

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

March 27, 1986

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

Councilors Absent: Councilor Cooper

Also Present: Executive Officer Rick Gustafson

Staff Present: Don Carlson, Eleanore Baxendale, Vickie
Rocker, Dan Durig, Doug Drennen, Janet
Schaeffer, Mary Jane Aman, Jim Schoemake,
Dennis Mulvihill, Debbie Allmeyer, Andy
Cotugno, Phillip Fell, Wayne Rifer,
Jennifer Sims, Rich McConaghy, Ed Stuhr,
Keith Lawton, Steve Rapp and Becky Crockett

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

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

West Transfer and Recycling Center. Councilor Myers declared that his presence during the discussion about the transfer center would create a conflict of interest because his law firm did business with the owners of two proposed sites for the facility. He then left the room.

Presiding Officer Waker explained the purpose of this discussion was not to make a decision at this meeting about where the transfer station should be located. The Council would decide on a deliberation process to include a public hearing on April 8, 1986, at a location in Washington County, for the purpose of hearing testimony of the Governor's recommended site and the Cornelius Pass/Sunset Highway site.

Jerry Thompson, Chief of Staff for Governor Atiyeh, delivered a document to Councilors entitled "Washington County Waste Transfer

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Station: Alternative Site Report", prepared by the Governor's Washington County Transfer Station Task Force and dated March 27, 1986. Ms. Thompson addressed the Council on behalf of the Governor and explained why the Governor became involved in the process for recommending an alternative site for the transfer station. The Governor's concern, and the concern of many, she said, was that siting a waste transfer station in the Sunset Corridor would damage what had become a premier area for business development. She thanked the Council for delaying its actions and for allowing the Governor's task force of leading Washington County citizens the opportunity to investigate alternative sites for the facility. She also thanked Executive Officer Gustafson and Solid Waste Director Dan Durig for their assistance to the task force.

Ms. Thompson then described the task force's guidelines for investigating alternative sites: 1) only sites which were in substantial compliance with adopted Metro criteria would be considered; 2) no site which had been the subject of a Metro hearing and had been rejected would be considered; 3) a site would be selected from those offered to the task force; and 4) the task force would hold a public meeting on any site to be recommended to Metro. She explained the task force reviewed eight sites at its March 11 meeting. A site on the Tualatin Valley Highway at 209th Avenue was selected by the task force to be presented to the Metro Council and that site was recommended by Governor Atiyeh to the Council for further consideration.

Ms. Thompson described the recommended the TV Highway/209th Avenue site in more detail:

- * The size of the site was 8.26 acres, with an additional 1.17 acre to be added at the southwest corner;
- * The site was about four miles from the center of waste;
- * The site had a willing seller;
- * The site was designated as "industrial" in the Aloha Reedville Cooper Mountain Community Plan;
- * The property north of the site and across the highway was designated "office/commercial"; and
- * Property directly west of the site and across 209th was outside the urban growth boundary.

A public meeting was conducted by the Governor's task force to receive public comment on the TV Highway/209th site. The task force subsequently received testimony and reviewed four additional sites.

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The task force submitted its recommendation to Governor Atiyeh on March 25 and, based on Metro's criteria and concluded the site at TV Highway and 209th was an acceptable alternative site for the Washington Transfer and Recycling Center. Ms. Thompson said the Governor accepted the report and strongly recommended the site as the alternative to the site previously chosen in the Sunset Corridor. Although the task force identified a need for transportation improvements near the site, the Governor, through the Oregon Department of Transportation, would offer any assistance he could to lessen traffic problems, she said. Ms. Thompson strongly recommended the Council accept the site because the location would serve Metro's objectives while also doing nothing to harm the positive business climate of Washington County or the state of Oregon. She said Bill Young, task force chairman, would be happy to answer questions of the Council about the alternative site and task force's selection process.

Motion: Councilor Kelley moved a public hearing on the TV Highway/209th Site and the Cornelius Pass/Sunset Highway site be scheduled for Tuesday, April 8, 1986, 7:00 p.m., at a Washington County location large enough to hold as many citizens as possible. Councilor DeJardin seconded the motion.

