

MEETING OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Public Hearing
July 22, 1986

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

Councilors Absent: Councilors Cooper, Kafoury and Kelley

Staff Present: Donald Carlson, Eleanore Baxendale, Randi
Wexler, Doug Drennen, Norm Wietting

Presiding Officer Waker called the public hearing to order at 7:30 p.m. The hearing, he explained, had been scheduled by the Metro Council for the purpose of receiving testimony on the following two sites proposed for the west transfer and recycling center: 1) 21450-21480 N.W. Cornell Road; and 2) Fairway Western Property, 1770 N.W. 216th Avenue. The Council would make a decision on which site to select for the facility at its regularly scheduled meeting of July 24. The Presiding Officer then reviewed the history of the transfer station project and rules for those wishing to present testimony to the Council.

Randi Wexler, Solid Waste Analyst, presented staff's report on the two sites under consideration. She explained the Council directed staff to look at additional sites in the Cornelius Pass Road area in June of 1986. Two sites were identified as noted above and as depicted in Maps 1 and 2 of the staff report.

The Fairway site, Ms. Wexler explained, was about 1.8 miles from the Sunset Highway. Development northeast and west of the site was primarily small industrial lots and farms. Development south of the lot consisted of homes along Cherry Lane. The homes were on land zoned industrial. The back property line of the Fairway site abutted the property line of the homes on Cherry Lane. She said the Cornell Road site was approximately 1.2 miles from the Sunset Highway and was surrounded by industrial land.

Ms. Wexler reported the above two sites were evaluated according to the same criteria by which previous sites had been evaluated: center of waste, transportation, flexibility for development, land use considerations and land acquisition. Referring to the Decision Matrix on page 4 of the staff report, she explained the ratings assigned the two sites for each criteria.

Gary Katison, a traffic engineer and consultant representing Metro, presented a report on transportation issues associated with the two sites. His study indicated costs would include a traffic impact fee applicable to all developments within unincorporated Washington County. In addition, pavement improvements to Cornell Road between

Metro Council
July 22, 1986
Page 2

the proposed site and the intersection at the road and other improvements at the existing intersection needed to be made. All those improvements would cost about \$100,000, he said. Costs had not been determined for LID participation for the Cornell Road improvements between Cornelius Pass Road and 185th Avenue, he said.

Regarding the Fairway site, Mr. Katison explained the Washington County traffic impact fee would be assessed. A worst case would call for pavement improvements to 216th Avenue from Baseline Road to Cornelius Pass Road. Safety improvements to the intersection of 216th and Cornell and the Burlington Northern Railroad crossing could also be required. Those improvements would cost about \$325,000, he reported.

Councilor Frewing asked if traffic impact and costs had been discussed with Washington County. Randy Wexler said discussions revealed the County had designated the intersections of Cornell/Cornelius Pass and Cornell/216th as safety deficient. No improvements had been planned by the County, however, so staff had asked Mr. Katison to estimate reasonable and prudent traffic solutions.

Presiding Officer Waker opened the public hearing.

Gerry Thompson, Chief of Staff for Governor Victor Atiyeh and representing the Governor, stressed that any transfer station site in the Sunset Corridor was unacceptable to the Governor. The Council would be responsible for damaging what was now known nationally and internationally as Oregon's premier area for hi-tech and business development if it sited a transfer station in the Corridor, she said. The Council would be responsible for sending an irreversable message that could destroy future economic development efforts and more importantly, new jobs and economic diversification in Oregon. Ms. Thompson discussed the fact that Oregon's unique process for land development had attracted interest from businesses around the world. Oregon was the only state in the union that could guarantee trust and integrity in government decisions related to land use. The Council could undo Oregon's integrity and the trust of interested businesses by siting the transfer station in the Corridor. Ms. Thompson noted the example of the federal government's efforts to site a nuclear repository in the West for waste that was largely generated in the Eastern United States. She said most citizens did not think the government's choices logical and as a result, trust in the federal government's decision-making processes had been virtually undone. She saw a distinct parallel between those events and Metro's efforts to site a transfer station in Washington County.

