

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

January 9, 1986

Councilors Present: Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Also Present: Rick Gustafson, Executive Officer

Staff Present: Don Carlson, Eleanore Baxendale, Gene Leo, Kay Rich, Dan Durig, Dennis Mulvihill, Doug Drennen, Norm Wietting, Randi Wexler, Dennis O'Neil, Jim Shoemake, Randy Boose, Vickie Rocker, Jill Hinckley, Peg Henwood, Mary Jane Aman and Ray Barker

Presiding Officer Bonner called the meeting to order at 5:30 p.m.

1. ELECTION OF 1986 COUNCIL OFFICERS

Motion: Councilor Kafoury nominated Councilor Waker for the position of Presiding Officer. Councilor Kirkpatrick seconded the motion. Councilors Kelley and Hansen moved the nominations be closed.

Vote: A vote on the motion to elect Councilor Waker resulted in:

Ayes: Councilors Cooper, DeJardin, Hansen, Kirkpatrick, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Gardner, Myers and Oleson

The motion carried and Councilor Waker was elected to the position of Presiding Officer.

Motion: Councilor Kirkpatrick moved to nominate Councilor Gardner to the position of Deputy Presiding Officer. Councilor Kafoury seconded the motion. There were no other nominations.

Vote: A vote on the motion to elect Councilor Gardner resulted in:

Ayes: Councilors Cooper, DeJardin, Hansen, Kirkpatrick, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Gardner, Myers and Oleson

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The motion carried and Councilor Gardner was elected to the position of Deputy Presiding Officer.

Being newly elected, Presiding Officer Waker assumed chairmanship of the meeting.

2. INTRODUCTIONS

None.

3. COUNCILOR COMMUNICATIONS

Councilor Bonner reported he had received 24 letters in opposition to the Washington Transfer & Recycling Center (WTRC). He requested the Clerk notify those parties of the results of tonight's meeting.

Councilor Kelley said she had attended a recent Beaverton City Council meeting at which WTRC was discussed. She reported the Council reached a decision before hearing the testimony. Councilor Kelley submitted written testimony for the record from Judy Tedrick, explaining Ms. Tedrick would have presented the testimony before the Beaverton City Council if given the opportunity.

Presiding Officer Waker announced Councilor Bonner had resigned from his position as Councilor representing District 8.

Motion: Councilor Kirkpatrick moved the Council declare a vacancy in District 8 effective midnight, January 9, 1986, and that the Council follow the procedures and timeline for filling the vacancy as outlined by the Council Assistant in his memo to the Council dated December 31, 1985. Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Bonner, Cooper, DeJardin, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen and Waker

The motion carried.

4. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Gustafson referred Councilors to the written Monthly Report which outlined the status of projects and activities.

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The Solid Waste Reduction Program was delivered by the Department of Environmental Quality on December 31.

The Golden Monkey Exhibit will open in Seattle on February 8. The Executive Officer explained Gene Leo would be discussing the nature of Metro's participation with the Presiding Officer and other Councilors. After the Seattle opening, the Chinese delegation would travel to Portland to participate in receptions and other activities.

Clackamas Transfer & Recycling Center (CTRC) Annual Report.

Dan Durig presented the third CTRC Annual Report document to Councilors. He said the report was required under the provisions of the land use permit granted by the city of Oregon City. Staff and Councilor DeJardin would present the report to the Oregon City Planning Commission on January 28, he said. The report discussed solid waste volumes and progress on siting WTRC and a regional landfill.

In response to Councilor Hansen's question, Mr. Durig explained it was difficult to monitor the success of the CTRC litter control program because it had not been documented how much litter existed in the area before CTRC was constructed.

Legal report. Eleanore Baxendale reported two Oregon solid waste collection companies, Evergreen and ABC, challenged the ordinance recently adopted by the Council which restricted the use of the St. Johns Landfill to haulers collecting inside the Solid Waste Planning Area. She explained their suit made two allegations: 1) they had not been provided the same credit opportunities as other companies because they brought waste from the state of Washington, and 2) they wanted the ordinance invalidated because it either violated the Interstate Commerce clause or because the St. Johns Landfill was dedicated for use by all members of the public, not just the local public. She reported the companies had asked for an injunction which was set for a hearing on January 23. They had also requested Metro consider delaying the effective date of the ordinance until after the injunction hearing. Ms. Baxendale reported that Solid Waste Department staff did not recommend a delay. However, if the Council did want to extend the effective date, an emergency ordinance amending the current ordinance could be adopted but the extension would have to apply to all other parties, not just Evergreen and ABC. Finally, Ms. Baxendale said the two companies were requesting compensation for damages and the amount of their request did not appear to be warranted.

5. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

7. APPROVAL OF MINUTES

Motion: Councilor Gardner moved the minutes of November 14, November 26, December 5 and December 12, 1985, be approved. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Bonner, Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen and Waker

The motion carried and the minutes were approved.

8. ORDERS

8.1 Consideration of Order No. 86-5 in the Matter of Contested Case No. 84-2, a Petition for an Urban Growth Boundary Locational Adjustment by Portland General Electric, et al

The Presiding Officer declared that because his company performed work for PGE, he would not participate in the voting process for Order No. 86-5, but he would chair the proceedings.

Jill Hinckley said she had no new information to present to the Council since it last considered this item. She explained the Council first heard the item on November 26, 1985, and the motion to adopt the Order had resulted in a tie vote.

Councilor Kafoury explained that although she had not attended the November 26 Council meeting, she had reviewed all written materials and had listened to tapes of the November 26 meeting. She declared herself fully informed on the matter and qualified to vote on proposed actions at this meeting.

Motion: Councilor Kafoury moved to adopt Order No. 86-5 and Councilor Hansen seconded the motion.

Motion to Amend: Councilor Oleson moved, seconded by Councilor Hansen, to amend the main motion by adding the following two paragraphs to the Order:

"3. That the Council further recommends the refiling of the application as a trade under M.C. 3.01.040(c). Such a revised application would be much more likely to receive favorable action. The applicant has already demonstrated that the land is irrevocably committed to non-farm use and, therefore, the first criterion for a trade is satisfied. If the land proposed for removal meets the second criterion, regarding size, then the applicant's only remaining burden would be to satisfy the third criterion by demonstrating that the land proposed to be added is more suitable for urbanization than the land to be removed, based upon the applicable standards.

"4. That the July 1 deadline established in M.C. 3.01.020(a) is hereby waived, pursuant to M.C. 3.01.020(b), for any petition refiled by PGE and co-petitioners requesting a net addition of ten acres or less of vacant land, including the subject property."

Councilor Oleson explained he proposed this amendment in an effort to adopt a document that would reflect the majority view and, at the same time, give the petitioner specific direction. He urged supporting the amendment because of the exceptional nature of the petition. A great number of public and quasi-public dollars were at stake, he said.

Councilor Kirkpatrick asked Counsel if, by supporting the amendment, the Council would be obligated to accept a proposed land trade. Eleanore Baxendale explained the amendment would not commit Metro to accept any proposal and that each proposal would be evaluated on its individual merits.

Vote on Motion to Amend: A vote on the motion resulted in:

Ayes: Bonner, Cooper, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, and Oleson

Nays: Councilors DeJardin and Van Bergen

Abstain: Councilor Waker

The motion carried.

Vote on the Main Motion: The vote resulted in:

Ayes: Councilors Bonner, Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers and Oleson

Nay: Councilor Van Bergen

Abstain: Councilor Waker

The motion carried and Order No. 86-5 was adopted as amended.

9. RESOLUTIONS

9.1 Consideration of Resolution No. 86-616, for the Purpose of Amending the Metro Budget and Adding an Analyst 1 Position to the Solid Waste Budget

In response to Presiding Officer Waker's question, Dan Durig explained the additional Analyst 1 position would be needed to carry out responsibilities of the Solid Waste Reduction Work Program. Specifically, the position would be responsible for developing recycling markets, using rate incentives to encourage recycling, and assisting local governments with the certification program.

Motion: Councilor Kafoury moved Resolution No. 86-616 be adopted and Councilor Kirkpatrick seconded the motion.

Councilor Kelley said she thought all language referring to a "local government certification program" had been removed from the Solid Waste Reduction Program. Mr. Durig explained it was unknown at this time whether certification of local government collection programs would be required, but language would be used that was consistent with that of the Solid Waste Reduction Program.

In response to Councilor Kirkpatrick's question, Mr. Durig said due to staff vacancies, enough remained in the Personal Services fund to pay for the position through the end of the fiscal year.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen and Waker

Absent: Councilors Bonner and Gardner

The motion carried and Resolution No. 86-616 was adopted.

9.2 Consideration of Resolution No. 86-613, for the Purpose of Appointing Solid Waste Industry Members to the Solid Waste Policy Advisory Committee (SWPAC)

Ray Barker explained the SWPAC By-Laws were amended last June to change the composition of the Committee. This Resolution appointed

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four industry members to represent landfill operators, commercial collectors, residential collectors and recyclers. The only reappointment recommended was Gary Newbore who represented landfill operators.