Councilor Kafoury asked the extent of the Governor's continued involvement in the siting process. Ms. Thompson said the Governor's staff was standing by to assist the Council and would participate in the April 8 public hearing.

Councilor Kafoury asked Ms. Thompson to explain the nature of ODOT's involvement in resolving traffic problems with the TV Highway/209th site. Ms. Thompson said a traffic survey had indicated the problems were not as severe as some had indicated. The Governor, however, would ask ODOT to review the matter and she believed problems could be mitigated.

Councilor Frewing, responding to Ms. Thompson's statement that the Governor stood behind the TV Highway/209th Site as one that could be made "acceptable to the community as a whole", commented that if enough money was spent, almost any site could be made acceptable. He asked Ms. Thompson to explain the meaning of "acceptable". She said the intent behind the statement was that the Governor recognized no matter where the transfer station were sited, there would always be some opposition. The Governor's office would work with Metro to make the site acceptable to the community as a whole, understanding that some opposition would exist. She said the Governor supported the fact there must be a waste transfer station in Washington County.

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Councilor Gardner noted Ms. Thompson had said the TV Highway site was better than the Cornelius Pass/Sunset Highway site and that Metro had reached this same conclusion in its own studies. He asked Ms. Thompson if she meant to say the TV Highway/209th site had been reviewed by Metro's staff and advisory committee. Bill Young, the Chairman of the Governor's task force, explained the task force requested Metro staff to rank the TV Highway site in the same manner they had ranked previous sites considered, including the Cornelius Pass/Sunset Highway site. The TV Highway site ranked slightly under 60, two to three points higher than the Cornelius Pass site, he said, and the ranking was clearly above the 55 point cutoff for which a site could be considered for a public hearing.

Presiding Officer Waker reported Public Affairs staff recommended the April 8 public hearing be from 7:00 p.m. to 9:30 p.m. and the Council decide on a transfer station location at its regularly scheduled meeting of April 10, 1986. Executive Officer Gustafson added staff would inform the public about the meeting schedule.

Vote: A vote on the motion resulted in:

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

Abstain: Councilor Myers

Absent: Councilor Cooper

Presiding Officer Waker called for a recess at 5:55 p.m. The Council reconvened at 6:00 p.m.

Spring Yard Debris Program. Vickie Rocker reported Metro had launched a yard debris campaign to educate the public about recycling yard debris. Campaign literature and signs would use the "trim, prune, clip and recycle" theme, she said. One hundred large signs would soon be on the sides of Tri-Met buses and smaller signs would be posed inside buses with removable forms for those wanting more information about the program. Ads would appear in The Oregonian and staff would set up an information booth for the Home and Garden Show.

Councilor Van Bergen recommended staff review an article published in the March 27 issue of The Enterprise Courier about handling humus at the Environmental Learning Center. Ms. Rocker said she would review the article for possible use as a handout at the Home and Garden Show.

April 8 Public Hearing Format. Councilor Kafoury said she had reviewed staff's proposed procedures for the public hearing on the two proposed site for the West Transfer and Recycling Center. The Councilor said she had proposed an alternative of assigning a time certain to each site in order to reduce conflict and to allow for a full discussion of each site. She was concerned the proposed format could promote conflict because opponents and advotaces of both sites would be sharing the podium.

Ms. Rocker responded that several approaches to the public hearing had been discussed including the option presented by Councilor Kafoury. She said staff had wanted to emphasize to the public this was a comparison of the advantages and disadvantages of the two sites although it was certainly not staff's intent to create competition or tension. After careful consideration, Ms. Rocker said she recommended structured presentations by representative groups on both sites on a staggered basis.

Presiding Officer Waker recalled at the September 12, 1985, public hearing in Beaverton, two sites were on the agenda and no attempt was made to separate testimony into two groups. The meeting had proceeded in an orderly manner, he said.

Councilor Frewing said he liked the meeting format presented by staff but thought the group heard last could feel they were at a disadvantage. He said the meeting should keep a focus on the criteria for evaluating sites and suggested staff post these criteria for all to see.

