

**Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
104 SE Kibling Avenue
Troutdale, OR 97060-2099**

Tuesday, January 8, 2008

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.

Mayor Thalhofer called the meeting to order at 6:58pm.

PRESENT: Mayor Thalhofer, Councilor Kight, Councilor Ripma, Councilor Thomas, Councilor Canfield, Councilor Kyle, and Councilor Daoust.

ABSENT: None.

STAFF: John Anderson, City Administrator; Rich Faith, Community Development Director; David Ross, City Attorney; Jim Galloway, Public Works Director; Paul Hughes, Finance Director; Sarah Skroch, Deputy City Recorder; and Jack Hanna, Code Compliance Officer (7:13pm).

GUESTS: See Attached List.

2. ELECTION: Election of the 2008 Council President.

Councilor Thomas nominated Councilor Daoust for the 2008 Council President. Seconded by Councilor Kyle.

Mayor Thalhofer asked if there were any further nominations.

There were none.

VOTE: Mayor Thalhofer – Yes; Councilor Canfield – Yes; Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes.

Motion Passed 7 - 0.

3. CONSENT AGENDA:

3.1 ACCEPT MINUTES: July 17, 2007 Work Session, August 28, 2007 Regular Meeting, September 11, 2007 Regular Meeting, September 11, 2007 Work Session, September 18, 2007 Work Session, October 2, 2007 Special Council Meeting and October 2, 2007 Work Session.

3.2 RESOLUTION: A Resolution authorizing execution of an Intergovernmental Agreement with the Urban Renewal Agency of the City of Troutdale relating to

lending of funds from the City of Troutdale to the Urban Renewal Agency of the City of Troutdale.

MOTION: Councilor Canfield moved to adopt the consent agenda. Seconded by Councilor Kight. Motion Passed Unanimously.

4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

Boy Scout Troop 657 introduced themselves to the Council and announced that they were there to observe the meeting and see how the community works.

5. MOTION: A motion accepting the Selection Committee's recommendation for appointments to the Parks Advisory Committee, Citizens Advisory Committee, Budget Committee, Planning Commission and the Public Safety Advisory Committee.

Mayor Thalhofer read the Selection Committee's recommended appointments.

MOTION: Councilor Thomas moved to appoint the individuals as mentioned to the appropriate committees (Selection Committee's recommendation). Seconded by Councilor Daoust. Motion Passed Unanimously.

6. REPORT: A briefing from Metro on the 2007-2017 Regional Solid Waste Management Plan.

Janet Matthews, Assistant Director for Policy and Programs in Metro's Solid Waste and Recycling Department, stated I am here tonight to provide an overview of the updated Regional Solid Waste Plan (RSWP). This update has been three years in the making. I'm going to cover the need for the RSWP, government roles in our Solid Waste System, local implementation of the Plan and what that means, and the steps involved in the plans adoption. Because waste travels across all jurisdictions in the region, regional coordination of this particular issue really makes sense. Secondly and perhaps most important, this Plan satisfies the State requirement for Metro to have a waste reduction plan for the three County Region, known as the waste shed. We are all in this together in meeting the State mandated 64% recycling goal because it applies to all jurisdictions in the Three County Region. The Plan provides policy and program direction for the region to make progress toward not only the recycling goal but other shared goals in a coordinated fashion over a 10 year time span. At the State level you have DEQ that enforces statutory requirements on solid waste and recycling. After the State level you have Metro. Finally there is local government's which design programs; regulate garbage, garbage collection services, recycling services; and set rates and service standards for residential and commercial services. I would like to cover the four major issue areas and the direction for addressing these areas. The first issue is resource conservation. In 2006 this region produced about 2.6 million tons of waste, garbage and recyclables. We have a lot of progress to make and a lot of material that we can convert from the landfill. The Plan contains strategies to pick up the pace of recycling in residential and commercial. We need about 200,000 tons of new recycling to reach the State mandated goal of 64%. Chapter 2 of this Plan identifies aggressive programs that are needed to achieve the recycling goal. The second issue is toxicity reduction. The volumes continue to increase and only a portion of household hazardous waste generated each year comes into

