

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

Regular Meeting
May 28, 1987

Councilors Present: Mike Bonner, Tanya Collier, Larry Cooper,
Tom DeJardin, Jim Gardner, Gary Hansen,
Sharron Kelley, Corky Kirkpatrick, David
Knowles, Mike Ragsdale, George Van Bergen
and Richard Waker

Also Present: Rena Cusma, Executive Officer

Staff Present: Eleanore Baxendale, Kim Duncan, Ray Barker,
Unette Worley, Cathy Thomas, Becky
Crockett, Bob Hart, Andy Cotugno, Tuck
Wilson, James Giesecking, Vickie Rocker,
Rich McConaghy, Donald Carlson, Dennis
Mulvihill, Tor Lyshaug, Cathy Vandehey,
Gene Leo and Jill Hinckley

Presiding Officer Waker called the meeting to order at 5:40 p.m.

1. INTRODUCTIONS

None.

2. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Michael L. Smith, Director, Pacific Inland Navigation, Inc., P. O. Box 4924, Portland, Oregon 97208, distributed a letter from himself to Judith Mandt, dated May 22, 1987, which he read to the Council. Mr. Smith reported his company had designed a disposal plan at the request of Portland area refuse collectors that would involve barging waste up the Columbia River to a sanitary landfill in Klickitat County, Washington. Pacific Inland Navigation would charge a dockside receiving fee of \$16.50 per ton to members and \$19.50 per ton to non-members. He urged the Council to consider the plan as an alternative to flow control and resource recovery.

A discussion followed about Mr. Smith's proposal. Tor Lyshaug, Acting Solid Waste Director, explained that Pacific Inland Navigation had not yet submitted a written plan to Metro. When a written proposal was submitted, he said he would certainly report it to the Council.

Judy Dehen, 2965 N.W. Verde Vista, Portland, Oregon 97210, said a report prepared by a Metro consultant on emission controls for resource recovery facilities contained inconsistencies. After brief discussion, it was determined the Executive Officer would ensure that her concerns about the report were addressed. Ms. Dehen also recalled that she and other attendees at a recent resource recovery hearing had been promised responses to concerns raised at that hearing. Executive Officer Cusma said she would make sure the appropriate staff responded to those concerns and questions.

4. COUNCILOR COMMUNICATIONS

Councilor Kelley, Chair of Tri-Met's Special Needs Committee, invited Councilors to attend a Tri-Met event on June 7 to celebrate that MAX light rail transit was now fully accessible to all riders.

5. EXECUTIVE OFFICER COMMUNICATIONS

5.1 Legislative Status Report

Kim Duncan, Legislative Representative, reviewed the current status of Metro-related state legislation, including HB 2218, a bill regarding contractor and building license administration. She explained the bill had been introduced by Oregon contractors in an effort to consolidate the cumbersome city and county licensing process. Metro had been suggested by the contractors as the preferred administrative agency in an effort to keep the bill alive.

Motion: Councilor Ragsdale moved, seconded by Councilor Van Bergen, that the Council oppose the concept of Metro assuming responsibility for licensing building contractors in the Metro region.

Councilor Van Bergen said he had seconded the motion in order to get the matter on the table.

Councilor Ragsdale explained he was actively opposed to the concept of the bill because it was not appropriate for Metro to become involved in local home rule decisions. He suggested that if it were important for Metro to be considered for licensing administration, a study group first investigate the feasibility of such a decision.

Councilor Hansen supported the concept of HB 2218, explaining he had worked in a field regulated by cities and the process of applying for numerous city licenses had become very expensive, time-consuming and was restrictive to business. He said cities lost licensing revenue because contractors avoided the licensing process when possible.

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Vote: A vote on the motion resulted in:

Ayes: Councilors Gardner, Knowles, Ragsdale and Van Bergen

Nays: Councilors Bonner, Collier, Cooper, DeJardin, Hansen, Kelley, Kirkpatrick and Waker

The motion failed.

Motion: Councilor DeJardin moved, seconded by Councilor Kelley, to request the Council Legislative Committee review HB 2218 and recommend possible action to the Council.