Councilor Gardner said he liked staff's format but thought speakers could be asked to alternate between sites. This, he said, would ensure one group would have the same amount of time as the other and that the Council would hear a balanced mix of views. Presiding Officer Waker said he could announce this plan before the public testimony portion of the meeting.

Councilor Kafoury said she would defer to staff's professional judgment on the matter.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Presiding Officer Waker noted he had received an additional written piece of commentary to the Governor's Task Force report and requested the Clerk make copies available to all Councilors.

Councilor Kelley said she received letters from Judy Tidrick and David Gillespie to include in the meeting record. Other Councilors noted they received the same letters.

4. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. CONSENT AGENDA

Motion: Councilor Kirkpatrick moved to approve the Consent Agenda and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Councilor Cooper

The motion carried and the following items were adopted:

- 6.1 Resolution No. 86-633, Approving the FY 1986 Highway Allocation Plan for the Interstate Transportation Program and Amending the Transportation Improvement Program Accordingly
- 6.2 Minutes of the Meetings of February 27 and March 11, 1986

7. ORDINANCES

7.1 Consideration of Ordinance No. 86-197, for the Purpose of Revising the Disadvantaged Plan (Second Reading)

The Clerk read the Ordinance by title only a second time.

Motion: A motion to adopt the Ordinance was made by Councilors Kelley and Kirkpatrick at the Council meeting of March 13, 1986.

Ed Stuhr reviewed staff's report, explaining the proposed revisions to Metro's Disadvantaged Business Plan were made to comply with federal standards. Metro's intent to revise the Plan was published in The Oregonian and The Skanner, he said.

In response to Councilor Kelley's question, Mr. Stuhr said he could provide her with data prepared by the Oregon Department of Transportation used to test whether a business was qualified for the Disadvantaged Business Enterprise program.

Councilor Frewing asked how Metro's Plan would differ from those of other local jurisdictions. Mr. Stuhr explained all plans should not

differ in substance since they were all designed to comply with Department of Transportation regulations.

Vote: A vote on the motion to adopt the Ordinance resulted in:

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

Absent: Councilor Cooper

The motion carried and Ordinance No. 86-197 was adopted.

7.2 Consideration of Ordinance No. 86-199, for the Purpose of Adopting the Solid Waste Reduction Program for the Metropolitan Service District (First Reading and Public Hearing)

The Clerk read the Ordinance by title only for the first time.

Dennis Mulvihill discussed the history of Senate Bill 662 which gave the Environmental Quality Commission (EQC) the authority to locate and establish a regional disposal site and Metro the responsibility of preparing a Solid Waste Reduction Program to be submitted by January 1, 1986, for review and approval by the EQC. He explained the EQC did not approved Metro's Program as submitted but gave Metro until May 8, 1986, to modify the Program. The EQC provided Metro a list of 22 recommended modifications. Those modifications and staff's responses were included in the agenda materials. Mr. Mulvihill said staff were introducing a series of three Ordinances for Council consideration for the purpose of modifying three major aspects of the Solid Waste Reduction Program and formally submitting the Program to the EQC for final approval. The three Program aspects were: 1) waste reduction and promotion; 2) alternative technology; and 3) all other aspects. Ordinance No. 86-197 contained provisions for all Program aspects except alternative technology and waste reduction and promotion, he explained.

Motion: Councilor Kirkpatrick moved to adopt Ordinance No. 86-197 and Councilor Gardner seconded the motion.

In response to the Presiding Officer's questions, Mr. Mulvihill said staff had few problems with DEQ's comments on the draft Program except for those made on the local government certification program. Mr. Mulvihill thought if the Department of Environmental Quality's (DEQ) suggestions were implemented, staff would not have enough time to prepare a well-planned, successful certification program.

The Presiding Officer opened the public hearing on the Ordinance.

Lorie Parker, representing DEQ, read a letter from DEQ Director Fred Hansen to the Metro Council. She suggested it would be useful for the Council to look at the DEQ staff report and analysis when evaluating the EQC's suggested changes to the Solid Waste Reduction Program. She said the DEQ was very willing help Metro develop a workable Program.