Ms. Thompson said she had heard comments that Metro Councilors did not believe siting a transfer station in the Corridor would have a

Metro Council
July 22, 1986
Page 3

negative economic impact on Oregon. She urged Councilors to believe the Governor and concerned citizens on that issue. The Governor, she said, had personal knowledge that interested business leaders when seeking headquarters especially looked for locations where an element of trust existed with decision-makers. When that element was present, other criteria were secondary. Over 30 hi-tech business and perspective clients to the State were currently looking at Oregon and asking themselves whether they could trust Oregon's decision-makers and its land use process. In conclusion, Ms. Thompson strongly urged the Council not to destroy relationships developed by the Governor with business leaders interested in locating businesses in Oregon and not to destroy the element of trust in government so valued by those leaders.

Councilor DeJardin said some of the businesses the government had talked to about locating in Oregon had already located in other sections of the country where solid waste transfer centers, garbage burners and higher solid waste technology existed. He asked how those companies had responded to such facilities.

Ms. Thompson noted in two instances potential Oregon clients actually took the Governor to see waste transfer stations near their existing plants in other states. The business leaders commented that those facilities did not look bad but what bothered them most was when they selected those sites, they had been given certain guarantees. The waste transfer stations were built after they built their facilities. They did not like this fact and were complaining it was not appropriate or attractive to the type of development they wanted.

Councilor DeJardin asked if the solid waste facilities had adversely affected those businesses. Ms. Thompson said she did not know. The Councilor said he had asked that question because some businesses found it difficult to imagine the impact on existing and proposed industry and they were amazed Metro was going through its current process. Ms. Thompson again stressed that Oregon was the one state with land use planning and businesses could be told in advance who their neighbors would be. That fact attracted business to Oregon and that was why the Governor was especially concerned with Metro's decision. The possible effect on business by the transfer station was not the Governor's primary concern.

Mark B. Fisher, 4830 N.W. Columbia, Portland, testified he supported the Governor's task force recommendation to locate the proposed transfer station at the 209th/TV Highway site. He said traffic studies indicated road systems could handle a site at that location. He also thought to site the station at the Cornell Road site would constitute a violation of Washington County traffic safety

Metro Council
July 22, 1986
Page 4

regulations. If the Council had to chose between only the Cornell Road and Fairway Western site, Mr. Fisher said he would prefer the Fairway Western site because it provided more bufferage between other land uses.

Councilor Oleson thanked Mr. Fisher for his ongoing efforts in taking a positive role in the siting process. He asked Mr. Fisher if he knew whether the owner of the 209th/TV Highway site was willing to sell to Metro. Mr. Fisher did not know the answer to that question.

Gordon Kirsch, 3234 17th Avenue, Forest Grove, a member of the Board of Trustees of the Hillsboro Elks Lodge, objected to locating a garbage station next to the Elks golf course because the two land uses were incompatible. He testified he did not trust the Council to make a decision on the transfer station and thought the project "smelled like another Tri-Met." He requested the Council consider using existing landfill sites for transfer station locations and that private industry transfer waste. He questioned why the privately-owned Hillsboro transfer center proposal had been turned down by Metro.

Ezra Koch, 720 North Davis, McMinnville, testified the Council was looking to site a transfer station in the wrong area. He said it was important for the Council to know where the new landfill would be in order to logically and economically transfer waste from the point of generation to the disposal site. He advised the Council locate the transfer station nearer the center of waste generation -- the Beaverton area. By biting the bullet, people would applaud the Council's decision, he said.

Presiding Officer Waker noted Mr. Koch should learn more about Metro's solid waste system before making comments about it.

Richard P. Buono, 7901 S.E. 30th, Portland, Pacific Realty Associates, aka PacTrust. Mr. Buono said PacTrust had consistently opposed siting a transfer station in the Sunset Corridor, had previously testified to that fact and had recently written Executive Officer Gustafson regarding that position. He said that letter discussed PacTrust's support of the 209th/TV Highway site. Mr. Buono explained he was aware the Council could limit its decision to one of the two sites under discussion at this hearing. Therefore, he said, a careful traffic analysis of the two sites was important and that such an analysis would disqualify the Cornell Road site. Of the two sites, he thought the Fairway Western site more suitable for a transfer station.

Jim Palotay, Route 5, Box 434, Hillsboro, testified CPO No. 7 sympathized with the concerns raised by Cornell Road residents because

Metro Council
July 22, 1986
Page 5

his neighborhood was also in a state of transition. However, Mr. Palotay supported the Cornell Road site because it was most suitable from the standpoint of zoning, transportation access and impact on existing neighborhoods. He noted the existing transfer station in Oregon City was not smelly or noisy.

