

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

Council Chamber

April 11, 1991

Councilors Present: Presiding Officer Collier, Deputy Presiding Officer Gardner, Larry Bauer, Roger Buchanan, Richard Devlin, Tom DeJardin, Jim Gardner, Sandi Hansen, David Knowles, Ruth McFarland, Susan McLain, George Van Bergen and Judy Wyers

Councilors Absent: None

Presiding Officer Collier called the meeting to order at 5:34 p.m.

Presiding Officer Collier announced Resolution No. 91-1424, For the Purpose of Recommending the Westside Corridor Project Locally Preferred Alternative and Associated Land Use Action has been scheduled for a time certain at 5:50 p.m. for Council consideration and public hearing.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Rena Cusma introduced Ms. Robin McArthur-Phillips who briefed the Council on the State Agency Council's Growth Issues in the Portland Area 1990 Report and the State Agency Council's (SAC) activities since then Governor Goldschmidt started the Council approximately one year ago.

Councilor Knowles asked if the SAC would continue. Ms. McArthur-Phillips said Governor Roberts was very interested in SAC activities and in its continuance. Councilor Knowles asked how the SAC was funded. Ms. McArthur-Phillips said it was funded with a combination of highway, ODOT and housing funds. She said the State Legislature was currently discussing how the SAC should be funded in the future.

Councilor Gardner said RUGGO had benefitted greatly from the SAC and from Bill Young's input who served on Metro's Policy Advisory Committee. He said that committee would recommend creation of a regional policy advisory committee to advise Metro on regional land use issues and he anticipated that a SAC representative would serve on that committee when it was created.

**4. CONSENT AGENDA**

**4.1 Minutes of December 13, 1990, and February 28, 1991**

(Referred from the Finance Committee)

**4.2 Resolution No. 91-1426, For the Purpose of Confirming the Appointment of Jennifer A. Sims to the Position of Director of Finance and Management Information**

**4.3 Resolution No. 91-1427, For the Purpose of Confirming the Appointment of Neil E. Saling to the Position of Director of Regional Facilities**

**4.4 Resolution No. 91-1349, For the Purpose of Confirming the Appointment of Roger S. Meier to the Investment Advisory Board**

(Referred from the Solid Waste Committee)

**4.5 Resolution No. 91-1421, For the Purpose of Confirming the Appointment of Kent Frutiger, Linda Mullen and Emilie Kroen to Fill Vacancies on the 1<sup>st</sup> for Recycling Advisory Committee**

(Referred from the Regional Facilities Committee)

**4.6 Resolution No. 91-1417, For the Purpose of Confirming the Appointment of Metro's Representatives to the Oregon Tourism Alliance Board**

**Motion:** Councilor DeJardin moved, seconded by Councilor Buchanan, for adoption of the Consent Agenda Items listed above.

**Vote:** Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen and Collier voted aye. Councilor Wyers was absent. The vote was unanimous and the Consent Agenda was adopted.

Councilor McLain introduced Mr. Kent Frutiger and Ms. Emilie Kroen were present and introduced them to the Council and those present.

**5. RESOLUTIONS**

**5.2 Resolution No. 91-1424, For the Purpose of Recommending the Westside Corridor Project Locally Preferred Alternative and Associated Land Use Action**

**Main Motion:** Councilor Knowles moved, seconded by Councilor Devlin for adoption of Resolution No. 91-1424.

Councilor Knowles reported on the Joint Policy Advisory Committee on Transportation's (JPACT) consideration of the resolution. He said JPACT considered the resolution the date of this meeting. He said the resolution endorsed the recommendations of the Project Steering Group comprised of representatives from governmental entities including Metro, Tri-Met and ODOT which in turn relied on recommendations from a citizens advisory committee and a project-managers group. He said the Steering Group's alignment recommendations as a whole comprised the preferred alternative and were listed in the decision document in the Council agenda packet. The decision document showed alternatives for each segment of the Westside LRT as well as related highway improvements. He said the Committee made decisions on the alternatives for each segment. He said the Council was asked to endorse the recommendations as a whole and Exhibit B (the Consolidated List of Mitigation Options) which contained outlined issues for continued consideration for each of the alignment sections.