Councilor Kirkpatrick asked if DEQ would provide a written response to the resubmittal of the Waste Reduction Program. Ms. Parker said DEQ would raise any concerns with the Program in time for the Council to adequately respond to them.

Judy Dehen, 2965 N.W. Verde Vista, Portland, representing the Columbia Group of the Sierra Club, testified the section of the proposed Solid Waste Reduction Program dealing with alternative technology was very vague and not fully committing. She said the latest information available to the Sierra Club cast grave doubts regarding the safety of mass burn technology and if Metro proposed using mass burn technology, the Sierra Club would strongly protest it. The Presiding Officer explained the alternative technology section of the Solid Waste Reduction Program would be addressed under a separate Ordinance to be considered by the Council at a later date.

Estle Harlan, 2202 Lake Road, Milwaukie, Oregon, representing the Oregon Sanitary Service Institute (OSSI), submitted written testimony outlining OSSI's position on the proposed amendments to the Solid Waste Reduction Program. Specific concerns included:

- * The Technical Assistance Program was not objectionable unless assistance included the development of a model franchise ordinance. Any such ordinance would include solid waste collection, and Metro had no collection authority.
- * Information given out by the Recycling Information Center was often inaccurate or inadequate. It would be best not to have a Center at all unless correct data was given to the public.
- * The collection industry rejected Metro's stated assumption on page B-7 of the staff report that not all jurisdictions would comply with Senate Bill 405 mandates. Because SB 405 was law, jurisdictions must comply and it was not Metro's role to assume they would not.
- * Metro's proposed certification program and rate incentives would give Metro control of waste management from source to disposal, and would, in effect, repeal the cities' and

counties' authority over collection provided under SB 405. OSSI proposed that certification be done by local government. A certification report under SB 662 and a watershed report under SB 405 should be submitted to both Metro and DEQ. Metro should focus only on education, promotion and technical assistance in those watersheds where reports indicate that criteria was not being met.

- * Major processors of yard debris reported no large market would exist for this material for another five to eight years. Therefore, it made no sense to implement a yard debris recycling program in January 1988.
- * Metro should allow private industry to provide and run new transfer stations.
- * It was short-sighted for Metro to put a cap on what would be committed to alternative technology. Alternative technology was the only proven method of waste reduction.

Jack Deines, Milwaukie, Oregon, was concerned that the proposed yard debris recycling program would not work. He said markets would not be adequate to handle the quantity of available material at this time. Mr. Deines also strongly urged Councilors to establish a direct dialogue with the Environmental Quality Commission (EQC), the body that would ultimately approve Metro's Waste Reduction Program. He thought Metro's staff was creating an unnecessary distance between the Council and the EQC.

There being no further testimony from the public, Presiding Officer Waker declared the public hearing would be continued to the Council meeting of April 10, 1986.

Presiding Officer Waker requested Councilors submit suggested amendments to the Ordinance in writing. Ms. Baxendale clarified that any amendments to the Ordinance's attachments would be amendments to the Ordinance itself.

In response to Councilor Myers' question about Metro's response from the DEQ on the plan to date, Lorie Parker said it was difficult for the DEQ to respond because Metro's product had continued to change and she had not seen the complete Waste Reduction Program document. She said DEQ staff would, however, comment on the most recent Program draft at the next Council meeting.

Councilor Prewing requested the Executive or Presiding Officer arrange a meeting between the Council and the EQC to discuss potential problems with the Waste Reduction Program. Ms. Parker noted the Alternative Technology and Promotion/Education components of the

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Waste Reduction Program would not be ready in time for such a meeting. Presiding Officer Waker said a meeting could still be arranged to establish a dialogue between the two bodies.

Executive Officer Gustafson said he would assist in setting up a meeting with the EQC. He also suggested the Council conduct a work session on April 16 to discuss the Program, particularly the Alternative Technology section, in more detail. The Presiding Officer agreed a special meeting was necessary.

Councilor Myers noted Ms. Harlan of OSSI had raised questions about the legality of Metro's involvement in certain aspects of the proposed Waste Reduction Program. Ms. Baxendale said she would provide Councilors with an opinion letter at the April 10 meeting.