Motion: Councilor Kirkpatrick moved the Resolution be adopted and Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Councilor Bonner

The motion carried and Resolution No. 86-613 was adopted.

9.3 Consideration of Resolution No. 86-617, for the Purpose of Selecting a Tax Measure Option and Adopting Related Financial Policies

Presiding Officer Waker explained Councilor Kirkpatrick had been appointed by the former Presiding Officer to chair a committee to recommend a Metro tax measure proposal for the May election. He then requested she present her report to the Council.

Councilor Kirkpatrick reported that in order to make a recommendation regarding Metro's long-range financing, the Committee reviewed summaries of meetings regarding long-range finance issues held earlier in the year with over 100 local government officials, state legislators and other individuals. She also polled Councilors and staff regarding their preferences on the issue. She then met with the Friends of the Zoo (FOZ) Board. As a result of the FOZ meeting, she requested the Council consider an amendment to delete the seventh "WHEREAS" clause of the Resolution. Councilor Kirkpatrick reported the FOZ Board requested the Council delete this clause until they had an opportunity to see the actual ballot title and related ordinance. FOZ would then meet on February 3 to discuss their recommendation further. The Clerk distributed amended versions of Resolution No. 86-617 as proposed by Councilor Kirkpatrick.

Motion: Councilor Kirkpatrick moved to adopt the revised version of Resolution No. 86-617 which she said discussed the philosophy for Metro's May tax effort. Councilor Kafoury seconded the motion.

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Executive Officer Gustafson strongly supported the passage of the Resolution. He noted the great amount of time and effort expended by Councilors to develop a process for soliciting input regarding course Metro should take, the process of informal meetings with public officials and citizens, and the public hearing last November. He thought the resolution now before the Council accurately reflected the general feelings of all parties from which input was solicited and provided the opportunity for stable financing.

Presiding Officer Waker reported he and Councilor Oleson had conducted a number of meetings and heard a variety of suggestions on long-term financing. He said the issue before the Council was difficult because both the Zoo and the Metro government required a stable financial base. He said he supported the Resolution.

Councilor Oleson said, based on the meetings he attended, he got the strong sense that a combined levy would be the most politically realistic option and questioned why a tax base measure was being recommended.

Councilor Kirkpatrick responded a three-year serial levy would not establish long-range financial stability for Metro. She said it seemed apparent there was enough support to go for the philosophically correct option of a tax base on the first ballot. In answer to Councilor Oleson's question, she said she did not think a second ballot would be required if everyone was united and worked hard for the tax base passage. Homeowners would see an actual drop in their tax bill based on this proposal, she explained.

Councilor Oleson again stated the clear direction he got from those attending tax advisory group meetings was that "a half loaf was better than no loaf" but he also understood what Councilor Kirkpatrick was saying. Presiding Officer Waker added that the Council had received clear direction from the Governor to seek a tax base.

Councilor Kafoury reported there were conflicting opinions in her advisory group meetings, but she balanced those opinions with the strong statement made by a number of respected people at her meetings that it was time for Metro to move forward and take bold action in a legitimate and deliberate way. She said Metro had performed a very credible job in operating the Zoo for the last several years, an accomplishment for which Metro could take full credit. She said she no longer agreed with the criticism Metro was piggybacking onto a popular effort to the Zoo's detriment and Metro's credit. She thought many people in the community were now looking for Metro to demonstrate some strong action.

Councilor Kelley said she had also served on the tax measure committee and had listened to all the issues. Those attending the advisory group meetings she had sponsored did not support piggybacking with the Zoo because it would be considered divisive. The group participants advised spending time to inform the public about financing issues and to bring a measure before the voters in November. Councilor Kelley explained many people in her district were concerned about tax increases that would result from a tax base measure and from probable annexation. Until Metro could justify an increase in the cost of regional government services, Councilor Kelley said she, other elected officials from her district and her constituents, could not support a tax base measure.

Councilor Oleson said a tax base measure would not result in a tax increase, but the key issue for him was whether the Friends of the Zoo would actively support the proposal. Councilor Kirkpatrick responded that when the Friends met two nights ago, they did not take action to support the Resolution. She said it was her sense there would be good support from FOZ. She explained it would be difficult to state on FOZ's behalf that the Board would support the measure, but she said she knew of Board members who, as individuals, would lend strong support to the tax base. She said some Board members had already asked if they could serve on the campaign steering committee.

In response to Councilor Oleson's request for the Zoo Director's comments on this issue, Gene Leo said Councilor Kirkpatrick had accurately reported the sense of the FOZ meeting. More would be known on a FOZ position after their February 3 Board meeting, he explained.