After discussion, it was determined the Legislative Committee would meet immediately after the regular Council meeting this evening.

Vote: A vote on the motion resulted in all twelve Councilors present voting aye. The motion carried unanimously.

Ms. Duncan reported on the status of solid waste bills including HB 3390 introduced by Representative Ron Cease. It was agreed the Council's Solid Waste and Legislative Committees would work together in recommending any course of action to the Council.

Presiding Officer Waker thanked Ms. Duncan for her excellent work in keeping the Council informed and in presenting Metro's position to the State Legislature.

6. CONSENT AGENDA

Councilor Van Bergen requested that item 6.5 (Order No. 87-15 relating to a request by Hillsboro Garbage Disposal, Inc.) be removed from the Consent Agenda in order that the Council could vote on it separately from other Consent Agenda items.

Motion: Councilor Kirkpatrick moved to approve items 6.1 through 6.5 of the Consent Agenda. Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in all twelve Councilors voting aye. Items 6.1 through 6.5 were unanimously approved:

6.1 Minutes of April 9, 23, 29 and 30, 1987

6.2 Resolution No. 87-761, Authorizing Federal Funds for Five 16(b)(2) Special Transportation Projects and Amending the Transportation Improvement Program

6.3 Resolution No. 87-762, Allocating Interstate Transfer and Federal-Aid Urban Funds

6.4 Resolution No. 87-764, Granting BenjFran Development Company an Extension of its Deadline for Filing a Petition for Major Amendment to the Urban Growth Boundary

6.5 Consideration of Order No. 87-15, for the Purpose of Approving a Request by Hillsboro Garbage Disposal, Inc., to Construct a Reload Facility

Councilor Van Bergen explained he had asked the Order be removed from the Consent Agenda so that he could continue to register his resistance to the proposed reload facility.

Motion: Councilor Ragsdale moved, seconded by Councilor Kirkpatrick, to adopt the Order.

Vote: A vote on the motion resulted in:

Ayes: Councilors Bonner, Collier, Cooper, DeJardin, Hansen, Kelley, Knowles, Ragsdale and Waker

Nays: Councilors Gardner, Kirkpatrick and Van Bergen

The motion carried and Order No. 87-15 was adopted.

7. ORDINANCES

7.1 Consideration of Ordinance No. 87-223, for the Purpose of Amending Metro Code Section 2.04 Relating to Contract Procedures (First Reading and Public Hearing)

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

Eleanore Baxendale, General Counsel, reviewed the written staff report. She explained that subsequent use of Metro's newly revised contract procedures had shown the need for modifications. All the proposed modifications were technical and minor in scope with the exception of proposing emergency procedures for Personal Services contracts. The new provisions were similar to the current emergency exemption procedures for public contracts: the Executive Officer must determine there was an emergency and three verbal quotes were still required.

Motion: Councilor DeJardin moved to adopt Ordinance No. 87-223 and Councilor Kirkpatrick seconded the motion.

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Presiding Officer Waker opened the public hearing and there was no testimony on the Ordinance. The hearing was closed. There was no further discussion on the Ordinance. The Presiding Officer announced a second reading was scheduled for June 11, 1987.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 87-760, for the Purpose of Adopting the Updated Washington Park Zoo Master Plan

Gene Leo, Zoo Director, reviewed the history of the Plan's review and hearing process including a public hearing before the Metro Council on May 14, 1987.

Councilor Van Bergen said he objected to using the term "Washington Park" in connection with the Zoo's Master Plan, explaining that name did little to identify the Zoo with the Metropolitan Service District organization or geographical area. He urged staff and the Council's Zoo Planning Committee to address the issue.

Motion: Councilor Kirkpatrick moved, seconded by Councilor DeJardin, to adopt Resolution No. 87-760.

Councilor Kirkpatrick said she had moved adoption of the Resolution with the understanding the Zoo's name should be investigated.

Vote: A vote on the motion resulted in all twelve Councilors voting aye. The motion carried unanimously.