Presiding Officer Waker called a recess at 7:30 p.m. The Council reconvened at 7:50 p.m.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 86-624, for the Purpose of Amending Resolution No. 85-562, Revising Appropriations and Creating a Rehabilitation and Enhancement Fund, an Insurance Fund, and a Convention, Trade and Spectator (CTS) Fund (Public Hearing)

Jennifer Sims explained the Council had adopted a Resolution transmitting the revised budget to the Tax Supervising & Conservation Commission on January 23. The TSCC had conducted a budget hearing and had certified the budget without objections or recommendations, she said.

Ms. Sims said staff recommended three changes to the amended budget: 1) adding a Construction Manager position to supervise major Zoo construction projects; 2) transferring \$50,000 from the CTS Fund to the IRC Budget to fund a CTS-related personal services agreement; and 3) establishing a contract services line item for the Rehabilitation and Enhancement Fund budget so work could commence on that project. Ms. Sims said these changes had been incorporated into Resolution No. 86-624.

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

Vote: A vote on the motion resulted in:

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

Absent: Councilors Cooper and DeJardin

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The motion carried and Resolution No. 86-624 was adopted.

Councilor Frewing asked staff to report on the average interest rate Metro's investments currently earned. Mr. Carlson reported the State Investment Pool currently paid about 7.5 percent.

Vote: A vote on the motion resulted in:

Ayes: Councilors Frewing, Gardner, Hansen, Kirkpatrick, Kafoury, Myers, Van Bergen and Waker

Nay: Councilor Kelley

Absent: Councilors Cooper, DeJardin and Oleson

The motion carried and the lease contract was approved.

8.2 Consideration of Resolution No. 86-632, for the Purpose of Adopting a McLoughlin Boulevard Improvement Program and Allocating Interstate Transportation Funds Accordingly

Presiding Officer Waker reported the Resolution had been unanimously approved for recommendation to the Council by the Joint Policy Advisory Committee on Transportation (JPACT).

Andy Cotugno explained the Resolution addressed four aspects of the McLoughlin Boulevard Improvement Program: highway improvement planning; studying short and long range transit roles including the identification of light rail; traffic pattern studies including a study of east-west traffic; and allocation of Interstate Transfer Reserve Funds set aside for the project. Mr. Cotugno also noted the Council had approved the release of the draft Resolution to local jurisdictions last September for further consideration. That Resolution had since been adopted by Clackamas County and the cities of Milwaukie and Portland, he said, and was recommended for Metro Council adoption by JPACT and the Transportation Policy Alternatives Committee (TPAC).

Mr. Cotugno noted two changes had been recommended as part of the local government review process. A strong commitment to the east-west traffic study was incorporated into the Resolution. This study would take place before Phase 2 of the highway project would proceed to construction, he said. The second change was a proposed addition of Johnson Creek Boulevard sidewalk improvements and stop signs as proposed by the city of Portland.

In summary, Mr. Cotugno explained all parties responsible for various aspects of the improvement program recommended the Resolution be adopted. Problems with east-west traffic flow in the Johns

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Creek Corridor would continue, he said, but the Resolution formally recognized those problems and committed to resolve them.

Mr. Cotugno explained, however, that work on the McLoughlin Boulevard Improvement Project would commence before anything could be done to resolve the east-west traffic flow problem. The planning jurisdictions recommending adoption of the Resolution did not want to delay north-south improvements, he said.

The Presiding Officer then accepted public comment on the Resolution.

Ed Hardt, 9002 S.E. McLoughlin Boulevard, Milwaukie, Region Engineer, Oregon State Highway Division, testified his office was located on McLoughlin Boulevard in the proposed project area. All local government jurisdictions involved in the project supported adoption of the Resolution, he said, and it was time to stop studying the needs and to take action on improvements.

In response to Councilor Kafoury's question, Mr. Hardt said most of the trees in the improvement area would remain intact. Of the 40 to 50 sequoia's, eight would come down and these would be scattered around the project area, he said.