Councilor Knowles proposed two amendments to Exhibit B. He said the first amendment addressed highway improvements made related to lightrail construction and access to and from U.S. 26 and Barnes Road. He said the second proposed amendment dealt with the Sylvan Station. He said the Steering Committee recommended the long tunnel option but did not include the Sylvan Station in that recommendation. He said Exhibit B should continue the Sylvan Station for consideration. Councilor Knowles referred to amended Exhibit B with new language which would make the Sylvan Station a bid alternate; to postpone a final decision on the Sylvan Station until after the UMTA full funding agreement was signed; and ensure it was a feasible option during the bidding process.

Councilor Bauer discussed the Transportation and Planning Committee's consideration of the resolution and noted the Committee unanimously supported the Steering Group's recommended preferred alternative (the long tunnel with the Zoo stop), but members were concerned about federal funding of the project.

Presiding Officer Collier opened the public hearing.

Bob Post, Tri-Met Assistant General Manager, noted Metro's hearing was the culmination of a two and a half year process before Tri-Met began negotiations on the project with the federal government. He said those negotiations had to finish by September 30, 1991 to meet funding requirements. Mr. Post said Tri-Met appealed to jurisdictions for their cooperation. He said the recommendation before the Council had evolved over two years and was meant to bring the consensus of community recommendations forward, with the Tri-Met Board holding a hearing April 12 for final consideration. He said the recommendations began with a position paper by the Citizens Advisory Committee, a body comprised of 24 citizens which met frequently over a two-year period to solicit public comment and have staff respond to that public comment. He said

the Citizens Advisory Committee made their recommendations to the Project Steering Committee and the Project Management Group chaired by himself. He said the Project Steering Committee developed the final recommendation. He said prior to this meeting, six other jurisdictions had already reviewed and passed on the recommendations nearly unanimously. Mr. Post gave a slide show presentation with an overview of the proposed light rail project.

Mr. Post said the Decision Document gave all the alternatives considered for the alignment; reviewed the advantages and disadvantages of each alternative; and reported the recommendations of the Project Citizen Advisory Committee (CAC Project Management Group) and the Steering Group. He said the recommendations were divided into the rail side and the highway side. He said the Steering Group recommendations on the rail side were to reaffirm rail as a preferred mode and alternative for the Westside Corridor as a reaffirming of the decision initially made in 1983. He said the second recommendation was to reaffirm the selection of Option A on the downtown portion of the project for the surface alignment of Southwest 18th and Jefferson Street. For the Canyon area, he said four options were reviewed for the Canyon area and the option recommended was a long tunnel with a station at the Metro Washington Park Zoo. He said the Steering Group appended two additional recommendations; 1) To preserve a future option for a station at Sylvan if cost-effective and 2) To preserve a future option for a station at Golf Creek. Mr. Post said the Steering Group recommended the north alignment into the Beaverton area on the Burlington-Northern tracks. He said the Group also recommended the preservation of a future option for a station in east Beaverton. He said the federal government allowed three terminus locations at 185th, Murray Boulevard, and at the intersection of Highway 217 and Sunset Highway. He said the original terminus recommended in 1983 was located at 185th.

Mr. Post reviewed recommendations for the highway side. He said the recommended base design had a series of modifications which included improvements to both the Zoo and the Sylvan interchange; and widening Sunset Highway from four to six lanes. He said the Steering Group's recommended modifications for the Zoo to Sylvan segment involved three possible options: 1) Moving the highway north of the south hillside and reducing some of the impacts the original design created on the south side of the freeway with regard to retaining walls and removal of vegetation and trees; 2) Keeping Canyon Court open (whereas the original design would have closed Canyon Court); and 3) Locating the new Zoo westbound on-ramp at the Zoo over-crossing structure. He said the Sylvan interchange area involved two recommendations to the base design: 1) To correct the misalignment of the Westgate and Montgomery intersection to minimize circulation impacts on neighborhood businesses and the French American School; and 2) To create a more standard design intersection on the south side of the freeway.