Metro's collection programs. The Plan contains strategies to reduce use, reduce improper disposal, and shift more responsibility for product management to manufacturers, distributors, and retailers. The third issue has to do with sustainable solid waste operations. Sustainability is the wise use of resources so there are resources left for future generations. This Plan has 23 objectives for applying sustainability principals to all government regulated solid waste services and facilities in order to reduce air pollution from diesel trucks, to decrease energy use, to divert storm water runoff from facilities, to ensure employee and customer safety, all in keeping with sustainability principals of the Natural Step system. The fourth and final issue has to do with Disposal System Decisions. A good deal of time in the development of this plan was spent by Metro Council examining the question of whether or not Metro should continue to own their two transfer stations that are part of the regional solid waste system. The Council resolved that question and decided that continuing Metro's transfer station ownership was in the public's interest. Next I'd like to talk about Local Implementation and what that means. In large measure the Plan is guidance for all governments in the region but there are some obligations. There are no changes in the guidance and obligations for local governments from the previous plan. The guidance for all jurisdictions is in Chapter 3. There are regional policies intended to guide current programs and influence future decision. In Chapters 4 and 5 you have objectives that constitute a direction for achieving waste reduction progress and progress in sustainable operation. There are two obligations for many jurisdictions including Troutdale. The obligation for jurisdictions that regulate collection is to ensure that recycling service levels in collection contracts and franchises are consistent with the regional service standard in the Plan, Appendix H which requires weekly collection of recycling. The other obligation is for jurisdictions with Metro IGA's to receive per capita funding and help Metro implement the waste reduction elements of the Plan, this includes Troutdale. The Metro Council is scheduled to consider this Plan for adoption sometime in the next 6 to 8 weeks, I don't have an exact date. Since the Plan is not yet adopted the Plan will be effective 2008 to 2018. DEQ has approved this Plan.

Mayor Thalhoffer asked has the transport system been finalized yet?

Janet Matthews replied no, the long haul transport contract Request for Proposal (RFP) is about to be released. I believe we are allowing 4 to 8 months to respond to the RFP.

Mayor Thalhoffer asked could you tell us about the facility in Troutdale?

Janet Matthews replied what I know about the Waste Management facility is that it is both a transfer station and a material recovery facility. We have about 6 or 7 transfer stations in the region and Waste Management owns several of those. I know that the City instituted a per ton tax on the waste that goes through that station. I know that facility is known to be a good operator and it's definitely a valued part of the regional solid waste system.

Councilor Daoust asked does most of the garbage from Portland go to the Columbia Ridge Landfill near Arlington?

Janet Matthews replied yes it does.

Councilor Daoust asked do you have any comments or prospectus as to if it can handle our garbage into the future?

Janet Matthews replied I have heard the landfills in the Eastern part of this State can handle it for hundreds of years. They are big operations with a capacity that will go far into the future.

Councilor Daoust asked what if something happens to the transportation route between here and Arlington? Like if an earthquake was to close down I-84 and we can't use the site for a month or so.

Janet Matthews replied we've encountered some severe storms with disruption in our ability to get to Arlington. The trucks can be held for a small amount of time. We have other options to divert the waste. Waste Management owns a landfill called Riverbend in Yamhill County. We have diverted waste to Riverbend in the past for short periods of time. I do not know what the emergency plan would be if we encountered a longer period of time. There may be a plan but I'm just not aware of it.

Councilor Daoust asked is that part of this plan?

Janet Matthews replied the level of detail that you are asking about is not mentioned in this plan. I would assume that our operations people who deal with the contract and transporting of waste have discussed that subject and have alternative plans in place.

Councilor Kight asked how does the Portland Metropolitan area stack up against other communities at doing recycling?

Janet Matthews replied it depends on how you count. The National Trade Publications in this field list the Portland area as a leading city in recycling. We are always up there with San Francisco and Seattle.

Councilor Kight stated I'm assuming that the other Cities you mentioned are doing something different than we are. Is there something we can learn from those metropolitan areas?

Janet Matthews replied it is difficult to compare this metropolitan region with those other cities because they are a lot different in their ability to control the management and flow of waste. San Francisco has 1 hauling company and they control a lot about what the company does and how they do it. Metro has no control over collection, we control disposal. You don't have the central control that a single city would over all aspects of recycling.