Winston Kurth, 902 Abernathy Road, Oregon City, Executive Director, Clackamas County Department of Transportation, testified the County supported the McLoughlin Boulevard Improvement Project. He said the proposal now before the Council was an improvement to the first plan proposed four years ago due to the consensus building skills of Andy Cotugno. He said McLoughlin Boulevard was the life's blood of the area and it was important to not delay improvements any further. Mr. Kurth acknowledged problems with east-west traffic flow but thought Metro would lead the way to reach a solution to those problems.

Steve Dotterrer, Chief Transportation Planner, City of Portland, Office of Transportation, urged the Council support the McLoughlin Boulevard Improvement Project. Similar to Clackamas County, he said City of Portland representatives had worked a number of years to identify a reasonable solution. He said the Program would address the most critical transportation problem - the Tacoma/McLoughlin intersection. Mr. Dotterrer also explained the redesign of the proposed overcrossing at the intersection would allow for response to east-west traffic problem. He recognized that in the interim, the priority should be to restrain and minimize growth of east-west traffic.

In response to Councilor Frewing's question, Mr. Dotterrer said funds had been committed by the railroad company to pay for a share of the proposed McLoughlin overcrossing.

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Douglas Allen, 2247 S.E. 51st Avenue, Portland, representing Citizens for Better Transit, testified not enough emphasis had been given to public transportation in developing the proposed improvement plan. Mr. Allen stated light rail transit was the only cost effective option to improving the traffic situation in the McLoughlin Corridor and urged amending the Resolution to include its use. He said light rail would meet the goals of reducing traffic and keeping traffic from infiltrating neighborhood streets.

Easton Cross, 2500 S.E. Tacoma Street, Portland, of Kasch's Garden Centers & Nurseries, located at the corner of McLoughlin and Tacoma, testified he was adversely affected by the improvement project. Mr. Cross said he had prepared a memorandum for the JPACT Committee and asked it be forwarded to Councilors along with JPACT's recommendation. That memorandum was not forwarded to Councilors as promised, he said, so he distributed it to Councilors at this meeting.

Mr. Cross stated he disagreed with several assumptions underlying McLoughlin project planning. Planners assumed transit ridership would improve 137 percent by the year 2000 when in fact ridership had declined over the last six years. He also stated that several alternatives to the McLoughlin project had not been properly examined, the collector/residential streets were selected without apparent logic, and the McLoughlin overpass was not proposed and planned in a public, open forum.

Mr. Cross raised questions about how the improvement project would be funded. He said if funds were allocated to the project, other road improvement projects could be in jeopardy. He said many area businesses were being adversely affected when there was no guarantee funding would be in place to complete the project. Mr. Cross reviewed figures to document this point. He urged the Council to send the Resolution back to JPACT and request they balance the transportation budget.

Mr. Cotugno then explained the process for funding major transportation projects. He said precise records were kept on amounts allocated to various phases of Interstate Transfer Fund projects. Funds were allocated by project phase rather than by total project because a finite amount of money was allocated for transportation projects each year. He explained that by design, JPACT had over-programmed the overall dollars available so that preliminary engineering and preparatory phases for projects could be completed and on line for immediate commencement of construction when construction funding was granted. Mr. Cotugno said this system was necessary because sometimes preliminary studies recommended a project not be funded. Of a total \$500 million Interstate Transfer Fund Program, projects not currently funded amounted to about \$50 million, he explained.

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The Presiding Officer asked Mr. Cotugno to comment on the effects of Gramm Rudman on transportation project funding. Mr. Cotugno explained the dollars committed to funding was based on what freeways would have cost if they had been built. Receipt of those funds, however, was subject to the annual appropriation process. Therefore, the effect of Gramm Rudman was to reduce appropriations each year rather than to eliminate funds in any one year.

Mr. Cross again questioned the practice of overallocating transportation project dollars. He said in conversations with Fred Miller of the Oregon Department of Transportation, he had learned the Banfield Freeway project would require all excess transportation dollars.

Presiding Officer Waker asked Mr. Cross to explain his earlier statement regarding transit riders in the McLoughlin Corridor area being lower than projected. Mr. Cross said it would be unwise to spend \$10 on one overpass when there were more cost efficient ways to solve the problem.