Mr. Post said the last series of recommendations for the Sylvan to Highway 217 interchange segment included: 1) Elimination of the Southwest 76th Avenue over-crossing included in the base design; 2) Routing all traffic north to Barnes Road to the intersection with Leahy Road; and 3) Building an eastbound/westbound collector road system between Sylvan and the Camelot Court over-crossing. Mr. Post referred to the Golf Creek alternatives and noted a recommendation by Washington County and ODOT was being carried forward which indicated that if routing traffic north to Barnes Road could not be accomplished, ODOT would explore providing access by Bramish Road to Camelot Court and the westbound on-ramp. He said those options were included in the Decision Document as Options 1-10 and 1-10A.

Mr. Post said there was still debate about the east end of the project and the downtown area Alternative C-2, a longer extension of the tunnel than the surface option. He said there was a mitigation option for the Sylvan area because of concern there would not be a Sylvan station. He said local neighborhoods opposed the station due to increased traffic and displacement of businesses. He said there had been on-going debate about the Golf Creek access. He said the recommendations before the Council had been carried forward by the local jurisdictions including Washington County and ODOT.

Councilor McFarland expressed concern about the Zoo being used as a park-and-ride location for light rail if there was no Sylvan Station, especially during inclement weather. Mr. Post said there were mechanisms to control park-and-ride activity.

Councilor Devlin noted Westside lightrail had enormous potential for the region and asked how long the process would take from the beginning planning/conceptual stage to when riders would actually use lightrail. Mr. Post said really serious effort was initiated in 1979 or 1980 and said the whole project would last 12 to 15 years from beginning to end. Councilor Devlin anticipated riders would use the line in 1997-98. Mr. Post noted San Diego had laid out a system they planned to build over a number of years, but had a dedicated funding source.

Tom Walsh, Tri-Met's General Manager designate, said the process had been a long one and had stirred controversy. He said the largest public works project in the state would generate controversy and noted the most controversial aspect was the Jefferson Street alignment. He said Portal C presented higher risk than a surface alignment but said the risk was solvable. He said additional costs for a surface alignment could range from \$5 to \$39 million. He said Portal C presented the best options and would keep the project moving.

Presiding Officer Collier opened the public hearing.

Carol Edelman, 222 N.W. Davis, Portland, urged the Council to include public arts in the lightrail construction project and said it had become apparent in the last decade how significant publicly-owned art was. She said the tunnel would present the greatest challenge and cited the O'Hare Airport in Chicago as an example of how art displayed at public facilities impacted citizens in a positive manner. She said such projects were successful when artists were involved early in the process. She thanked the Council for being visionary with regard to the Oregon Convention Center and said the Convention Center had been cited by national critics as the best facility of its type with regard to the art displayed there.

Councilor Knowles said Ms. Edelman's input was instrumental during Convention Center construction and thanked her for her efforts on Metro's behalf. Councilor Knowles noted Exhibit B addressed one percent funding for art for the lightrail project. He said the one percent allocated would not comprise one percent of the entire project, but portions which would have high visibility. Councilor Knowles noted Tuck Wilson served as the Westside Lightrail coordinator and had served as the original Oregon Convention Center Project Director, and was experienced in issues related to art for public facilities.