Councilor Kight asked is the waste material still going to Arlington by truck?

Janet Matthews replied yes.

Councilor Kight stated I thought at one point we were doing that by rail. What ever happened with that?

Janet Matthews replied no we have looked into rail and barge. The RFP that is going out will open up the door to all of those modes of transport to submit a proposal. Seattle sends their waste by rail to Arlington.

Councilor Ripma asked once this has passed by Metro Council, do you know of any changes that we will have to make?

Janet Matthews replied no. Because you have an IGA with Metro, once a year the Council approves the IGA and it agrees that the City will concur with the SWMP and its direction. That's really the most that we're seeking local governments to do in forms of formal action.

Councilor Ripma stated in Appendix H state law states that regional programming applies to local jurisdictions with populations over 4,000. Why is that?

Janet Matthews replied I would assume because of questions of resources and maybe the fact that they don't regulate collection.

Councilor Thomas stated I'm concerned with electronic waste.

Janet Matthews stated the state law on electronic waste and requiring manufacturers to get involved in the management of that will take effect in 2009. We'll be working with all our local government partners to make sure that the word gets out to the citizens of the region what they should and shouldn't do with their old TV's, computers, and other electronics.

Councilor Thomas asked would it be possible to hold hazardous waste collections more frequently?

Janet Matthews replied I can take that question back to our adverse waste manager. Our events typically occur between March and November each year. We try to have some equity around the region with the frequency in which those events are held.

Councilor Daoust asked did you say that the City of Seattle's garbage goes to Arlington also?

Janet Matthews replied I believe it does.

Councilor Kight asked who owns the Arlington dump site?

Janet Matthews replied it's a Waste Management facility. Oregon is a net importer of waste from other States. There are a number of States that are net importers but we are in the top 5.

7. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance amending Chapters 1, 2, 6 and 7 of the Troutdale Development Code pertaining to partition definitions, procedures for decision making, conditional use permits and land division procedures. (Text Amendment No. 38.)

Mayor Thalhoffer opened the Public Hearing at 7:41pm.

Rich Faith, Community Development Director, stated this Ordinance is largely the outgrowth of issues and concerns that were expressed during public hearings for the Tyson's Place development. Residents of the Sedona Park subdivision, which lies adjacent to the Tyson's Place development, expressed concerns about not being notified when other land use actions took place that set the stage for the Tyson's Place development. The reason for that was the lot line adjustment and partition plat that were processed in 2002 and were identified in the development code as Type I procedures meaning no notification to surrounding property owners was necessary. The City Council asked City Staff to look at the development code to see what modifications could be made to avoid this problem in the future, primarily to improve upon notifications. The Citizens Advisory Committee (CAC) started meeting in January of 2007 and forwarded a recommendation to the City Council to eliminate all Type I partition plats so they would all require notification. The lot line adjustments could remain a Type I without notification unless the adjustment involved a boundary that is served as a zoning lot boundary, which was the case in Tyson's Place. The Council differed with the CAC's recommendation in that you'd like all Type I land use applications elevated to a Type II procedure with notification to surrounding property owners. I prepared two sets of amendments to the development code including the Council's concept and the CAC's concept. The two sets were brought to the CAC for further evaluation. The CAC looked at those two options and became more firm in their belief that their recommendation was the better of the two and expressed that to you in a letter that came to you in July. The end result was that you agreed with the CAC's recommendation. The amendments in Chapter 1 and Chapter 7 are specifically intended to address the concerns raised by the Tyson's Place development project and dealing with the notification issue. The proposed amendments to Chapter 2 are to bring our land use code into compliance with state law and to clarify processes that are already in place. The proposed amendments to Chapter 6 are intended to provide greater flexibility to approve conditional uses than what we currently allow in the code. In Chapter 7, the change that will be made is that all partition plats will require notification to surrounding property owners. We are eliminating references in the Code to minor and major partitions. Lot line adjustments will continue to be handled as a Type I procedure however there are situations where they would be elevated to a higher level when they involve a zoning boundary. There is a new subsection, 7.030, to add the language that speaks to a higher level review if necessary if it involves a zoning boundary and those will be processed as if it were a zoning map amendment which is a Type IV procedure. In Chapter 7 there was a minor amendment at the request of our Public Works Department in section 7.410. The purpose is to clarify financial assurances for maintenance of a subdivision infrastructure as the same type of financial assurance that's required for the initial construction of the public infrastructure. Currently when the developer builds the infrastructure for a residential subdivision which is the streets and utility lines, they are required to post a financial assurance which most often is a bond but the code spells out specifically what form those financial assurances must take. At the end of the construction period when the subdivision is complete, there is a requirement to post a financial assurance for a two year maintenance period so if a waterline should break then we have the means of fixing that without needing to go to the City's pocket to do that. In Chapter 2 we have found that over time the procedures that we follow have evolved and most of those changes have