David Frost, P.O. Box 586, Hillsboro, representing the Cherry Lane Homeowner's Committee, explained six Cherry Lane residents would follow, giving testimony about various concerns with the Cornell Road site. Although the site was zoned for industrial use, he cautioned the Council that site at that location would not be a "slam dunk." Therefore, he advised the Council to select the very best location available because groups opposed to all sites would attack any decision made.

Dorothy Gross, 21425 N.W. Cherry Lane, Hillsboro, submitted a written statement to Councilors. She testified she had lived in her neighborhood for 20 years and believed in the traditional American dream of the right to own one's home. She thought building a transfer station on the Cornell Road site illogical because it was inconsistent with the Cherry Lane neighborhood and existing businesses.

In response to the Presiding Officer's questions, Ms. Gross explained the Cherry Lane neighborhood had been zoned residential until very recently. She did not think the zone change appropriate.

Mary Ellen Otten, 21400 N.W. Cherry Lane, Hillsboro, explained her home had historic value and because of its extensive landscaping, was a delightful place to live. She did not think the industrial designation to the area appropriate. Ms. Otten testified she had visited the Clackamas Transfer & Recycling Center. The smell of the facility was unbearable and suffocating, she said, and she could not imagine living next to such a place along with its related truck traffic and bulldozer noises. Because a transfer station operated all hours, she questioned when citizens could sleep due to the noise. She felt her property would be unusable as a residence and would have to be sold at a great loss if the transfer station were built on the Cornell Road site. She also challenged staff's statement the site was five miles from the center of waste. Using existing roads, the shortest route from Allen and Murray would be seven miles, she said. Finally, Ms. Otten was concerned that additional truck traffic on 216th Avenue would add to already unsafe road conditions. She noted a neighbor's daughter had been hit by a car on that street while waiting for a school bus.

George W. Otten, 21400 N.W. Cherry Lane, Hillsboro, related a story to the Council he said he could not verify as true about Metro's

Metro Council
July 22, 1986
Page 6

Presiding Officer. As the story went, before Mr. Waker became Metro's Presiding Officer and an engineer, he was a building contractor. A client asked Mr. Waker to build an outhouse of the best quality that would not smell. Mr. Waker assured his client he could do the job. The contract was signed and a very fine outhouse was built. After a week, however, the owner called Mr. Waker complaining that the outhouse had a bad odor. After examining the problem, Mr. Waker declared, "Of course there's a smell. Someone used it." Mr. Otten said the parallel between the story and the transfer station was obvious. No amount of landscaping and sceening would make the facility acceptable. He criticized the Council for not listening to the advice of staff, the Governor's task force, and Sunset Corridor business leaders about the inappropriateness of locating a transfer station in the Sunset Corridor. He charged the Council to approach the Beaverton City Council about attending to its own problems.

Presiding Officer Waker assured everyone the first part of Mr. Otten's testimony was fictional and noted that at the time the Council made its decision to site the facility in the Cornelius Pass area, the land use process in Beaverton was no different than Washington County's process. It was only after a decision was made that the City decided to change their process, he said, even though Metro desired to site outside the City boundaries.

Dennis Chamberlin, 21355 N.W. Cherry Lane, Hillsboro, strongly opposed the selection of both sites for a waste transfer station. Addressing the issue of the neighborhood being zoned industrial, Mr. Chamberlin said that designation had been applied long after the neighborhood had been established and against the request and desire of those living in the area. He said the potential for increased traffic of either site was a concern to all residents. That traffic would directly compete with employees, supplies, products and customers of existing and potential Sunset Corridor businesses. He agreed with Mr. Koch and said he had no confidence in the Metro decision-making process at this point. The statement "we have to put it somewhere" was not an acceptable argument for locating a waste transfer site, he said. He agreed Metro had the responsibility to locate the station consistent with its purpose and in compatibility for current land use. Yet, he said, the staff report did not make a case that either site was superior in any respect other than those sites were available. The two sites were not close to the center of waste, were in direct conflict with regional and state industrial development goals and were not convenient to citizens and refuse haulers. Finally, Mr. Chamberlin said he had visited the Oregon City transfer station site and found evidence in direct conflict to statements that had been made about it. Odors were objectionable; although trash was not received after 6:00 p.m.,

outbound trash was transported beyond 12:00 midnight and beyond six days a week; and no residences, offices or businesses, except for one saw mill, seemed to be located near the station. He said he expected his residential area to be odor free, safe, clean, quiet (especially during leisure hours), and a safe investment.