Ronald Kane, 1850 S.W. Skyline Blvd., Portland spoke for the Sylvan Neighborhood Association and Sylvan businesses against the Sylvan station and/or a park-and-ride stop in that area. He said the Association was backed by the CAC, Washington County and City of Portland commissioners. He said the reasons against such a station included inclement weather which prohibited safe vehicular movement, increased traffic, lack of room, and needlessly adding \$35 million to the project to acquire the property to build the station. He said the Golf Creek Station would be cheaper to site and build and said necessary funding was needed further down the line.

Barbara Devine, 2276 S.W. Humphrey Park Road, Portland, spoke as president-elect of the Southwest Hills Residential League and for the Citizens for the Canyon. She said mass transit was necessary but said the various alignment choices raised questions. She questioned lightrail travel through the Canyon and said the Citizens hired Richard Proctor, engineering geologist to examine the issue. She quoted Mr. Proctor, saying that it would be foolish to route lightrail through the Canyon because it was geologically unstable and environmentally fragile, and cited the loss of trees and danger of slides. Ms. Devine said there was time to do the entire lightrail project properly and urged the Council not to approve a Canyon route.

Micki Rosen, 4475 S.W. Fairview Circus, Portland, spoke as president of the Sylvan Highway Neighborhood Association and noted the Association submitted a petition with 148 signatures to the Metro Transportation & Planning Committee as well as copies of Sylvan neighborhood agreements.

Ms. Rosen supported the lightrail long tunnel option minus a park and ride station at Sylvan because of limited space at that site and the need for traction devices during inclement weather. She said adding cars and buses would not relieve current congestion but add to it. She said there was no way to carry traffic away from Sylvan and that traffic would have to use Sunset Highway. She said citizens hoped Metro would reduce traffic on Sylvan Hill.

Leonard Palmer, 724 S.W. Harrison, Portland, noted he taught geology at Portland State University, spoke for the Arlington Heights Neighborhood Association, and noted he had been involved in land use planning. He expressed concern about the lightrail process and its impact on citizens. He emphasized Arlington Heights supported lightrail and specifically supported Portal A and the Northside Surface route. He said over the long term, government officials had listened to residents and the proposal before the Council was good. He said Portland State University ridership would be served, surface transportation would be cheaper, and emphasized the aesthetics and experience of the ride itself. Mr. Palmer discussed geographical considerations and noted Portland had suffered three major landslides exactly in the way of Portal C-2 and Arlington Heights. Mr. Palmer cited Dale Cornforth & Associates, Red Squire & Associates, Dames/Moore & Associates and Tri-Met staff recommendations against putting a tunnel through an active landslide area.

Howard Glazer, 2378 S.W. Madison, Foothills Committee chair, spoke for the Goose Hollow Foothills League, and said the C-2 Option should have been chosen. He expressed concern that geology reports commissioned by his committee had been ignored. He said the Dames/Moore report was ignored. Mr. Glazer expressed strong opposition to the Portal A recommendation, citing safety and ridership benefits in favor of Portal C-2.

Councilor Van Bergen asked which of the three routes would provide the fastest trips compared to vehicular traffic. Mr. Glazer discussed time and distance of alternate routes and said that Tri-Met had admitted the C-2 route would increase ridership by 500.

Laurie Sitton, 4721 S.E. 38th, chair, City/County Advisory Committee on the Disabled, addressed level platform access issues. She said eastside lightrail to Gresham accomplished access via the mechanical lift and said it was not as successful as intended for the disabled to access the trains. She said level platform access had been used successfully by other jurisdictions and urged Metro to mandate its use. She said problems encountered with the lifts included equipment breakdowns which caused time and inconvenience factors. She noted the trains had to slow down to align themselves with the lifts; the trains could not back up, so that if they went ahead of the lift, the rider had to wait for the next train. She said riders had to position themselves in the lifts and the lifts were sometimes used for garbage receptacles

making them unpleasant to use. She said when lifts and ramps were assessed in 1982-3, they were unaware of level access platforms now used in Europe. Ms. Sitton requested level platform access be included in the final planning processes for Westside Lightrail.