8.3 Consideration of Resolution No. 87-765, for the Purpose of Appointing a Broker of Record (Mercer, Inc.) for Employee Benefits

Cathy Vandehey, Personnel Analyst, presented staff's report. She explained that if the Council adopted this Resolution appointing a Broker of Record, staff would return to the Council Management Committee asking for approval of a contract with Mercer, Inc.

Motion: Councilor Ragsdale moved the Resolution be adopted and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in all twelve Councilors voting aye. The motion carried and the Resolution was unanimously adopted.

Presiding Officer Waker called a recess at 6:40 p.m. The meeting reconvened at 7:00 p.m.

8.2 Consideration of Resolution No. 87-763, for the Purpose of
Adopting the Southwest Corridor Study Conclusions and
Recommendations

Presiding Officer Waker announced that information supplemental to the regular staff report had been distributed to Councilors, staff and other parties: 1) additional letters of comment not included in the staff report and staff's responses to those comments; and 2) additional written testimony received since the May 14 Joint Policy Advisory Committee on Transportation (JPACT) meeting, including an alternative resolution submitted by Doug Allen (referred to as Resolution No. 87-763A during this hearing).

Andy Cotugno, Transportation Director, explained that staff's Resolution No. 87-763, if adopted, would: 1) approve the Southwest Study Conclusions and Recommendations contained in Attachment "A" to the Resolution and would direct staff to incorporate appropriate portions into the ordinance to update the Regional Transportation Plan (RTP); and 2) direct staff to prepare an Intergovernmental Agreement with Washington County to resolve the land use issues specified in Attachment "A." Metro's Transportation Policy Alternatives Committee (TPAC) and JPACT had reviewed the Conclusions and Recommendations and recommended approval of Resolution No. 87-763.

Mr. Cotugno reviewed the material contained in staff's written report included in the meeting agenda materials.

He also explained that the Land Conservation & Development Commission had requested the following amendments to Attachment "A" of the Resolution (language proposed to be added is underlined; language proposed to be deleted is in brackets):

1. Page v, Section 7(a)(2), be changed to read: "If and where exceptions to Goals 3 (Agriculture), 4 (Forest)[, 5 (Resource)] and 14 (Urbanization) are necessary; and"
2. Page vi, Section 7(d) be changed to read: "Washington County will compile documentation required by state, regional and local policies to support necessary exceptions to Goals 3[,] and 4 [and 5]."
3. Page vi, the last sentence of the second to last paragraph, be changed to read: "The land use decision to build the Bypass will not be made until this land use process is completed."

Metro staff were in agreement with the above changes.

Finally, Mr. Cotugno reviewed the extensive review and hearings process for the Southwest Corridor Study Conclusions and Recommenda-

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tions which had started when Washington County had included the study in their 1983 Comprehensive Plan. Metro had been involved for the last two and one-half years providing technical and policy assistance through JPACT and TPAC.

Presiding Officer Waker reported a public hearing had taken place before the Metro Council on March 26, 1987, regarding the Preliminary Study Conclusions and Recommendations.

Presiding Officer Waker opened the public hearing.

Douglas R. Allen, 2247 S.W. 51st Avenue, Portland, Oregon 97215, in Washington County. Mr. Allen read testimony previously submitted to the Council in the form of a letter to JPACT dated May 13, 1987. Mr. Allen testified he was fundamentally opposed to the general methods used in regional transportation planning. The Southwest Corridor was planned on the assumption that America would continue to consume energy and that the population would continue to grow according to existing patterns. He did not agree with those assumptions. He also disagreed with the assumption that it was acceptable to implement planning by relying on external funding decisions that could force the region to choose particular transportation projects not in its best long-term interests.

Mr. Allen explained the Western Bypass alternative would make certain areas more accessible, causing secondary growth. The result could result in economic pressures to expand the Urban Growth Boundary, he said, and that decisions would not be beneficial to taxpayers. He also discussed the negative environmental effects of expanding the highway system such as increased levels of carbon dioxide and acid rain. He questioned whether the proposed plan would be consistent with state land use goals.