Presiding Officer Waker said the odor noted by testifyers did not originate from the Clackamas Transfer & Recycling Center. The center was built near the old Rossman's Landfill and its poor management (prior to Metro ownership) had resulted in an odor problem.

Councilor DeJardin said an attractive and successful shopping center was located very near the Oregon City station.

Marjory Howard, Cherry Lane, Hillsboro, testified she wished to challenge the Council's statement that adjoining landowner's property would not decrease in value. She questioned why anyone would want to buy property next to a transfer station. She was also concerned about traffic problems the station would generate and she did not think the station was acceptable for the Cornell Road site.

Susan Chamberlin, 21855 N.W. Cherry Lane, Hillsboro. Addressing Councilor DeJardin, Ms. Chamberlin said photos of the Oregon City area disproved his statement the facility would be attractive. She discussed staff's recommendation that the station be built on a site before other development was built. If that was the plan, she said Metro was already five years too late and the tone for the type of business and development had already been set which did not include heavy industry and transfer stations. Ms. Chamberlin objected to the negative traffic impacts the transfer station would have.

Councilor DeJardin said the design for the proposed transfer center would be architectually superior to the Oregon City design.

Gary Sears, 1800 N.W. 216th Avenue, Hillsboro, testified he lived between both proposed sites and did not think the transfer station was compatible with existing and potential businesses. He said if Metro were to build in the Sunset Corridor, he would be forced to move his business to Washington which would result in Oregon losing money. This, he said would be opposite to the state's efforts to attract new business. Mr. Sears said his personal attorney had advised him he could have a valid case to sue Metro if one of the two sites were chosen for a transfer station. He said if he moved his business to Washington, he would use his former Oregon business location for raising pigs and geese, perhaps a more compatible use near the transfer station.

Ted Kubaska, 4300 N.W. Malhuer, Portland, Rock Creek neighborhood resident, challenged Metro Councilors to be government leaders with understanding, concern, responsiveness and vision rather than people who simply administered the rules. The Sunset Corridor was a delicate mix of residential and industrial use, he said, and a 40,000 square foot garbage truck hauling operation in that area was inappropriate. Only a government with vision could maintain that delicate balance but it was not too late for the Council to regain that vision and change its mind. People, he said, were more important than garbage and no one would resist paying more to haul garbage out of the Sunset Corridor to a place where communities were not disrupted. If the Council did change its direction, people would, years from today, remember it as a government that had shown courage, responsibility and vision. If, however, the Council persisted on its present course, people would remember Metro's recalcitrance and short-sightedness and that had Oregon lost a chance to be a key player in the hi-tech arena. Mr. Kubaska emphasized the main thing Oregon had to offer potential business was the total Oregon lifestyle and its special environment. Finally, he recalled Presiding Officer Waker had said at a previous meeting he'd heard all those arguments before and they didn't improve with age. He asked the Council if it had occurred to them they keep hearing the same arguments because they were correct.

Richard Erickson, 1050 N.W. 216th, Hillsboro, testified the transfer station did not belong within a quarter mile of human habitation. He thought zoning could be changed to allow the facility to be located in an agricultural or forestry zone so it would not interfere with anyone. He said his other concerns had been covered by those testifying previously.

Betty Atteberry, 5555 N.W. Live Oaks Drive, Hillsboro, representing the Sunset Corridor Association, testified the Association had always been opposed to siting a transfer station in the Corridor area. She said her opposition to the two sites was based on the same arguments previously presented to the Council. She emphasized that hi-tech businesses located in areas they perceived to be environmentally superior. Perceptions by those new businesses, their customers and employees, were vital in the corporate location siting process. Therefore, it was in the best interest for all Oregonians the Corridor maintain its special character and attractiveness. She said the Association believed a transfer station within the Corridor would seriously damage the attractiveness of the area. Additionally, the Association was concerned about negative traffic impacts along Cornell Road and that the traffic impact statement presently being reviewed by ODOT did not include the potential Metro facility. Ms. Atteberry said the addition of Metro's project could stall approval and funding of the Cornell Road realignment project.

Metro Council
July 22, 1986
Page 9

This, combined with possible violations of Washington County's traffic road safety standards, could cause traffic safety hazards, she said.

Ms. Atteberry said the Sunset Corridor Association had not previously gone on record supporting a site for the solid waste transfer center. However, she said, the Association now supported the Governor's task force recommendation of the 209th/TV Highway site for the facility. That decision was based on two factors: 1) Metro staff evaluated the 209/TV Highway site higher than the Cornell Road or 216th site; and 2) Metro staff reports indicated the TV Highway could accommodate the added traffic volume.