occurred are in response to statutory requirements and also to help streamline the process. We find that the language in the code is not consistent with what is actually being done in practice. In section 2.010(B) we are clarifying when the Director can elevate a land use application to a higher review. In section 2.030 the changes that have been introduced here have to do with the timeframe for holding pre-application conferences. Currently the code spells out that it must be held within 15 days of a request. We've found sometimes that is difficult to meet specifically when there are a large volume of requests or if they occur when a staff person is on vacation. In some occasions we've had to bump the conferences to 30 days. We're trying to give ourselves some more room to set up these very useful meetings. The majority of the changes in section 2.050 resulted from statutory amendments adopted in 2003. The last four sections, 2.090 through 2.120, set forth the specific procedures for processing the Type I, II, III, and IV land use applications. The changes are for clarification of the procedures that apply to processing these land use applications and for internal consistency. The final chapter with amendments is Chapter 6.300 which deals with conditional uses. We are trying to address the language in our code so it is very rigid with respect to how we deal with any modification to an already approved conditional use. The code says any modification, whatsoever, of a conditional use must be reviewed by the Planning Commission (PC) at a public hearing. We have found that there are a lot of modification requests that really don't need to go to that level of review. An example would be that last year the Public Works Department wanted to add on to a storage pole barn for additional covered space for storage of equipment. We ran it through the full Type III procedure to the PC. There was virtually no impact to anyone because of the location of the pole barn on the property. It backed up to the City's park land, there were no adjacent property owners, there were no comments received from any neighbors, and it basically got a rubber stamped approval from the PC yet we still had to go through the whole procedure. We brought the proposed change to the CAC and the PC who both agreed that there could be circumstances where it wasn't warranted and by spelling out what the conditions are for a minor change that should provide sufficient guidance. What you'll see is some additional language in two sections that make reference to minor changes and point to an entirely new section that spells out what constitutes a minor change so they can be processed as Type I or Type II land use application. One other change is with respect to extending the expiration date of a conditional use. Normally when a conditional use is approved there's a two year expiration date so we get timely construction. Often there are circumstances in which that time frame cannot be met and a request is made for an extension. Currently all these requests must go back before the PC. This new language authorizes the Community Development Director to grant a one time one year extension to an expiring land use application. Any extension beyond that would need to go before the PC for review and approval. I would like to point out that this could have some minor fiscal impact on the City because someone with a current lower Type I review would now be required to go through a Type II process. You could see a slightly higher fee as a result of that and when it comes to conditional uses where they have to go through the public hearing process before the PC for a modification, if this is approved so those could be processed as a Type I or a Type II there would be a lower fee associated with that. The PC is recommending adoption of these amendments.

Councilor Canfield stated what you did with the conditional use section is a good idea. In the proposed amendments in chapter 2.010(B) you added the line “or if the Director contemplates that persons being notified of the application can be expected to question the application’s compliance with the code”, why did you add that?

Rich Faith replied previously it didn’t speak to whether I had the authority to elevate it if it was a highly controversial project. It was very unexact language as to how I would make that determination when I know based upon experience.

Councilor Canfield asked in 2.030 how often have you been unable to meet the 15 day request in the past 12 months?

Rich Faith replied I would say that there have probably been 2 occasions where because of the number of pre-applications coupled with Type II projects that have been on the same docket that day that we weren’t able to accommodate all of the requests for pre-applications and bumped it out a couple of weeks.

Councilor Canfield asked how many total pre-application conferences do you think you had?

Rich Faith replied we usually schedule one pre-application meeting per month and if there’s a need for more than that then we will do 2.