Bob Pike concurred with Ms. Sitton's testimony and discussed Oregon Convention Center handicapped access. He advocated additional elevators which could access the Skybars. Presiding Officer Collier asked the Regional Facilities Committee to address Oregon Convention Center disabled access issues.

Councilor Knowles said the City Planning Commission had adopted a recommendation that level platform access be provided in lieu of the lifts now used. Ms. Sitton said the City of Portland Planning Commission, the Multnomah County Commission, and the Portland City Council all supported level platform access. She said the U.S. Disability Act would require that two persons per car could transfer onto lightrail and said the lifts could not transfer two persons per car but level platform access could.

Don McClave, Portland Metropolitan Area Chamber of Commerce president, cited the success of the Portland Transit Mall and noted it faced opposition by various parties when first proposed. He cited the success of MAX and said the Westside Lightrail first proposed in 1983 was essentially the same as the one before the Council now and promised to be as successful as MAX.

Grady Landarm, 2443 SE Taylor, Portland, urged the Council to incorporate the level access platform. He had used such platforms in Europe, Washington, D.C., and San Francisco. He said the platforms provided easy access to the disabled and provided benefits to not only the disabled, but also to parents with small children in strollers, and seniors. He said the current lifts made the rider feel like he or she was in a box and it was difficult for MAX drivers to see if a person was in them or not. He noted Mr. Pike's reference to the Disability Act and said it was now difficult for the disabled to travel together as a group. Presiding Officer Collier asked Mr. Landarm if he knew Councilor Knowles had proposed amendments to Resolution No. 91-14 Exhibit A to incorporate level access platforms. Mr. Landarm said if the amendments were similar to those proposed by Ms. Sitton and Mr. Pike, they were acceptable to him. He noted level platform access was suitable for all terrains whether under or above ground.

Pam Baker, CAC Metro appointee, distributed the "bid alternate," and supported Councilor Knowles' proposed amendments. She said considering Sylvan as a bid alternate should allow economies of scale and would allow Tri-Met to find out if Sylvan and the Zoo Station could be built concurrently with the long tunnel. She said in looking at long range



benefits it was inappropriate to ignore the potential of Sylvan station would bring.

Jeff Gudman, Goose Hollow Foothills League Lightrail Committee member, said he testified before the Transportation & Planning Committee April 4 and would not repeat previous testimony. He noted, as Mr. Walsh had indicated, that the Goose Hollow Foothills League had hoped there would be consensus on the best decision for lightrail. He said that had not been the result, although all parties had acted in good faith. He said the excellent advocacy exhibited made it impossible for all parties to find consensus as a whole. He agreed with Mr. Walsh's assessment of Portal C-2 with regard to geologic and landslide considerations. He said Portal C-2 would increase ridership and get closer to the greatest concentration of population in Portland. He asked Metro to carefully consider both portal options.

Presiding Officer Collier asked if anyone else present wished to testify. No one else appeared to testify and the public hearing was closed.

First Motion to Amend: Councilor Knowles moved, seconded by Councilor Devlin to add at the end of Exhibit B under the heading "Project-Wide," the language "Handicapped Access; (new paragraph) Recommendation: Level platform access to lightrail cars shall be provided at all stations in lieu of the mechanical lift mechanism used on the Banfield rail line."

Councilor Gardner expressed support for the motion to amend, but asked if the amendment would present configuration difficulties for lightrail cars because of the different access design. Mr. Post said vehicles would be modified or replaced. Mr. Post said the amendment provided for options, including mixing new and old cars. He noted level platform access equipment was not currently manufactured in North America.

Vote on First Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and the motion to amend passed.

Second Motion to Amend: Councilor Knowles moved, seconded by Councilor Gardner, to amend Resolution No. 91-1424 Exhibit B, Consolidated List of Mitigation Options as follows:

New language to state: "Provision should be made for routing traffic from Golf Creek Apartments northward to the intersection of Barnes Road at Leahy Road. If further consideration of this option results in a finding that it is infeasible, a variation of mitigation option 110 or 110A that

is least disruptive to the existing ingress and egress situation should be explored."