Councilor Kirkpatrick spoke to Councilor Oleson's concern by saying Metro could not gain voter approval for a tax base measure unless all parties - Councilors, FOZ, Zoo and downtown Metro staff - were united on the issue.

Councilor Gardner said Councilor Kirkpatrick's comments illustrated Metro's largest task if the tax base were to pass: getting the message out and making it very clear to the voters that the tax base actually represented a decrease in the current level of Zoo taxes.

Councilor Kelley advised spending time to clarify funding issues. She questioned whether it was valid to say the base would mean a tax decrease for the Zoo when Metro would have to go back to the voters to gain financing for capital projects. She again asserted a tax base would result in a tax increase and said there was currently no tax for general government services. She advocated continuing the arrangement of charging users for specific services.

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Executive Officer Gustafson explained a tax increase would not result if fees for services, specifically solid waste disposal services, were returned by lowering disposal rates.

Councilor Kelley said she would oppose the Resolution because not enough time had been spent discussing the issues involved.

Councilor Van Bergen said he intended to support the tax base resolution, but was concerned with the attached budget outlined in Exhibit A. He questioned the wisdom of promising the public how the tax base funds would be allocated on a long-term basis when the District's priorities could change.

Councilor Kirkpatrick agreed it would be simpler to administer tax base funds without restrictions, but she said the budget was added in order to gain more support for the tax base.

Presiding Officer Waker opened the public hearing on the Resolution. There being no public testimony, he closed the public hearing.

Vote: A vote on the motion to adopt Resolution No. 86-617 resulted in:

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

Nays: Councilors Kelley and Myers

Absent: Councilor Bonner

The motion carried and Resolution No. 86-617 was adopted.

Councilor Myers said he voted against the Resolution because he had strongly preferred the option of a Zoo tax base.

9.4 Consideration of Resolution No. 86-618, for the Purpose of Establishing a Task Force to Define Problems and Solutions Related to Household Waste Containing Hazardous Materials and Small Quantities of Hazardous Waste Legally Permitted in the Municipal Waste Stream

Dennis O'Neil discussed the history of disposal of hazardous materials and the need for establishing a task force to recommend guidelines for disposal of these materials.

Councilor Hansen said he supported the Resolution and suggested a Metro Councilor be represented on the task force.

Motion: Councilor Hansen moved to adopt Resolution No. 86-618 and Councilor Kafoury seconded the motion.

Motion to Amend: Councilor Hansen moved to amend the main motion to include provisions for a Metro Councilor on the task force. Councilor Kafoury seconded the motion.

Vote on the Motion to Amend: A vote resulted in:

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

Absent: Councilor Bonner

The motion carried.

Vote on the Main Motion: A vote resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Myers, Oleson, Van Bergen and Waker

Abstain: Councilor Kelley

Absent: Councilor Bonner

The motion carried and Resolution No. 86-618 was adopted as amended.

Presiding Officer Waker called a recess at 6:50 p.m. The Council reconvened at 7:05 p.m.

9.5 Consideration of Resolution No. 86-614, for the Purpose of Designating an Additional Site for the Washington Transfer & Recycling Center (Champion Wood Products Property)

Presiding Officer Waker announced this Resolution, if adopted, would add the Champion site to the list of sites the Council would take into consideration for selection of a transfer station in Washington County. He explained that at the Council meeting of September 12, 1985, the Council determined the Champion site should be deleted from consideration because at that time it was an operating business. It was also determined if a business should cease to operate at the site it could be considered again by the Council and that a public hearing would be part of the consideration process. This hearing, he said, was taking place because the Champion site was again vacant. Presiding Officer Waker said he would limit public testimony to five minutes per person.

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After introducing members of the WTRC Advisory Group (Carl Miller, Steve Baker, Merle Irvine, Gary LaHaie, Shirley Coffin, Tim Davison, and Ross VanLoo), Randi Wexler presented staff's report as outlined in the meeting agenda materials. She also announced the Council would meet on January 16 to consider a final site for the WTRC. Ms. Wexler described the Champion site, its proximity to the projected center of waste generation, and its zoning compatibility with the WTRC project. She reviewed access routes to the site, explaining access was excellent and traffic impacts would not be significant. Finally, she explained that of all the property considered for the transfer station, this site was furthest away from residential areas. She referred Councilors to an arial photograph which illustrated the site's characteristics.

Gary LaHaie of the WTRC Advisory Group reported the Group had rated the Champion site most suitable for the transfer station. Although no site was perfect, this site was most suitable because of its compatibility with existing surroundings and its distance from residential areas, he explained.