Councilor Canfield stated my only concern is that if the code is changed then the applicants will be stretched as a general rule to 30 days for the pre-application conference rather than the current 15 days.

Rich Faith stated we generally tell people our scheduled pre-application days and if you get a request to us within 2 weeks of that then we should be able to get you on that date. The only time that hasn’t been the case is when we have more than we can fit in on that date.

Councilor Canfield asked can you give us your assurance that would be the process?

Rich Faith replied we don’t intend to change anything. Our intent is still to get these done within 15 days.

Councilor Canfield stated you mentioned that you changed some of the items in 2.050 because of changes to state law. In 2.050(D) it states “the application fee that was submitted with an application that has been determined to be void, shall be forfeited”. Is that required by state law?

Rich Faith replied no. I put that in there because I thought it was only fair and reasonable.

Councilor Canfield asked do other cities have this in their development code?

Rich Faith replied I couldn’t answer that because I don’t know.

Councilor Daoust asked can a Type I procedure or decision be appealed?

Rich Faith replied that's correct.

Councilor Daoust asked does the appeal process require any public notification?

Rich Faith replied Type I appeals go to the PC and by virtue of that being a public hearing we have a notification requirement.

Councilor Kight asked how does this change the direction that the Council gave to you at the July work session?

Rich Faith replied in July I shared with you an information sheet that was reviewed by the CAC. I looked at the spectrum of the Type I land use applications in terms of our processing and so forth. The City Council wanted to see all Type I land use applications be elevated to a Type II procedure meaning there needed to be notification. That means the applicant needs to submit the names of the surrounding property owners, they need to wait until we sent notifications out, provide the 2 week comment period, incorporate that into a staff report, and then render a decision. It affected the time period quite a bit for those. To give you an idea of some of the things that would fall under that would be simple sign permits, putting up a shed in your backyard, and Type I variances. It wasn't only added time and expense to the applicant but it put an additional burden on staff in terms of the process. That's when the light bulb went off that maybe this isn't the direction that we want to go.

Councilor Kight stated going back to Tyson's Place and the problems that we had with that, do you think there's enough safeguards in place now that we would have had a much different outcome based upon the changes?

Rich Faith replied definitely because we would have had to process it as a full Type IV procedure as if it were a zone change because it involved a minor change to a zoning boundary. Under this new language we would have had to treat that as a full rezone in essence.

Councilor Ripma stated my only concern is in the minor changes to conditional uses in section 6.395(A).

Rich Faith replied the change does not increase floor area on the site by more than 10 percent, up to a maximum of 10,000 square feet. If it's not involving a structure it does not increase the exterior improvement area onsite by more than 10,000 square feet.

Councilor Ripma stated it says "do not violate any conditions of approval for the conditional use". What if the conditional use said you could build a pole barn of x number of square feet

Rich Faith replied if a specific condition were to say that we cannot exceed a certain square footage in terms of building size or property lot area and you come in and seek a modification

that contradicted or violated that condition I would not have the authority to do that. It would have to go back to the Planning Commission.

Councilor Thomas asked when you reference 7.410(B) which talks about the financial assurance for a period of at least 2 years. Is 2 years a long enough assurance?

Jim Galloway, Public Works Director, replied I think for the vast majority of projects that we have, a 2 year period has proven to be sufficient.

Mayor Thalhoffer asked is there anyone else to speak to this matter?

There were none.

Mayor Thalhoffer closed the public hearing at 8:23pm.

This is the first hearing of this ordinance. A second hearing will be held on January 22, 2008.

8. STAFF COMMUNICATIONS

John Anderson, City Administrator, stated I want to remind you there will be an Urban Renewal Meeting on January 15, 2008.

9. COUNCIL COMMUNICATIONS

Mayor Thalhoffer stated one thing we have to consider to reconsider is the IGA with the County for bridge funding. We can only reconsider this with a member of the prevailing side making a motion for reconsideration. I understand that the County will be coming back on January 22, 2008 with a similar IGA with some changes for our reconsideration.

There was no motion for reconsideration from the prevailing side which included Councilor Ripma, Councilor Thomas, Councilor Canfield, and Councilor Kyle.