Under the same motion Councilor Knowles submitted additional language to amend the Sylvan Station Recommendation: "Tri-Met is directed to undertake additional activities toward development of a Sylvan Station after negotiation of the full funding agreement by the September 30, 1991, deadline. Between September 1991 and tunnel project bidding (1993), Tri-Met is to refine the station's cost estimate and assess overall Westside project costs and funding. In the 1993 time frame, Tri-Met will bid the tunnel project with three options: 1) Long-tunnel without a Sylvan Station; 2) Long-tunnel which preserves the option for the Sylvan Station; and 3) Long-tunnel with a Sylvan Station included. At the time bids are received, and based on the financial status of the remainder of the project as well as the need to protect and preserve air quality, Tri-Met, in consultation with the region's participating governments and the appropriate state agencies, will assess whether or not to build Sylvan Station."

Vote on Second Motion to Amend: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and the motion to amend passed.

Vote on Main Motion as Amended: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and Resolution No. 91-1424 was adopted as amended.

5.1 Resolution No. 91-1418, For the Purpose of Authorizing an Exemption to Metro Code Chapter 2.04.060, Personal Services Contracts Selection Process, and Authorizing a Sole-Source Contract with Stop Oregon Litter and Vandalism (SOLV) for Sponsorship of the Annual "SOLV-IT" Cleanup Event on Saturday, April 13, 1991

Presiding Officer Collier recessed the Council of the Metropolitan Service District and convened the Contract Review Board of the Metropolitan Service District.

Motion: Councilor Gardner moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1418.

Councilor Gardner gave the Solid Waste Committee's report and recommendations. He said the resolution represented Metro's contribution for the second annual regional SOLV-IT clean-up event on Saturday, April 13 for two activities including neighborhood clean-ups intended for neighborhood clean-up events intended for yard debris

collection in 44 neighborhoods within Portland and also for clean-up of 12 illegal dump sites located throughout the region. He noted last year's SOLV-IT event was extremely successful and noted Metro had budgeted \$78,000 for FY 1990-91 clean-up activities and that Metro's contribution to SOLV was for \$20,000. He said the contract was considered sole source because SOLV had the prior experience to perform these functions. He said remaining funds would be used for local jurisdictions to host their own clean-up events.

Councilor McFarland noted The Oregonian had published an article on Metro's sponsorship of the SOLV-IT event and believed the Council should adopt relevant legislation before Metro's participation was advertised in such a manner.

Councilor Wyers expressed concern about increased illegal dumping in the region and said the issue should be addressed in the future to prevent further illegal dumping. She said measures taken could be increased funding for local jurisdictions and programs to educate the public.

Vote: Councilors Buchanan, Devlin, DeJardin, Gardner, Hansen, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Bauer and Knowles were absent. The vote was unanimous and Resolution No. 91-1418 was adopted.

Presiding Officer Collier adjourned the Contract Review Board and reconvened the Council of the Metropolitan Service District.

5.3 Resolution No. 91-1420B, For the Purpose of Supporting Modification of Constitutional Limitations on Use of Vehicle-Related Revenues

Motion: Councilor Gardner moved, seconded by Councilor Devlin, for adoption of Resolution No. 91-1420B.

Councilor Gardner presented the Transportation & Planning Committee's report and recommendations. He said the resolution expressed support for modification of the current limitation in the Oregon Constitution on the uses for vehicle-generated fees and revenues. He said the modification recommended the revenue raised from those fees be used for a broader range of transportation system improvements rather than highways only. He said the resolution recognized the state's need to continue to improve and expand the transportation system in a variety of ways and give local governments more flexibility with their transportation solutions. He said the resolution endorsed a true multi-modal transportation system from those revenues. He explained the resolution had become a "B" for language clarification purposes. Councilor Gardner said two bills were pending in Salem related to these issues and one bill was similar to Resolution No. 91-1420B. He said these concepts had been endorsed by other jurisdictions. He said

because of timing considerations the resolution did not speak for those jurisdictions and was a statement of support.