Craig Harris, 2365 N.W. 216th, Aloha, testified against building the transfer center on the Fairview Western site.

Denise M. Amos, 4610 N.W. Imhara Court, Portland, Acting President of the Sunset Neighborhood Association, strongly objected to Metro's practice of holding public hearings on more than one site per meeting. She said it was abhorant to pit neighborhoods against each other. She also discussed the verbal abuse the public had taken from the Council and the fact the Council had not listened to citizens. She questioned when the Council would finally listen to what the people were trying to say. She challenged the Council to show foresight and make the correct decision to preserve the region's future.

Kurt Krause, 1704 S.W. Spring Street, Portland, Vice President of Human Resources for Fujitsu America, Inc., said the Council had publicly indicated they did not believe previously given testimony that siting a transfer station in the Corridor would damage economic growth in that area and any concern by citizens about damage to the area was a problem of perception, not reality. Mr. Krause emphasized that whether it was perception or reality, the Council's actions were seen by other major companies looking at the Sunset Corridor as the conduct of a most insensitive, unsupportive and uncooperative unit of government. He criticized the Council for loosing site of the siting criteria and submitting to political pressure. The Governor's Task Force Committee was instructed that any recommendations inconsistent with the established siting criteria would not be considered by the Council. One of the criterion having greatest significance was the location of the potential site in relationship to the center of waste generation. Mr. Krause submitted that neither site under consideration substantially complied with that criterion. That criterion would only be achieved, he said, if the station were located west of the Corridor.

Mr. Krause testified Fujitsu America strongly supported the 209th/TV Highway site which had been recommended by the Governor's Task

Metro Council
July 22, 1986
Page 10

Force. Metro would receive the Governor's full support in resolving traffic problems related to that site. He also discussed the fact that Metro staff's rating of the sites had ranked the 209th/TV Highway site higher than the two Sunset Corridor sites now being considered.

Mr. Krause urged the Council to consider the Summary Traffic Impact Analysis provided by PacTrust under its letter to Mr. Gustafson dated July 16, 1986. That analysis closely examined the impact of traffic on the two Sunset Corridor sites. He shared PacTrust's view that stacking and queuing of trucks and private vehicles preparing for left-turn movements at or near the intersection of Cornell Road and Cornelius Pass Road was unacceptable. He further discussed the negative impacts of traffic on Fujitsu's proposed Master Plan project if Metro's sited the transfer station in the Corridor.

In conclusion, Mr. Krause said Fujitsu America would utilize its resources and openly commit itself to supporting a site or sites outside the Sunset Corridor that met Metro's siting criteria if the Council selected such a site for the transfer station.

Presiding Officer Waker questioned Mr. Krause's statement that the center of waste generation was west of the Sunset Corridor. Mr. Krause acknowledged he meant south and/or east of the two sites under consideration.

Councilor DeJardin discussed the problem of perception versus reality. He questioned whether Metro should validate what those in Washington County will say would become a reality when it had been demonstrated elsewhere that reality had not occurred. He questioned whether the Council should back down from choosing the best possible site and in doing so, establish an unfortunate precedent.

Rodney C. Adams, 4500 S.W. Hall Boulevard, Beaverton, an attorney representing Ambrose Calcagno, Jr., owner of the Forest Grove Transfer Station. He reviewed the two-year history of the transfer station project and noted changes in the solid waste disposal system since the project's inception: waste was not being transferred to Riverbend Landfill; the new landfill siting process had not begun; and the Forest Grove transfer station did not exist. Mr. Adams said a substantial portion of Washington County's waste was not being disposed at St. Johns Landfill and was not being transferred to Oregon City. Most waste, especially that generated in western Washington County, was being hauled the opposite direction. He questioned whether the center of waste criteria was now valid and urged the Council to consider all the factors that had changed and to make decisions based on current information. He advised the Council to wait another year to site the transfer station. By then it would be known where the new landfill site would be, he said.

Metro Council
July 22, 1986
Page 11

Presiding Officer Waker noted the Council could not postpone its process until a decision about the new landfill was made because in another year the Hillsboro Landfill would close and the public would need another place to go. He did not think the Forest Grove Transfer Station could handle the quantity of waste generated. This situation, he said, constituted an emergency.