Councilor Kelley asked staff to review projected traffic impacts if WTRC were sited in the area. Ms. Wexler reported 300 vehicles a day were projected to use the facility and all the vehicles would eventually travel to the Champion site via Western Avenue. She said in 1983 the average daily traffic traveling on Allen Boulevard was 10,830 vehicles.

In response to Presiding Officer Waker's question, Ms. Wexler said staff was investigating whether some traffic could be diverted from Western Avenue to a now vacant site that could provide a second access off of 107th Avenue.

In response to Councilor Oleson's question about the impact of traffic on Scholls Ferry Road, Ms. Wexler replied that about nine vehicles a day were projected to use Scholls Ferry Road.

Presiding Officer Waker opened the public hearing on Resolution No. 86-614.

Vickie Gerome, Chairperson, Royal Woodland's Neighborhood Association, asked all residents of the neighborhood to stand so the Council could see the numbers of people she was representing. She said many residents not able to attend the meeting had sent letters of concern to the Council. She testified residents had raised concerns about siting the WTRC at the Champion site mainly due to negative impacts of increased traffic on arterial roads. She was also concerned about the potential for litter being generated from uncovered garbage trucks. Finally, Ms. Gerome criticized the public

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meeting process, noting the preparation time for this hearing was shorter than for those of the other sites. She did not see how staff could, in one day, review the public comments received at this meeting and make a recommendation for the January 16 Council meeting. She questioned whether staff already knew which site they would recommend for the WTRC.

Marvin Fjordbeck, 800 Pacific Building, Portland, an attorney representing the Beaverton Industrial Park Association, a group of 17 area businesses, testified building the transfer station at the Champion site would be a mistake Metro should avoid. In a written report distributed to the Council, the Association pointed out the site was not suitable because the operation would not be sufficiently buffered from its surroundings, the transfer station would not be compatible with surrounding land uses, traffic access and congestion problems would occur, and the facility would have an adverse effect on property values in the area. He said the Beverly Hills, California, transfer station was a good example of a facility built in an unsuitable area. Beverly Hills officials had advised him it would have been preferable to build the transfer station in an undeveloped area and let industry develop around the facility. Mr. Fjordbeck also questioned whether the "center of waste study" actually existed since he had requested a copy and had not received one.

In response to Councilor Myers question about the "center of waste study," Ms. Wexler explained a former solid waste staff person had prepared computer data just prior to leaving the agency. Because of staff shortages, the data had never been compiled into report form although the data was available for examination. She also explained the proximity of a site to the center of waste was only one of eight criteria reviewed by the WTRC Advisory Group.

At Councilor Kelley's request, Mr. Fjordbeck identified on the aerial map other businesses adjacent to the Champion site including NIKE, Georgia Pacific, American Forest Products, Weyerhaeuser, Greenwood Inn, Chrysler Corporation, Waremart, Kaiser, a schoolbus facility, a beer distributor, city of Beaverton operations facility, and retail stores. Councilor DeJardin pointed out some of those businesses were similar to the proposed transfer station because they involved transport by truck. Duane Moore, a colleague of Mr. Fjordbeck, explained that although some businesses were of the distribution nature, the new businesses developing in the area were of a high technology nature.

Councilor Cooper noted a letter distributed to Councilors from a citizen concerned that property values would decrease if WTRC were sited in the area. He asked Mr. Moore if he knew of any study that

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would back up this claim. Mr. Moore said no appraisals had been done. Councilor Cooper said he thought too much had been made of the property value issue especially because the transfer facility was not the same as a garbage dump.

Chuck Cota, Cushman & Wakefield of Oregon, 111 S.W. Fifth Avenue, Portland. Mr. Cota testified Kate Gordon, real estate director, for U.S. Plywood which owned the Champion site, was ill and could not attend the hearing. Ms. Gordon had asked Mr. Cota to inform the Council that U.S. Plywood was opposed to condemnation of its property for use as a transfer station. Ms. Gordon had indicated her objections to Metro staff verbally and in a letter to Daniel Durig dated August 27, 1985, he said.

Councilor Oleson asked if U.S. Plywood was trying to sell the Champion property. Mr. Cota said he was authorized to state that Ms. Gordon thought the condemnation threat was interfering with the sale of the property to a user for which the site was designed.

David Judkins, Real Estate Manager, Weyerhaeuser Company, Tacoma, Washington. Mr. Judkins stated Weyerhaeuser owned property adjacent to the Champion site where it conducted a wood products distribution business. His company, he said, was a prospective purchaser of the Champion property and was looking to expand its operations. Mr. Judkins then distributed and read a letter from Kate Gordon, U.S. Plywood, dated January 7, 1986. The letter explained the relationship between Weyerhaeuser and U.S. Plywood. He urged the Council to retain their previous position of considering the Champion site an operating business and not selecting it for use as a transfer facility site.