Vote: Councilors Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Bauer was absent. The vote was unanimous and Resolution No. 91-1420B was adopted.

#### 6. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Councilor Devlin distributed and explained Senate Bill 706 and House Bill 2136. He asked for a vote on Council opposition to SB 706 because it conflicted with Metro's position as metropolitan planning organization (MPO) for the region because it provided for members to be nominated and confirmed by the Senate. He said Metro Councilors could not be confirmed by the Senate and the language was confusing. Councilor Devlin said the Council was not on record as supporting, opposing or monitoring SB 706.

Motion to Oppose: Councilor Devlin moved, seconded by Councilor Gardner, that the Metro Council stated its opposition to SB 706.

Vote on Motion to Oppose: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and the motion passed.

Councilor Devlin said the Council was on record as monitoring HB 2136, a bill sponsored by the State Parks Division to propose a tax on carbonated beverages originally to fund the State's 2010 Parks Plan. He said the Council was on record as supporting funding for the Resource Conservation Trust Fund (RCTF). He said the date of this meeting the Parks Division agreed to amendments to HB 2136 which would provide \$24 million for the 2010 Plan biennially; \$10 million to offset the State Parks from the General Fund; \$6 million annually for local governments which potentially included Metro; and \$4 million to start funding for the RCTF. He said the House Revenue Committee would consider HB 2136 April 14. He noted Governor Roberts supported the bill.

Motion to Support: Councilor Devlin moved, seconded by Councilor Wyers, to move HB 2136 from "monitor" to "support" with the understanding that Metro would carefully consider how Metro expressed its support for the measure in view of other jurisdictional support.

Councilor Van Bergen said he did not prefer the taxing method espoused by the bill.

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Vote on Motion to Support: Councilors Buchanan, Devlin, DeJardin, Gardner, Hansen, McFarland, McLain, Wyers and Collier voted aye. Councilors Bauer and Van Bergen voted nay. Councilor Knowles was absent. The motion passed.

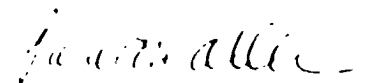
Councilor Van Bergen reported on the Budget Committee's progress. He said the Council was facing new policy creation driven by a higher budget. He said staff had been directed to structure a budget which represented a 20 percent rather than a 36 percent increase in Support Services. He said the Committee would seek reductions in Support Services based upon budget revenue needs of 5 percent of excise tax revenues, or an excise tax of 5.2 percent. He said those measures would relieve Zoo and MERC transfers. He said the Committee anticipated the Data Processing and Accounting Departments would need immediate support. He recommended other Councilors attend Budget Committees to be informed. He noted Councilor Knowles took time to address the Budget Committee on April 12.

Councilor Wyers concurred with Councilor Van Bergen. She said the Budget Committee was facing difficult cuts and Councilors needed to speak up about their favorite programs. Councilor Wyers said staff had recommended the Solid Waste Contingency fund be increased and that the cost of a performance audit be continued. Councilor Van Bergen said the \$100,000 allocated for a study on the proposed Metro/Tri-Met merger could be cut. Councilor Devlin concurred with Councilors Van Bergen and Wyers. Don Carlson, Council Administrator, discussed Phase III final steps of the Budget process.

Presiding Officer Collier reminded the Council of the Council retreat scheduled for April 27. She said the Council would discuss Metro's strategic plan, the Charter Commission and the separation of powers which the Charter Committee would review also.

Presiding Officer Collier adjourned the meeting at 10:45 p.m.

Respectfully submitted,

  
Paulette Allen  
Clerk of the Council