Mr. Adams said he did not intend to imply that Forest Grove Transfer Station could handle all the County's waste. He simply wanted the Council to be aware of the larger numbers of haulers using that facility.

Randi Wexler said a smaller, satellite transfer station in western Washington County had always been a part of the solid waste management plan. Councilor Hansen asked if Forest Grove Transfer Station could serve the general public. Ms. Wexler explained the Forest Grove area had never been included in calculations to determine the center of waste. To include that area could move the center of waste slightly but the bulk of the population was still in the eastern portion of the County.

Mr. Adams said the facility could accommodate a small portion of the general public, specifically, residents of Forest Grove. He requested the new transfer station not be located in an area that would compete with the Forest Grove facility.

Rand Gray, 405 S.W. 216th Avenue, Aloha, Vice President of Engineering of Microcosism, a Sunset Corridor based manufacturer of electronic equipment, explained it was well known the Sunset Corridor was a precious resource. Oregon's economic base was currently fragile, he said, and competition was very keen. He said he could not stress strongly enough how important it would be to keep the future of the Sunset Corridor in tact in order to attract new business. Regarding Councilor DeJardin's earlier statement that backing down from a decision would be setting a bad precedent, Mr. Gray acknowledged the process had been long and tedious, but he did not think the process would end if the Council selected either Corridor site under consideration.

Dean E. Wright, 405 S.W. 216th Avenue, Beaverton, testified it was not appropriate to site the transfer station on either location until complete industrialization occurred in the area. He also thought traffic impact on the Sunset Corridor would be very bad.

Larry Chambreau, representing the city of Hillsboro, agreed with statements made by Gerry Thompson of the Governor's Office and Kurt Krause of Fujitsu America that siting the station in the Sunset Corridor would damage the region's economic growth. Being a member

Metro Council
July 22, 1986
Page 12

of the Washington County Transportation Coordinating Committee, Mr. Chambreau said he was particularly concerned about the impact of the facility on roads and traffic. He then referred Councilors to copies of a resolution adopted by the City. The City resolved the transfer station should be located nearer the center of waste generation and that Metro should defer its decision until the Department of Environmental Quality sited the next regional landfill. Mr. Chambreau also advocated use of the Forest Grove Transfer Station to minimize adverse affects of waste transfer on nearby neighborhoods.

Steve Schlosser, 3790 N.W. 183rd Avenue, Portland, testified it seemed Metro was determined to site a transfer station in the Sunset Corridor in spite of much testimony and urging against that choice. Metro had ignored testimony that such a facility would damage economic growth. He said the facility was also not consistent with the area's comprehensive land use plan. Mr. Schlosser said he did not believe citizens should have to resort to court actions to reverse the Council's action. Finally, he said he would support a transfer station at Highway 217 and Allen Boulevard or more realistically, off I-5 near Tualatin.

John Breiling, 4690 N.W. Columbia, Portland, a Rock Creek resident, discussed how the city of Beaverton had made it impossible for the Council to apply the center of waste criteria on new sites. The criteria of siting in an area zoned industrial was also impossible because the only industrial zoned areas were within the Sunset Corridor, he said. Mr. Breiling suggested the easiest solution would also be the politically correct solution: the Council site the station away from the population. He proposed a site off the Jackson Highway intersection at Sunset Highway. The site had excellent transportation access, was two miles west of the Sunset Corridor, was outside airport safety areas, and would be away from neighborhoods.

Presiding Officer Waker noted that if Mr. Breiling's solution had been workable, the Council would have entertained the idea already. The station must be located near the center of waste generation so that it would be close to those who use it, he explained.

Paul H. McGilvra, President of Times Litho Inc., P. O. Box 7, Forest Grove, the owner of land immediately adjacent to the Cornell Road site, discussed the position statement he had distributed to Councilors. He suggested six conditions for Metro which would help produce a quality location: 1) create a cul-de-sac on Old Cornell Road at Rock Creek; 2) create a four-lane road along the N.W. Cornell property line; 3) entrance and exit must be from N.W. Cornell Road; 4) the N.W. Cornell Road site must be expanded from

Metro Council
July 22, 1986
Page 13

the original 6.18 acra; 5) Metro provide Times Litho a complete explanation of policies for "washing the dump pit," "washing down the trucks" and "washing the parking lot" in order to determine how such sediment was disposed; and 6) Metro offer Times Litho a "Right of First Refusal" should Metro cease to use the site.