In response to Councilor DeJardin's questions, Mr. Judkins said if Weyerhaeuser acquired the site they would store some lumber outside the main building. Distribution trucks would make about 20 trips a day, he said.

David Zimel, Mercury Development, 338 N.W. 5th Avenue, Portland, testified Mercury Development had just completed the Western Avenue Business Park project on property adjacent to the north boundary of the Champion site. Because the Western Avenue building was less than 50 yards from the Champion building and because the two facilities were not what Mr. Zimel considered to be compatible uses, he urged the Council not to approve the site for further consideration. He then read portions of the Mercury Development report which discussed the Beverly Hills Transfer Station. Those operating the Beverly Hills station had stated the transfer station was experiencing problems because it was no longer compatible with the upgraded surrounding area. The report stated the facility would

probably be relocated in the near future. Mr. Zimel urged the Council not to make the same kind of mistake by siting the WTRC at the Champion site.

Brian Ratty, President, Media West, Western Avenue, Portland. Mr. Ratty testified his company relocated to the Western Avenue site in 1984 because of a desire to improve conditions. Mr. Ratty said if WTRC were sited at the Champion site, less than one block from Media West headquarters, his company could experience problems in presenting a desirable image to clients. He did not think the transfer station was compatible with other businesses in the area.

Forrest Soth, Councilor, city of Beaverton, reported the Beaverton City Council had recently adopted a motion which reiterated its previous unanimous opposition to the use of the Champion site for the proposed WTRC. The Council also reaffirmed its opposition to the 160th Avenue site, he said. Councilor Soth said he was authorized by the Beaverton City Council to speak to the Metro Council on these matters. The Council's opposition, he said, was not based on emotional aspects, but were based on the following factual considerations of traffic and incompatibility of the transfer station with the surrounding area. In conclusion, Councilor Soth urged the Council to eliminate the Champion site from further consideration.

Regarding traffic impacts of the proposed facility, Presiding Officer Waker asked if it were true the changing nature of businesses, authorized by the City, had resulted in increased traffic in the area and that the City was making plans to provide for Allen Boulevard to be increased to five lanes. The Presiding Officer questioned whether traffic problems would exist whether or not WTRC were sited on the Champion property. Councilor Soth acknowledged Allen Boulevard needed improvements.

Presiding Officer Waker recalled that in 1982 the Beaverton City Council adopted a resolution which encouraged Metro to establish a conveniently located disposal site with public access. He asked Councilor Soth to recommend a site in Beaverton that would be better than the Champion property. Councilor Soth answered it was not the city of Beaverton's responsibility to provide Metro with a site. The City had, however, suggested some sites based on surface observations, he said, including two sites on the T.V. Highway. Transportation access would be superior at that location, he said.

Larry Bauer, representing the Mayor of Beaverton, testified the city of Beaverton's opposition to the Champion site in no way reflected any favor for the 160th and T.V. Highway site. He said the Council should reexamine the weighting of criteria for evaluating the

sites, particularly the center of waste issue and the importance of neighborhood use compatibility. He stated the City Council had voted unanimously in opposition to the Champion and T.V. Highway sites.

Mary Alice Ford, State Representative, opposed the Champion site because rather than being in the "centroid of waste," the site was in the centroid of Beaverton neighborhoods. She also questioned whether the site was suitable for the transfer station design because of the high water table. Representative Ford also discussed probable traffic problems that would result if the facility were sited on the Champion property. In conclusion, she said she preferred the T.V. Highway site.

Dick Pilatos, 5720 S.W. Elm, Beaverton, a Royal Woodlands resident of 21 years, testified he had talked to a Genstar employee at the Clackamas Transfer & Recycling Center (CTRC) about problems with the CTRC facility. The employee discussed problems with dust in the building because fans only operated once per hour and the automatic sprinklers had been disconnected. The employee also talked about problems with unidentified hazardous materials entering the facility and with rats scattering when loads were dumped at the facility. According to the information from Beaverton area meetings with Metro staff, no vector control program was planned for the WTRC, he said. Mr. Pilatos said area residents had heard rumors the Metro Council had already made up its mind about selecting the Champion facility for the transfer station. He also questioned whether Presiding Officer Waker should be voting on this issue due to his affiliation with Waker & Associates engineering firm and the Sunset Corridor Association.

Presiding Officer Waker said he was a founding member of the Sunset Corridor Association and that he had clients located near all sites being considered for the WTRC. The Presiding Officer stated he could render his best judgment regarding which site could best meet the needs of the Metropolitan Service District because of his extensive knowledge of the area.