Mr. Allen recommended the Council not adopt any resolution that would limit options to just the Western Bypass. By refusing to prejudge the alternatives analysis process, Metro could ensure the Statewide Planning Goals would be properly applied. He requested a third alternative be specified in the resolution that would "utilize a variety of specific highway projects as necessary to achieve the same mobility level of the Sunset/217 and Western Bypass alternatives, but which specifically includes a rail transitway along Highway 217 from Cedar Hills via Beaverton to Tigard, and optionally to Tualatin." That alternative, he explained, should also involve investigating a Sunset Highway median alignment for light rail at least as far as Cornell Road, then extending westward to Hillsboro. It should also look at the possibility of extending light rail on the Southern Pacific right-of-way along TV Highway, again as far as Hillsboro.

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Mr. Allen questioned the study's circumferential rail patronage and transit ridership analyses. He urged Metro's computer model be recalibrated based on the actual ridership experience with MAX. He also suggested that although the Study projected vast increases in the level of transit services over the next 20 years, no mechanism for making the transit service expansion occur had been identified. He said a legally enforceable link in the RTP between further highway construction and expanded transit service had to occur and that a local jurisdiction should not be allowed to implement regional highway construction unless transit service expansion had been provided.

In conclusion, Mr. Allen explained that the public had not been given a clear statement of the problem: "One is led to conclude that the scenario which provides the maximum accessibility and the greatest reserve capacity on the regional system, and which has the lowest traffic volumes on the local street system somehow best solves the problem, even through we are never told what the precise problem is." He also objected to the "veiled assumptions of the Southwest Corridor Study . . . that the lower cost of land outside the Urban Growth Boundary is a perfectly valid reason for siting acres of concrete and asphalt there." Mr. Allen recommended the Council adopt alternative Resolution No. 87-763A which addressed his concerns.

A brief discussion followed Mr. Allen's testimony. In response to Councilor Collier's question, Mr. Allen said he would prefer a plan to conduct environmental impact studies on sites before further negotiations were pursued.

Paul Ketchum, Planner, representing 1000 Friends of Oregon, 534 S.W. Third Avenue, Portland, Oregon, referred to his letter dated April 22, 1987, which was not provided to the Council. He testified that land use issues had to be resolved before specific options could be discussed. He urged the Council to adopt alternative Resolution No. 87-763A.

Councilor Knowles pointed out that the LCDC agreed with Metro's recommendations. Mr. Ketchum said that agreement was not adequate as long as Metro recommended examining land use issues after alternatives were recommended. He also noted that staff should have provided explanations for rejecting certain alternatives not recommended. Mr. Cotugno explained that the 217/Sunset alternative was given the same consideration as other alternatives.

Ray J. Polani, 2717 S.W. Spring Garden Street, Portland, Oregon 97219, representing Citizens for Better Transit, testified he opposed staff's Resolution No. 87-763 and favored alternative Resolution No. 87-763A. He read from an article in the May 1987

edition of World Watch which discussed the need for urban planners to reduce reliance of automobiles and to plan mass transit systems based on intensive urban land use. The article emphasized that the benefits of any urban project should outway its social costs. Mr. Polani questioned whether the proposed Bypass alternative would meet that criterion.

Carla Mathias, 4436 S.W. Alfred, Apartment 54, Portland, Oregon 97219, testified that the recommended Conclusions and Recommendations should give more emphasis to westside light rail transit considerations. She explained that Tri-Met needed more assistant in serving the suburban community and urged the Council to adopt alternative Resolution No. 87-763A.

Donna L. Davis, 2930 S.W. Second Avenue, Portland, Oregon 97201, testified in opposition to Resolution No. 87-763. She likened the Bypass alternative as a bypass operation for hardening of the arteries that would require many years of recuperation. She said the Bypass would result in the "Los Angelization" of the Willamette Valley. She requested the Council approve an alternative plan incorporating light rail transit that would provide for growth while preserving scenic beauty.