Mike Ragsdale, 14325 N.W. Belle Place, Beaverton, said he was appearing before the Council as a member of the Tualatin Valley Economic Development Corporation (TVEDC) Board of Directors and as a Sunset Corridor Association founding member and member of the current Board of Directors. He read into the record a letter from the TVEDC Board. The Board requested the Council select the 209th/TV Highway site, the site recommended by the Governor's Task Force, for the transfer station. The TVEDC felt strongly that locating the facility within the Sunset Corridor would have a direct negative affect on future development within that region.

Mr. Ragsdale reviewed history of the Sunset Corridor area in order to point out why its unique character should be preserved. He explained local property owners and private industry agreed to build Cornell Road through a local improvement district if Washington County would lift it moratorium on industrial development in the area. The LID was then formed with specific language that said no LID assessments could be made unless the urban intermediate designation was removed from the property. A land use review was also requested at that time. A major land use study was conducted by the County. Most of that study was funded by the private sector with some funding provided by Washington County and, with Metro's assistance, UMTA. The outcome of that study led to the existing zoning of the property in the area. The land was specifically and intentionally zoned light industrial and the residential densities were upzoned to provide more housing. An important partnership had started between the County and property owners to provide a modern environment, he explained.

Mr. Ragsdale emphasized that history was important because those events resulted in a recognition by a number developers -- who were also fierce competitors -- that they had successfully cooperated to their collective advantage. The property owners then decided to form the non-profit Sunset Corridor Association to protect their political interests. In the process of forming the association's by-laws, the landowners determined dues would be assessed per acreage to fund the Association. They also determined the Association would be a political entity representing private sector property owners and a marketing entity.

To develop the marketing entity for competition on an international level, the Association established standards above the norm and

above those required by government. Massive private sector expenditures of money on public facilities occurred. Mr. Ragsdale cited work on Evergreen Boulevard by Standard Insurance and Fujitsu as an example. The property owners had advanced from an adversarial relationship with government to creating partnerships with the Portland Development Commission, the State of Oregon and Washington County in which much energy and private money had gone towards building a unique setting in the Sunset Corridor for a special proposed use.

Mr. Ragsdale explained the proposed use being discussed by the Metro Council was clearly not consistent with the self-imposed standards of the Sunset Corridor Association. He requested the Council join with the other governmental entities and work with the Association to allow the owners to work toward their own destiny. He said he could not quantify how the transfer station would damage potential development or land value. Mr. Ragsdale did emphasize, however, testimony received by the Council about perception was accurate. He explained the keenest competition in the world was siting major employment centers. He learned Epson decided to locate in the Corridor because that location, through its self-imposed regulations, gave Epson a sense of security they would be surrounded by like development. Epson revealed they could not get that same assurance in San Diego or Colorado Springs. Again, Mr. Ragsdale asked the Metro Council to join other governments and the Association in the desire to build uniqueness. He requested the Council make a specific public statement Metro would not site a solid waste transfer station in the Sunset Corridor. He requested Metro move forward with the Association as a partner in the private/public sector cooperation.

In response to Presiding Officer Waker's question, Mr. Ragsdale said both the TVEDC and the Sunset Corridor Association advocated the 209th/TV Highway site. For the record, the Presiding Officer said he was on the TVEDC Board but did not vote on the matter of TVEDC's resolution regarding the transfer station.

Councilor DeJardin acknowledged Mr. Ragsdale's point about sending the correct message to potential land buyers was very important. He asked, however, about the message that would be sent to Oregon City residents (where a transfer station was already located) and to Multnomah County residents (where a station was proposed to be located) if Metro yielded to the arguments presented by Mr. Ragsdale.

Mr. Ragsdale noted other industrial uses in addition to a transfer station would not be compatible in the Sunset Corridor. He said other areas were seeking traditional industry and it was not fair to force incompatible industry in specially designated areas.

Metro Council
July 22, 1986
Page 15

Councilor Gardner pointed out Metro was not looking for a site in any of the areas Mr. Ragsdale had described as "self imposed" areas. He acknowledged Metro was looking in the vicinity of those areas but not directly in those areas. The Councilor was concerned that self imposed standards were now being presumed on others. Mr. Ragsdale said he knew he could not regulate use of all property in the area but he said property Metro was considering was immediately adjacent to properties where the commitment to self impose land use standards had already been made.