Mr. Pilatos said staff had reported earlier the facility would be about 1,000 ft. from the Royal Woodlands neighborhood. He estimated it would take a rat about 15 minutes to travel the distance from the site to the neighborhood.

Finally, Mr. Pilatos said some citizens feared staff were not allowing the Council enough time to make a proper decision. He asked that more time be given if possible.

Councilor DeJardin said, based on his experience as a city councilor in Oregon City during the CTRC siting process, that Presiding Officer

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Waker showed courage in taking an active role on an issue that was important to the region.

Regarding the issue of rats, Councilor DeJardin explained that any location near bodies of water would have problems with rats. He pointed out that other businesses in the area, such as store and restaurant dumpsters, posed an equal threat to vector control. Finally, the Councilor said the Beaverton area would not be well served by the Metro Council if it did not make a responsible decision about solid waste disposal.

Brian Turrell, 6255 S.W. Elm Avenue, Beaverton, said he was concerned about the traffic, noise, pollution and rats the proposed facility would bring to the Royal Woodlands neighborhood. He said the neighborhood did not need the facility.

Richard Burnett, 5820 S.W. Elm Avenue, Beaverton, said many of his concerns had already been addressed by other testifiers. Although it could be difficult to prove that property values would decrease if WTRC were sited on the Champion site, he was sure potential buyers would be reluctant to purchase a home on any adjacent neighborhood. He said that although it had been explained the transfer station was not a garbage dump, it was still perceived as a dump by the general public.

Councilor Hansen, Councilor from North Portland, stated there was a substantial difference between a dump and a transfer station, as people in his Council district well knew. He explained that garbage from the Beaverton area was contributing to traffic in North Portland and it was time for Beaverton to take responsibility for its own garbage.

Cindy Schmid, 5855 S.W. Elm Avenue, Beaverton, distributed a written report to the Council which summarized the advantages and disadvantages of siting the WTRC facility at the various sites under consideration by the Metro Council. Ms. Schmid reviewed the written information and, in summary, stated the Champion site was least suitable for the facility. In response to her statement that the Cornelius Pass Road site was the one most preferred by haulers, Carl Miller, representing the solid waste collection industry on the WTRC Advisory Group, explained most of the industry preferred the Cornelius Pass Road site due to its good traffic access. He also addressed Ms. Schmid's concern about truck traffic on local roads by saying trucks would only drive on permitted roads. Trucks were currently denied access to many local roads, he explained.

W. H. Moore, 4100 S.W. 109th Avenue, Beaverton, Chairman of the Raleigh Hills/Garden Home Community Planning Organization, said the

COP strongly opposed the Champion site. Many of the group's concerns had been expressed previously, he said, but he especially opposed the site due to concerns about traffic congestion. He also questioned the validity of the five-year old center of waste generation study. Other concerns included rodent problems and incompatibility of the facility with surrounding uses.

In response to Councilor Gardner's question, Ms. Wexler explained the center of waste study was a projection of the waste generation center as of the year 2000. If projections were extended out another five years, the center would move about two to three blocks north, she said. The center was projected to be near the intersection of Farmington and 160th Avenue.

E. J. Ernster, 6700 S.W. Pinecrest Court, Beaverton, testified he opposed use of the Champion site for the WTRC and was in favor of the Cornelius Pass site. He was particularly concerned about traffic problems with the Champion site. He said city of Beaverton records showed two children had been killed in the past 15 years on Denny Road which was near the Champion site. He said there were no shoulders on many roads in the surrounding area. Mr. Ernster said a large Portland area realtor had done an analysis of his property and had concluded his property values would decrease 20 to 30 percent if a transfer facility to built at the Champion site. He questioned whether his property taxes would also be reduced if land values decreased.

In response to Councilor DeJardin's request, Mr. Ernster said he would contact the realtor and see if they would make a written statement about decreased property values. Councilor DeJardin requested they also provide the basis of their conclusion.

Ed Mottler, representing the Royal Woodlands Neighborhood Association, testified the Council had received many letters from concerned citizens and would likely receive more letters. He said that the Council should, by nature of the volume of mail received, recognize the concern expressed by citizens in that area.

James Langton, 5625 S.W. Cherry, Beaverton, testified his concerns had been addressed by previous testimony.