Councilor Kafoury asked Mr. Cross to explain how the project would impact his business and his preferred option for the Tacoma/McLoughlin intersection problem. Mr. Cross said the improvement project would require his place of business to be moved 20 feet north of the road. Some moving costs would be reimbursed, he said, but it would not cover lease of additional land. New lease negotiations would be required which could add to the expense of the move. Also, the relocation of the building would, make access from the north more difficult, he said. Mr. Cross explained he would prefer the flyover option versus the Tacoma/McLoughlin overpass because construction of the flyover would not interfere with Kasch's business. It would regulate traffic on Johnson Creek Boulevard which would make peace with the Ardenwald neighborhood. It would also keep transit options open, he said. He said it would be an expensive alternative but would not cost as much as an overpass.

Craig Lomnicki, 4420 S.E. Johnson Creek Boulevard, Milwaukie. Although Mr. Lomnicki was a Milwaukie City Councilor, he said was representing himself and members of the Ardenwald/Johnson Creek Neighborhood Association before the Metro Council. He was not speaking for the city of Milwaukie or its Council.

Mr. Lomnicki identified three major problems with the McLoughlin Boulevard Improvement project. The first problem identified was that the project did not meet its intended goals. It would not significantly increase overall corridor capacity, he said, and the project would be obsolete in less than 15 years. Transit ridership would have to increase six-fold just to maintain an acceptable level of service, he said. Mr. Lomnicki said the project's second goal

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was to remove through traffic from neighborhood streets and the proposed plan would not solve that problem. Johnson Creek Boulevard was a neighborhood collector street, he explained, and was not intended to serve through traffic. If the overpass were built, it would increase Johnson Creek Boulevard traffic by as much as 30 to 40 percent, he said. He questioned how the Council could approve a project that did not meet its stated goals and that would transfer a problem of one neighborhood into another neighborhood.

Another problem with the plan identified by Mr. Lomnicki was that the McLoughlin/Tacoma Intersection was the key piece in an east-west transportation network which, unfortunately, was not recognized by the planners as such. He illustrated his point by use of maps of the area. Quoting from the Lester Avenue/I-205 Interchange DEIS, page 29, Mr. Lomnicki read: "the connection of the Lester Road Interchange at the I-205 to the Johnson Creek Boulevard would help to further the concept of improve cross town access included in Portland's policies."

Mr. Lomnicki urged the Council to use foresight in planning for the east-west traffic solution before the \$10 million overpass was built. The proposed solution of planning the north-south solution and solving east-west problems later was not a foresighted solution, he said.

Finally, Mr. Lomnicki stated the McLoughlin Corridor Improvement Program did not meet the federal rules and regulations for environmental impact statements (EIS). He quoted from the Federal Register concerning EIS': "In order to insure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are evaluated, each EIS shall evaluate the project which connects logical termini and is of sufficient length to address environmental matters on a broad scope." He asserted the McLoughlin EIS did not connect logical termini (the McLoughlin Boulevard to the industrial area to the west).

In conclusion, Mr. Lomnicki stated the project was incomplete and did not meet its stated goals. He urged the Council not to adopt the Resolution.

In response to Presiding Officer Waker's question, Mr. Lomnicki said he was not satisfied with the current language in the Resolution regarding the study of east-west traffic problems. He wanted a stronger, more specific commitment.

Catherine Sohm, 7212 S.E. 17th Avenue, Secretary, Selwood Moreland Improvement League, urged the Council to adopt the Resolution. She said she had followed the project's long history, was satisfied all the appropriate jurisdictions and neighborhood groups had been

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involved and approved of the improvements, and that every possibility and option had been examined. Regarding Mr. Cross' earlier testimony against the Resolution, Ms. Sohm stated the basic flaw in his alternatives was that he was unwilling to accept the Comprehensive Plan goals. Rather, Mr. Cross had his own goals for Kasch's Nursery and the newly formed business association, she said. She also said some of the land occupied by Kasch's was actually leased from the city which was originally bought for highway purposes. Ms. Sohm said she disagreed with Mr. Cross' denigration of ODOT, Metro and city planning staff who had fairly and patiently studied the alternatives. She also addressed how the plan could benefit the Ardenwald neighborhood. In conclusion, she urged the Council to adopt the Resolution.