Steve Larrance, Washington County Commissioner, testified in support of staff's proposed Resolution No. 87-763. He commended Metro on keeping the public informed about the proposed project. He also thought the Southwest Corridor Study Conclusions and Recommendations were supportive of mass transit options. He said Washington County had matching funds in place for the preliminary engineering phase of the project and was anxious to start the work.

Bruce Warner, Director of Land Use & Transportation, Washington County, testified the County supported plans for a balanced transportation system. Mr. Warner said the County was ready to enter into an agreement with Metro and that it would probably take 6 to 18 months to resolve related land use issues. He supported staff's recommended resolution, pointing out it had been endorsed unanimously by JPACT and TPAC.

Councilor Ragsdale said he was tempted to move a resolution imposing a time limit on resolving land use issues. Mr. Warner explained that the language in staff's recommended resolution addressed land use issues and timing and that staff would return to the Council on one month with a proposed project schedule.

Fred C. Cooper, 11675 S.W. 66th Avenue, Tigard, Oregon 97223, testified in support of staff's recommended Resolution No. 87-763. He explained that if the Council did not adopt the Resolution, project delays would result which would not benefit the public.

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John Frewing, 7932 S.W. Reed College Street, Portland, Oregon, member of Executive Officer Cusma's Transportation Transition Committee, and a former Metro Councilor, District 8. Mr. Frewing testified the Council should not adopt Resolution No. 87-763 at this time. He was concerned some parties would use the resolution's provisions to their advantage and as a result, the region would not benefit. He suggested that at this time the Council adopt only the portion of the resolution calling for staff to prepare an Intergovernmental Agreement with Washington County specifying the process and time frame to resolve the land uses issues. Because of the scope of the project and because Metro's credibility was a stake, he thought it important to have all the land use issues resolved before other work was undertaken. Finally, Mr. Frewing said he was encouraged by the testimony of Washington County officials that revisions to the Regional Transportation Plan would contain the same level of detail as had been produced for other regional corridors.

Mr. Cotugno said the revisions would not contain the same level of detail for other corridors as had been provided in the Conclusions and Recommendations for the Southwest Corridor Study.

Mr. Frewing emphasized there needed to be an overall, Metro-wide agreement on how the community would develop so that all parts of the region would "get a piece of the pie." He said some could conclude the study was biased in favor of Washington County.

Councilor Ragsdale pointed out that when the Banfield Light Rail project was being planned, similar accusations of favoring East Multnomah County had resulted. The Southwest Corridor Study was now providing a balance, he said.

In response to Councilor Van Bergen's question, Mr. Frewing explained that alternative Resolution No. 87-763A called for more study and more general wording in the Regional Transportation Plan. He suggested staff prepare a paper on exactly what it meant for a project to be included in the RTP.

Mr. Cotugno explained a project must be included in the RTP in order to be eligible for federal transportation funds. Funding decisions were made based on the Six-Year Highway Improvement Program Update. The Update process called for Metro to identify regional priorities for state review. The state would then decide which projects would be funded.

David R. Bowman, 7387 S.W. Delaware Circle, Tualatin, Oregon 97062, testified that staff had clearly proven the need for a bypass. However, he suggested the information contained in Map R-1 of the staff report be reported in writing. He pointed out that the bypass project would involve the use of a wetland and floodplain area. As

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such, he thought it very important an environmental impact study be prepared in the early stages of the project. If the corridor designation was eliminated from staff's maps and instead described in writing, this would allow for further investigation of the environmental impacts of the total proposed route, he said. Finally, he asked asked staff if I-205 from Tualatin to Oregon City would be addressed in another study.

Mr. Cotugno responded there were no plans for expansion of that portion of I-205 at this time. Mr. Bowman then suggested Metro's traffic forecasts be updated for that area. He explained when he had driven that route during rush hour, the traffic had been very heavy. He speculated that if the bypass were built, traffic along that route would increase.