Greg Niedermeyer, 6470 S.W. Old Scholls Ferry Road, Portland, said he appreciated the Council's problem of siting a facility no one wanted in their neighborhood. He said his initial concerns about litter and rodent problems had been addressed, but he remained concerned about traffic problems because they had not been addressed to his satisfaction. The facility would be used by many local residents because of its convenience, and this would greatly

increase traffic in the area, he explained. He questioned whether Scholls Ferry Road would be able to handle increased traffic demands. Although staff had projected only 3 percent of traffic would use Scholls Ferry Road, Mr. Neidermeyer stated this estimate was too low because Scholls Ferry Road was a more convenient route. Finally, he said the traffic study done by Wilsey & Ham failed to consider traffic congestion on Allen Boulevard. In conclusion, Mr. Neidermeyer said the transfer facility could be expected to attract 208 percent traffic saturation beyond what would be expected for an industrial park.

Councilor Cooper asked what the neighborhood position would be when other planned development occurred which would also result in increased traffic. Mr. Neidermeyer said the problem was already serious but the transfer facility would double the traffic beyond what was anticipated. He was concerned that Allen Boulevard and Scholls Ferry Road would become a freeway if the facility were sited on the Champion property. Presiding Officer Waker took exception to Mr. Neidermeyer's final statement. Mr. Neidermeyer pointed out he had made that statement based on information contained in the Wilsey & Ham study prepared for Metro.

Adele Finch, 5190 S.W. Chestnut, Beaverton, testified she was particularly concerned about air quality problems created by exhaust fumes of increased traffic that would occur if the facility were built at the Champion site. She explained her mother and neighbors were already suffering negative effects of air pollution and she urged the Council to build the transfer station on a site with better air flow.

Gary Rhoades, 6390 S.W. Richey Lane, Portland, questioned staff's conclusion that most vehicles traveling to the Champion site would use Highway 217 and Allen Boulevard. He said most residential users of the facility would use other roads such as Old and new Scholls Ferry Roads. Although he supported the concept of a transfer station, Mr. Rhoades said he could not support siting the facility on the Champion property because of traffic congestion concerns.

There was no additional testimony from the public and Presiding Officer Waker closed the public hearing.

Ross Van Loo, a member of the WTRC Advisory Group representing the Washington County Planning Department, explained the Group had heard a number of similar comments about the potential for traffic problems over the last year and one-half. Mr. Van Loo explained traffic would continue to be a problem when all planned developments for the area were in place. Regarding neighborhood compatibility problems, he stated the facility was compatible per the city of Beaverton's

zoning plan. In addressing other concerns raised by those testifying, Mr. Van Loo said it had been proven odor would not be a problem with the transfer facility. Regarding the center of waste generation issue, he said it would be inefficient to site the station away from the projected center of waste. He also pointed out the waste generation center was only one of eight factors in determining a site's suitability. Finally, Mr. Van Loo said he resented comments made by some of the public that the Champion site was being recommended because it was the most politically expedient.

Councilor Van Bergen, representing the Milwaukie area, reported CTRC was a well managed facility. He said the region could not afford to wait for its road system to catch up with its garbage problem and as a body that represented the entire metropolitan area, the Metro Council had a responsibility to solve solid waste problems.

Councilor Kelley said she would support the Champion site because it had features the other sites did not. It was the furthest away from residential property and it provided a natural buffer area to residences. She requested staff prepare traffic circulation and vector control plans if this site were selected by the Council.

Motion: Councilor Kirkpatrick moved adoption of Resolution No. 86-614 and Councilor Kafoury seconded the motion.

An unidentified woman who lived in the Royal Woodlands neighborhood said she had attended many meetings on the WTRC. She said she got the feeling most Councilors had already agreed the facility would be built at the Champion site. She asked why the Cornelius Pass Road site was not being considered.

Presiding Officer Waker explained the Council had acted to place the Cornelius Pass Road site on the list of sites to be further considered for the WTRC facility. The Council was now deciding whether the Champion site should be placed on that same list. No final decision would be made at this meeting regarding which site to select for the WTRC, he said. The woman urged the Council not to recommend the Champion site due to traffic and noise problems.

Councilor Hansen said it was certainly not true the Council had made up its mind on the issue because he was still deciding which site would be most suitable for the project. He said the Champion site was not his first choice, but he would support the Resolution in order to provide another option in finding the best possible site for the facility.

Councilor Kafoury said she would support the Resolution. She said the site was not her first choice, but agreed with Councilor Hansen that there must be another option in Washington County.

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Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen,
Kirkpatrick, Kafoury, Kelley, Myers, Van Bergen and
Waker

Absent: Councilor Oleson

The motion carried and Resolution No. 86-614 was adopted.

Presiding Officer Waker reported the Council would meet on
January 16 to recommend a site or sites for final consideration. No
public testimony would be accepted at that meeting, he explained.
There being no further business, the meeting was adjourned at
10:15 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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