John Rees, 1865 N.W. 169th Place, Suite 100, Beaverton, Vice President and General Manager of the Quadrant Corporation, testified both sites under consideration were incompatible with the land uses in the general area and with the Sunset Corridor Association's marketing strategy. He also said vibrations of heavy truck traffic generated by the transfer station were of concern to many hi-tech users along with the potential of trucks using especially developed, high quality roadways. Mr. Rees' first choice for a transfer center location was 209th/TV Highway because it was already on a main arterial and the TV Highway was already used by those traveling to the landfill in that area. He said judging by Metro's own criteria, the 209th site ranked higher than either Sunset Corridor site. Of the two Corridor sites, Mr. Rees said he would prefer the Fairway site.

Responding to Councilor Frewing's question, Mr. Rees said he agreed that Beaverton was an appropriate location for the transfer station based on the criteria of center of waste generation.

Susan M. Quick, 101 S.W. Main Street, Suite 1100, Portland, representing the Quadrant Corporation, distributed her client's legal concerns with the selection process. Attached to the letter was a summary traffic analysis performed on the Cornell Road site. She asked Councilors to keep in mind the basis on which their decision must be made. When the selection criteria were applied to the facts, the two sites under consideration must be rejected and the 209th/TV Highway site would emerge as the number one site for the facility, she said. The 209th site received the highest ranking by Metro's advisory committee. Ms. Quick reviewed each of Metro's five siting criteria. Regarding transportation, Ms. Quick said the traffic analysis previously submitted raised serious concerns about the impact of the facility on Cornell Road and Cornelius Pass. She said logic and reason would compel siting the station on either the Sunset or TV Highway, not on a local street, as was the County designation for Cornell Road.

Regarding land use compatibility, Ms. Quick raised many of the same concerns addressed by others. She cited ORS 197.712 which stated

Metro Council
July 22, 1986
Page 16

that local government must protect established industrial areas from incompatible uses in order to maintain and enhance the state's economy. LCDC Goal 9, she said, reiterated that intent. She explained those provisions were very important when viewed from the perspective of other cities competing for the same industries.

Presiding Officer Waker noted the report from Associated Transportation Engineering & Planning seemed to imply 1,016 vehicle equivalent trips per day attributed to the transfer station. He asked Ms. Quick to comment on the relevance of that figure as it related to traffic volume. The Presiding Officer said he would take issue with the document since vehicle equivalent trips per day were typically used to design structural sections of road and were not used for traffic engineering studies. Ms. Quick said she would have the author of the report respond to the Presiding Officer's concerns in writing.

In response to Councilor DeJardin's question, Ms. Quick said her client's primary concern about traffic was interaction on roads and intersections of large trucks with other vehicular traffic. She did not think rush hour traffic from other industries would cause those same problems.

F. Paul Carlson, 1600 S.W. Compton, Room 300, Beaverton, President of the Oregon Graduate Center Corporation, submitted written testimony which he reviewed in brief. He specifically addressed the vibration problems that would be induced by large, heavy trucks making regularly scheduled trips in and out of the area. He also said the possibility of Metro locating in the area had threatened negotiations with an optical instrument company. He stressed that companies dealt in perception rather than reality and if any issue were perceived as a threat to potential business, it would have a negative effect. Finally, Mr. Carlson discussed the integrity of the Sunset Corridor design and concept. People had worked very hard to build a good image to attract the kinds of companies and create the kinds of jobs that would help the region grow. Mr. Carlson supported the 209th/TV Highway. To site the facility in either of the two proposed sites would create safety traffic safety issues, he said.

In response to Councilor DeJardin's question, Mr. Carlson said he did not think any industry requiring distribution of goods by heavy trucks was compatible for the Sunset Corridor.

Judy Taylor, 5190 N.W. Neakahnie, Apartment 13, Portland, testified Metro's criticized Metro's siting criteria and process and urged the Council find solutions that would include private industry. She supported none of the sites, including the 209th/TV Highway site.

Metro Council
July 22, 1986
Page 17

Ms. Taylor said she thought the Council was leaning to select the 209th site and she was concerned citizens in that area could not be at the meeting to protect their interests.

Sharon Page, N.W. Malheur, Portland, cited the book In Search of Excellence and said the issue of perception in business was very real and serious. In the business world, she said, perception was everything. Ms. Page said citizens perceived the Council as not listening to the public. She urged the Council to be reasonable, to listen to what people were saying and to find a location further out on Sunset Highway.

There being no further public testimony, Presiding Officer Waker adjourned the hearing at 11:00 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

amn
6044C/313-2
08/05/86