Jim Howell, 3325 N.E. 45th Avenue, Portland, Oregon 97213, testified the Study's Conclusions and Recommendations had presented a heavy bias for the bypass option which he did not favor. Mr. Howell thought the study travel time data was flawed and traffic constraints not adequately considered. He favored the Sunset/217 route because it was more conducive to light rail transit. Mr. Howell also pointed out that the Burlington Northern and Oregon Electric rail lines now for sale could accommodate passenger and freight traffic. He strongly disagreed with the Study's conclusions that light rail was not feasible. He pointed out the initial Banfield studies had reached the same conclusion but time had proven that conclusion wrong: To not consider transit solutions would result in not solving transportation problems.

Ken McFarling, 7417 S.E. 20th Avenue, Portland, Oregon, testified in favor of a transit solution. He explained that public money so lavishly spent for highway improvements would go much further if allocated to light rail transit. He also pointed out that multi-lane highways isolated neighborhoods, disturbed sewer and other service lines, and used land that would not be available for other uses. Rail transit, however, used far less land and created none of the problems cited above. He explained that Washington County's commitment to transit was, in reality, a promise to allow busses to travel on highways.

Michael A. McKillip, PO Box 369, Tualatin, Oregon 97062, representing the City of Tualatin on JPACT, testified the City strongly supported the Southwest Corridor Study Conclusions and Recommendations and that the solutions proposed by the Study were very important to the area. He encouraged the Council to adopt staff's Resolution No. 87-763 and to move forward with the project as soon as possible so that traffic problems could be resolved.

Councilor Ragsdale, referring to the environmental problems raised in the earlier testimony of David Bowman, asked Mr. McKillip to

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share his observations on the matter. Mr. McKillip said the land was identified as protected land in Tualatin's Comprehensive Plan, similar to the designation given to protected wetlands. He was confident natural features of that land could be protected and that the transportation facility could also be installed.

There was no further testimony. Presiding Officer Waker closed the public hearing.

Referring to the earlier discussion about protected land in the corridor area, Mr. Cotugno explained that staff was very aware of special concerns regarding the land. However, he thought it a mistake to remove any designation from the map. He pointed out it was important to maintain the greatest amount of flexibility during the early planning stages of the project.

Councilor Hansen suggested the Council continue its consideration to the meeting of June 11 in order to digest testimony just received. He was especially interested in staff further pursuing John Frewing's suggestions.

Motion: Councilor Hansen moved, seconded by Councilor Knowles, to set over consideration of Resolution No. 87-763 to the meeting of June 11, 1987.

Councilor Ragsdale asked whether staff had prepared a written timeline for resolving land use issues. Mr. Cotugno explained those issues would be resolved within the next two months. Staff would enter into an intergovernmental agreement with Washington County for the purpose of reaching a consensus on those issues upon adoption of Resolution No. 87-763, he said. The Councilor said he was very concerned about how those issues would affect land owners in Washington County and emphasized the importance of getting the issues settled as soon as possible. In conclusion, the Councilor said his concerns had been addressed and he was prepared to vote on the Resolution at this meeting.

Councilor Gardner supported the motion to continue the meeting to June 11 for the same reasons stated by Councilor Hansen.

Councilor Kirkpatrick was prepared to vote on the Resolution but said she would vote for the motion to continue the item if the Council identified specific questions for staff. She pointed out that land uses was not a new issue.

Presiding Officer Waker did not support the motion to continue the matter, explaining JPACT had unanimously approved the resolution and had discussed the matter through a lengthy consensus building process. He pointed out the Council had never overturned a JPACT

recommendation and questioned what could be learned by sending the matter back to the Committee for further review.

Vote: A vote on the motion resulted in:

Ayes: Gardner, Hansen, Kelley and Knowles

Nays: Collier, Cooper, DeJardin, Kirkpatrick, Ragsdale, Van Bergen and Waker

Absent: Bonner

The motion failed.

Main Motion: Councilor Kirkpatrick moved, seconded by Councilor DeJardin to adopt staff's recommended Resolution No. 87-763.

Motion to Amend: Councilor Gardner moved, seconded by Councilor Collier, to substitute alternate Resolution No. 87-763A in its entirety for Resolution No. 87-763.

