would contribute to traffic congestion, was too near residential development, and would cause odor problems, he said. He requested the Council only consider sites away from high density commercial and residential development.

There being no further testimony, Deputy Presiding Officer Waker closed the public hearing. He summarized comments received as follows: 1) concern about impact on economic development; 2) a regional landfill should be sited before locating a transfer station; 3) the transfer station should be sited outside the Urban Growth Boundary near North Plains; 4) the 7-mile limit was an improper criteria; 5) Metro should change the method by which it builds and operates the station; and 6) concern about traffic impacts. The Deputy Presiding Officer then gave the Council an opportunity to ask questions of testifiers, staff and the Advisory Group.

Regarding Site 59, Councilor Kelley asked to what extent the area had already been developed to serve a potential transfer station and other development. Ross Van Loo, Washington County Planning Department and member of the WTRC Advisory Group, responded to the question. He said operating developments near the site included Riviera motors, Fujitsu and the Rock Creek subdivision. All three development were less than a mile from Site 59, he said. Urban services were available to the site and it was assumed that Croney Road would eventually be realigned to the north opposite to where Rock Creek Boulevard entered Cornelius Pass Road. John Carroll added that his company was also in the process of developing two technology centers across Evergreen Parkway from the Fujitsu development.

Councilor Oleson asked the Advisory Group and staff to respond to numerous comments that the transfer station should not be sited until a new regional landfill was located.

Ms. Wexler reported the center of waste generation and landfill locations were subject to separate criteria. Transfer stations were located close to waste generation centers because it was economically efficient for haulers, who worked within waste generation centers, to transport waste to the centers. Landfills, however, were sited away from developed areas because they required large parcels of land and were subject to specific geotechnical criteria, Ms. Wexler explained. Beth Mason, Advisory Group member, added that if stations were too far away from waste generation centers, the public wouldn't use them and haulers' increased transportation costs would be passed on to customers. She also explained that the 7-mile radius was calculated in air miles, not road surface miles.

Councilor Oleson asked staff to explain how the Advisory Group arrived at the criteria for requiring a transfer station to be sited within seven miles of the center of waste generation. Ms. Wexler said the criteria was determined based on feasible transportation costs.

Councilor Gardner explained that transfer centers were designed to improve the efficiency of the solid waste system. Labor and transportation costs could be substantially reduced by siting stations near waste generation centers. Landfills, however, were much more difficult to site and as such, tended to be located away from population centers.

Gary LaHaie, Advisory Group member, said he wished to present a minority opinion on site recommendations. He said most of the comments heard earlier were in opposition to Site 59, some were opposed to Site 56 but none were opposed to Site 56 South, the smaller portion of Site 56. At earlier meetings, staff had expressed some opposition to Site 56 South because it was too small, especially if recycling efforts were to be expanded. Mr. LaHaie said the site would not require condemnation, was usable, was bounded by rail, had excellent highway access and was near the center of waste. Also, because the site was publically owned, Metro would be adding to the area's tax base. Any problems with the site were engineering problems and not political problems, he said. In conclusion, Mr. LaHaie strongly advocated the Council add Site 56 South as the third site for future negotiations in order the keep options open.

John Maddocks of Floating Point Systems said the testimony he delivered earlier to the Council in opposition to Site 56 also included the south portion of that site. He said the Advisory Group had never presented Site 56 South for public discussion. The subject was introduced at the Group's last meeting, he said, but no public testimony was permitted. Mr. Maddocks said no negative testimony had been received on the subject because none had been solicited.

Chuck Ruttan, representing Emkay Development Company, said he opposed the designation of Site 56 South.

In response to Councilor Gardner's question, Ms. Wexler explained that access to the entire Site 56 parcel was from the Tualatin Valley Highway at 160th. Discussions with a design firm regarding access the north portion of the parcel revealed several possibilities, one including use of the railroad underpass. Staff had received a letter from Burlington Northern Railroad expressing concern about the safety of using a underpass, she said. The other option would be to route traffic over the railroad track, crossing

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it twice. This, she explained, would require securing regulatory permits. Railroad track could also be realigned but that issue had not be resolved with the railroad, she said.

John Maddox said access via 160th would not be appropriate: it was a two-lane road passing through a heavily residential area and already heavily trafficked. It said it was wrong for staff and the Advisory Group to mislead the Council regarding the nature of that access, he stated.

There being no additional questions from the Council. Deputy Presiding Officer Waker asked the Council if they were prepared to make a decision at this meeting on designating sites for the future transfer station.

Councilor Van Bergen said that to defer action on the Washington County transfer station would be to deny a needed regional service. The process had been fair and thorough and he advised the Council proceed with the question on the table.

Deputy Presiding Officer Waker asked Mr. Van Bergen, the maker of the motion to amend the Resolution, if he agreed with Mr. LaHaie that Site 56 South would be included under Site 56. Councilor Van Bergen said he was concerned about whether the public had been granted the opportunity to comment on Site 56 South.

Eleanore Baxendale, General Counsel, said she understood that when Site 56 was considered, all or parts of the site were up for discussion. Those speaking against Site 56 at this meeting, for example, had stated their comments included Site 56 South. The resolution before the Council would not exclude consideration of Site 56 South. The Council could, however, solicit additional public comment on that portion of the site, she said.

Councilor DeJardin, addressing the issue of economic impact of the transfer station, explained that a small shopping center was located near the Clackamas Transfer & Recycling Center. Merchants had suffered losses when the Oregon economy had taken a downturn, but the center was now doing very well. He said the merchants succeeded because of their business leadership and creativity, not because a transfer station was located nearby. Councilor DeJardin said because the Sunset Corridor business community contained even more talented leadership, the presence of a transfer station in that area would not diminish the area's potential.

An unidentified man thought Councilor DeJardin's comments were unfair because the shopping center he mentioned was further away from CTCR than the Sunset Corridor businesses would be from the proposed WTRC.

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In response to Councilor Kelley's request for more information, Ms. Baxendale explained that condemnation could only be instituted if the Council adopted a resolution to do so. She said before that occurred, the Council must adopt a resolution authorizing purchase of the property.

Councilor Kelley then requested staff examine the impact on existing businesses surrounding potential sites. She also requested staff investigate the issue of multiple ownership of potential sites.

In response to Councilor Oleson's question, Dan Durig said the adoption of the resolution now before the Council would not preclude consideration of new sites brought to the attention of staff.

Vote: A vote on the main motion made previously by Councilors Hansen and DeJardin to adopt Resolution No. 85-591 resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kirkpatrick, Kelley, Oleson, Van Bergen and Waker

Absent: Councilors Cooper, Kafoury, Myers and Bonner

The motion carried and Resolution No. 85-591 was adopted as amended.

There being no further business, Deputy Presiding Officer Waker adjourned the meeting at 9:35 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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