Councilor Canfield stated I know that Comcast broadcasts the Council meetings for those that subscribe. I would like to find out what it would take for the City to have the City Council meetings available online by streaming video. A lot of times people don't have Comcast and can't see a meeting if they miss it. I would like to have staff look into this and find out if there are any costs involved and bring the information back maybe at a work session for discussion.

The Council decided the topic was worth discussing.

Councilor Daoust stated I dislike the traffic signal on Stark Street at Sundial Road near the Saturn dealership. The light turns red and backs up the traffic traveling both directions on Stark Street when there are no cars coming from Sundial Road. The second thing is that we got notice of the site review meeting on January 9, 2008 from 2pm to 4pm at the Troutdale General Store.

John Anderson replied that is an informational meeting primarily for developers and ECONorthwest where we will be presenting the prospectus.

Councilor Daoust asked is it appropriate for the Council to attend the meeting?

John Anderson replied Council members can attend the meeting. The Mayor will be there to at least kick off the meeting.

Councilor Kight stated I received an e-mail regarding a request for variance from FedEx for 34 lights at 35 feet high and 11 lights at 100 feet high. What kind of a lighting Ordinance do we have in place that might mitigate some of that light spillage, especially on the 100 foot poles?

Rich Faith replied the standard in our outdoor lighting Ordinance is a maximum of 25 feet. These variances are quite a bit more than that. In terms of mitigation above and beyond a maximum height restriction we have a requirement that light has to be cast downward. The other idea is that the shielding that goes around the light itself is supposed to drop down far enough that you wouldn't be able to see the light emitting portion of the fixture if you were outside of the premises. When you are off premises and you look up at the light it should be shielded in such a way that you know that light is being cast but you don't actually see the bulb. With 100 foot tall light pole that could be somewhat difficult. That will have to be looked at as part of the whole variance application.

Councilor Kight asked was there any reason given for why they want unusually high 100 foot lights?

Rich Faith replied FedEx stated the height is not unusual for their business because of the way they operate with large semi-trucks parked close together which cast a lot of shadows. There are a lot of people moving around the trucks on foot and on forklifts so it's imperative that they have good lighting to reduce the shadow areas because they work 24 hours a day.

Councilor Kight stated procedurally I see that we have an elected official, Lonnie Roberts with Multnomah County, here. I'm sure he wants to share something with the Council. I wonder if he could do that?

Mayor Thalhoffer replied ok as soon as we get done with all of the Council's communications.

Councilor Thomas asked for an update on the grocery cart ordinance.

David Ross, City Attorney, replied Beaverton has passed the first grocery cart ordinance and Gresham has drafted an ordinance.

Lonnie Roberts, County Commissioner, stated I know that we lost the vote on the bridge issue but tonight we would like to give you some information.

Karen Schilling, Multnomah County Planning Director, stated following the last meeting that we attended we believed we heard some concerns that you wanted addressed and would get you to support our vehicle registration proposal. We made some of those changes to our IGA. Some of the changes included putting a time limit of 20 years into the IGA for collection of the vehicle registration fee and at that point it could be reconsidered. We also added language specific to continuing to work on a total transportation problem which means working with the State and our regional partners in terms of the 2009 legislature and a possible gas tax increase for our road problems so we would recognize that it's only one piece of the problem. We added language to continue researching a bridge authority. I believe you heard Chair Wheeler say that he believes we really can't start talking about a bridge authority until we have some possible funding to talk about how that might work. We also added language to clarify that the reason we're not asking the trucks to pay the vehicle registration fee is because it's not allowed by state law. We believe that we heard from you and from other jurisdictions that the solution should be focused on all of the Willamette River bridges and not just the Sellwood Bridge. At this point in time the IGA says all Willamette River bridges. We just came from the City of Wood Village and they have confirmed their support for us moving forward.

Councilor Canfield stated I know the County is dealing with a problem that's not its fault. To me, the problem is with our dysfunctional transportation funding system. Every jurisdiction fights tooth and nail for projects and a large majority of those projects have gone for light rail and bicycle projects, we're talking billions of dollars. It's not the County's fault but you're charged with fixing this bridge. I think the first goal of government is public safety. I've watched the Minnesota bridge fall several times and it's heartbreaking to see. At the last meeting you spoke about none of us want to watch that happen. I would like to say to the County that yes the Sellwood Bridge is unsafe and I would like you to have the courage to prevent something like that from happening by closing the bridge now.