Moshe Venske, 4314 S.E. Crystal Springs Boulevard, representing the Woodstock Neighborhood Association, said he supported the Resolution. Widening McLoughlin Boulevard and eliminating selected stop signs would improve traffic flow, he said. Mr. Venske also supported the overpass and said he was relying on Metro's commitment to improve east-west traffic flow problems.

Motion: Councilor Van Bergen moved to adopt Resolution No. 86-632 and Councilor Kirkpatrick seconded the motion.

Councilor Frewing said he lived in the improvement area and even though he agreed with some of Mr. Cross' concerns, he would support the Resolution. He then asked if the 40 mile bicycle loop path would be protected. Mr. Cotugno said bikes could use the overpass to cross McLoughlin Boulevard.

Councilor Kirkpatrick asked staff to address Mr. Lomnicki's earlier statement that no sufficient environmental impact statement had been filed. Mr. Cotugno said the draft EIS was published in 1982 and a public hearing on the project was subsequently conducted. The EIS did not adequately address Ardenwald neighborhood traffic concerns, he said, because those concerns were raised after the public hearing was conducted. He said over the past two years staff had conducted a number of supplemental studies to address concerns raised by the Ardenwald Neighborhood Association. Information gleaned from those studies was the basis of the Resolution now before the Council, he said.

Councilor Van Bergen said although he was not insensitive to those opposed to the project, he did have confidence in government and concern for the 200,000 plus people served by McLoughlin Boulevard. He said an improvement to the transportation corridor would be an important benefit to that part of the state and therefore, he would support adoption of the Resolution.

Councilor Gardner explained that although he had some problems with the overpass solution, he would support the Resolution and believed a solution would be found for the east-west traffic problem. He also said the plan preserved an option for light rail transit.

Vote: A vote on the motion resulted in:

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

Absent: Councilors Cooper, DeJardin and Oleson

The motion carried and Resolution No. 86-632 was adopted.

8.3 Consideration of Resolution No. 86-636, for the Purpose of Reappointing Citizens to the Metropolitan Service District Solid Waste Rate Review Committee

There was no discussion on the item.

Motion: Councilor Van Bergen moved to adopt Resolution No. 86-636 and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Frewing, Gardner, Hansen, Kirkpatrick, Kelley, Myers, Van Bergen and Waker

Absent: Councilors Cooper, DeJardin, Kafoury and Oleson

The motion carried and Resolution No. 86-636 was adopted.

9.1 Consideration of a Lease Contract with Peoples National Bank of Washington for Furniture and Telephone Equipment

Ms. Sims explained at the request of the Council and with the assistance of Councilor Cooper, staff had investigated advantageous contract options for furniture and phone equipment. The contract with Peoples National Bank would cover the equipment for 8.5 percent, she said.

Motion: Councilor Van Bergen moved the lease contract be approved and Councilor Kirkpatrick seconded the motion.

A discussion followed about the advantages of entering into the five year lease contract. Ms. Sims explained that although the lease would cost 8.5 percent, Metro would have the advantage of paying for the equipment over time, thus saving money for other projects in any given year.

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9.2 Discussion of Methodology for Premium Costs for Alternative Technology

Doug Drennen distributed a document for the Council's information. After discussion, the Council determined to consider methodology for premium costs for alternative technology at a Council work session on April 16, 1986, 5:00 p.m.

9.3 Discussion of Tonnage Limitations in the Proposed Agreement between Metro and the City of Portland for the Operation of the St. Johns Landfill

Dan Durig distributed written information on the effect proposed tonnage limitations would have on the St. Johns Landfill. He also reviewed highlights of contract negotiations with the city of Portland for operation of the landfill. He reported that current and projected waste reduction efforts would lengthen the life of the landfill to March 1990.

In response to Councilor Van Bergen's concern, Mr. Durig said staff would report back to the Council if waste could not be reduced to projected levels.

There being no further business, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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