Councilor Knowles asked staff to comment on alternate Resolution No. 87-763A as proposed by Douglas Allen. Mr. Cotugno said the alternate resolution did not address adequate solutions to serve the region.

Councilor Gardner said he supported the substitute resolution because the Southwest Corridor Study Conclusions and Recommendations had not given adequate thought to the Sunset/217 option and light rail transit solutions or to transit in general. He expressed concern that transit ridership estimates had been too low and that land use issues had not been resolved.

Councilor Knowles said he would vote for the substitute resolution but would also vote for staff's resolution if the substitute resolution failed. He appreciated Washington County's efforts and concerns, but noted that regional issues regarding land uses had yet to be resolved.

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

Ayes: Collier, Gardner, Kelley and Knowles

Nays: Cooper, DeJardin, Hansen, Kirkpatrick, Ragsdale, Van Bergen and Waker

The motion failed.

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Councilor Kirkpatrick was confident the transportation project could address both highway and transit concerns through a careful regional planning process.

Councilor Cooper supported Resolution No. 87-763, saying it was a step in the right direction to resolving traffic congestion in Washington County.

Councilor Kelley said she would reluctantly support the main motion. She was concerned about unresolved land use issues.

Councilor Ragsdale supported the motion and said Washington County's land use process had been thoroughly examined. He thought the process was progressive in that it addressed commercial and residential needs.

Councilor DeJardin explained the Council had traditionally trusted JPACT to "turn over all the rocks" and to make informed recommendations. He saw no reason to doubt their recommendation on this matter.

Councilor Hansen said he was reluctantly voting against the motion. He explained the study had not addressed land use and transit issues.

Vote on the Main Motion: A vote resulted in:

Ayes: Collier, Cooper, DeJardin, Gardner, Kelley,
Kirkpatrick, Knowles, Ragsdale, Van Bergen and Waker

Nay: Hansen

Absent: Bonner

The motion carried and staff's recommended Resolution No. 87-763 was adopted.

9. CONTRACTS

9.1 Consideration of a Contract with Grimms Fuel Company, Inc., for Removal and Processing of Source Separated Yard Debris at the St. Johns Landfill

Before staff presented its report, Councilor Gardner asked Tor Lyshaug, Acting Solid Waste Director, to comment on testimony given by Michael Smith, representing Pacific Inland Navigation earlier in the meeting under Agenda Item 3. Mr. Lyshaug reported that Pacific Inland Navigation had not submitted any proposal in writing. Until that occurred, any claims made by Pacific Inland could not be seriously considered. Mr. Lyshaug added that he was very interested

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in seeing a written proposal and he would be meeting with the firm the next day.

Regarding the yard debris contract, Councilor Kelley said she was concerned about the cost-effectiveness of the arrangement. She pointed out that someone had already paid \$16 per ton to dispose of the yard debris at St. Johns Landfill and the contract would pay another party \$29.90 a ton to haul it out of the landfill. Mr. Lyshaug agreed the cost was high but explained the contract represented Metro's investment in developing and promoting yard debris disposal and markets. Staff were encouraging people to take yard debris to places other than St. Johns but would continue to accept the material at St. Johns as a service to the public.

Motion: Councilor Gardner moved the contract with Grimms Fuel Company be approved and Councilor Ragsdale seconded the motion.

In response to Councilor Van Bergen's question, Mr. Lushaug reported that all other contracts for removing yard debris material from St. Johns had been terminated because those programs had not been successful.

Councilor Van Bergen was concerned that Grimms Fuel could not handle the quantity of yard debris they would receive from St. Johns. The Presiding Officer and Councilor Kirkpatrick assured Councilor Van Bergen Grimms' operation was large and experienced and could handle the large volume. Councilor Kirkpatrick added that staff needed to consider a proposal for prohibiting yard debris disposal at St. Johns Landfill.


Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilor Bonner and Knowles were absent.

The motion to approve the contract carried.

Councilor Van Bergen requested the Executive Officer provide the Council with an ongoing report on the status of the project.

There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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