Lonnie Roberts replied it may come to that. We're looking at problems that have been stacking up for the past 30 years. The County is so reliant on the State with these issues. We're looking to go to the legislature but our major problem is that we're captured by the fact that we don't have a lot of time. I understand what you're saying and I couldn't agree with you more. The State gave the County those 6 bridges some years ago. They just didn't give us enough tools in my opinion. I think we need to bring this problem to them. We have 1 bridge that costs \$300 million and 5 other bridges that have \$300 million of deferred maintenance. At some point we may be looking at replacing a number of bridges.

Councilor Canfield stated I agree with you and that's why I encourage the County to close the bridge until you get the bear hunted down in the woods. We don't want a disaster.

Councilor Daoust asked how is the process going with getting buyout from other jurisdictions?

Karen Schilling replied we've actually met with Fairview and Gresham and we'll be going back to them at the first of February for a vote on the revised IGA. We're meeting with Tri-Met tomorrow morning for a briefing and then going back to their board in two weeks for a

vote. We meet with the City of Portland tomorrow and then the following week as well. We've gotten general support from all of these jurisdictions or agencies but without a vote we don't know for sure.

Councilor Daoust asked are there 10 or 12 jurisdictions involved with this?

Karen Schilling replied we thought there were 11 but we found out today that there is a little piece of Milwaukie in the County so that makes 12.

Councilor Daoust asked what will happen if you get support from everybody except Troutdale?

Karen Schilling replied it won't go forward.

Councilor Kight stated one of the arguments that we hear from folks here in Troutdale is that I don't use the bridges, specifically the Sellwood Bridge. How would you counter that argument?

Lonnie Roberts replied those 6 bridges are part of the entire transportation system and it has an effect on you, businesses, and stores. You may say you don't use it so you don't have to worry about it but it's connected with something that you do need.

Councilor Kight stated what you're saying is although they may not personally drive across any of those 6 bridges, the services and products that you receive here in East Multnomah County undoubtedly are using those 6 bridges.

Lonnie Roberts replied it's connected in some way.

Councilor Kight asked has the County considered a portion of the registration fee out of the \$27 coming back to the East Multnomah County cities?

Lonnie Roberts replied we're discussing that right now.

Councilor Kight stated I wonder if it also would be useful to reach out individually to the folks on our Council there were opposed to your idea to get their feedback and ideas that may garner a different IGA than what we currently have before us that they feel is unacceptable.

Lonnie Roberts replied we can talk at anytime if it's the way we can get to some kind of a conclusion on this.

Councilor Kight asked if this particular funding mechanism fails where does that leave the repair monies?

Lonnie Roberts replied we have a chance to get some monies on this project. We have been told by people in Washington D.C. that we have to prove to the Federal Government that we

have some economic backing, seed money. That's why we figure if we need \$300 million that we have to come up with at least \$100 million or promises of \$100 million through bonds.

Karen Schilling stated to elaborate on the question of what will happen to our bridges if we don't have the money. By federal law the Coast Guard has authority to allow their boats up and down the river. If we have a bridge with problems that we can't fix that bridge will have to remain open (raised) and therefore be closed to vehicular traffic.

Councilor Kight stated one of the issues brought up was what if there is a shortfall in the vehicle registration fees and federal money. How would you make up the shortfall?

Karen Schilling replied we have a lot of work yet to do with our State, Regional, and Federal partners.

Councilor Kight stated I'm concerned that the Sellwood Bridge has outlived its life. Based on the fact that it has a numerical identification of 2 and Minneapolis was a 50. It's certainly a wakeup call that maybe the elected folks should close that bridge until we do have funding. By doing that you may get some of your Regional partners to realize the depth of the problem.

Councilor Ripma stated I object to us getting into this discussion. I will say I have talked to the County and I appreciate your time.

10. ADJOURNMENT

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Canfield. Motion passed unanimously.

Meeting adjourned at 8:55pm.

Paul Thalhofer, Mayor

Approved February 12, 2008

ATTEST:

Sarah Skroch, Deputy City Recorder