

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 86-644
THE BY-LAWS OF THE SOLID WASTE)	
POLICY ADVISORY COMMITTEE TO)	
ASSIGN RESPONSIBILITIES FOR THE)	Introduced by the
CERTIFICATION PROGRAM AND)	Council Management
READOPTING THE BY-LAWS)	Committee

WHEREAS, The purpose of the Solid Waste Policy Advisory Committee (SWPAC) is to provide advice and assistance to the Metropolitan Service District Council; and

WHEREAS, The Metro Council has adopted by Ordinance No. 86-199 the Waste Reduction Program, which includes a program for certification of local collection services; and

WHEREAS, The By-Laws of the Solid Waste Policy Advisory Committee have been substantially amended since adoption; and

WHEREAS, The Metro Council wishes to provide an opportunity for the general public and affected interests to participate in the development and administration of the certification program; now, therefore,

BE IT RESOLVED,

1. That the By-Laws of the Solid Waste Policy Advisory Committee are hereby amended and readopted as shown in Exhibit A attached; and

2. That Resolution Nos. 82-319 and 85-578 and other Resolutions which amend or adopt pre-existing By-Laws of the Solid Waste Policy Advisory Committee are rescinded.

ADOPTED by the Council of the Metropolitan Service District
this 1st day of May, 1986.

A handwritten signature in cursive script, reading "Richard Waker", is written over a horizontal line.

Richard Waker, Presiding Officer

SOLID WASTE POLICY ADVISORY COMMITTEE

BY-LAWS

ARTICLE I

NAME

This Committee shall be known as the SOLID WASTE POLICY ADVISORY COMMITTEE.

ARTICLE II

PURPOSE

1. To provide advice to the Metro Council and the Executive Officer regarding regionwide solid waste policy issues.

2. To provide a forum for citizen, industry, and local government representatives to evaluate policy alternatives concerning the beneficial use and disposal of solid waste, and to advise Metro staff in the formulation of such policy alternatives.

3. To provide a forum for communication between Metro and the citizens of the region on solid waste policy issues and the Solid Waste Management Plan.

4. To provide involvement by local governments, the solid waste industry, and the general public in the development and administration of the Metro program for certification of local collection services.

ARTICLE III

MEMBERSHIP-VOTING-MEETINGS

Section 1. MEMBERSHIP

a. The Committee shall be representative of the general public and of persons involved in production, source separation, collection, beneficial use and disposal of solid waste, and the siting and operation of necessary facilities.

b. Membership shall include:

Cities & Counties

Clackamas County	1
Multnomah County	1
Washington County	1
City of Portland	1

General Public

Clackamas County	2
Multnomah County	2
Washington County	2
City of Portland	2

Solid Waste Industry

Commercial Haulers	1
Residential Haulers	1
Landfill Operators	1
Recycling Industry	1

Section 2. APPOINTMENT and TENURE

a. Each member appointed to represent cities and counties shall be designated by the jurisdictions they represent and shall be staff employees. All other appointments shall be made for a term of two (2) years and shall be made by the Presiding Officer of the Metro Council with the concurrence of the Metro Council.

b. Each member shall serve until removed by the Presiding Officer, or the appointing cities or counties, or as determined under Section 2 (c) of this Article.

c. Absence unexcused by the Committee Chairperson from three (3) consecutive regularly scheduled meetings shall constitute removal of the voting member from the Committee.

d. Ex officio members, without vote, may serve on the Committee upon nomination by the Presiding Officer of the Metro Council, with concurrence of the Metro Council.

e. Two of the members appointed to represent the public shall also be appointed to serve as the public members on the Rate Review Committee.

Section 3. VOTING PRIVILEGES

Each member of the Committee, except ex officio members, shall be entitled to one (1) vote on all issues presented at regular and special meetings at which the member is present.

Section 4. MEETINGS

a. Regular meetings of the Committee shall be held once each month at a regularly scheduled date, time and place established by the Committee.

b. Special meetings may be called by the Committee Chairperson as required with full and timely notice to all Committee members and Metro staff.

Section 5. CONDUCT of MEETINGS

a. A majority of the voting members shall constitute a quorum for the conduct of business. The act of a majority of the voting members present at meetings, at which a quorum is present, shall be the act of the Committee.

b. All meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

c. The Committee may establish other Rules of Procedure as deemed necessary for the conduct of business.

ARTICLE IV

OFFICERS AND DUTIES

Section 1. OFFICERS

The officers of the Committee shall be a Chairperson and a Vice-Chairperson elected by the voting members of the Committee.

Section 2. TERM OF OFFICE

Each officer shall hold office during the fiscal year or until relieved of the position. Officers may hold succeeding terms of office, but may serve no longer than three (3) consecutive years.

Section 3. DUTIES

The Chairperson shall preside at all meetings he/she attends and shall be responsible for the expeditious conduct of the Committee's business. The Vice-Chairperson shall perform all duties of the Chairperson in his/her absence.

Section 4. ADMINISTRATIVE SUPPORT

Metro shall supply staff, as necessary, to record actions of the Committee and to handle times and places of meetings, and citizen participation activities.

ARTICLE V

TASK FORCES

The Committee Chairperson, with the consent of the Committee, may appoint Task Forces from among its members and other interested persons. Composition and term of service shall be determined according to mission and need. Task Forces shall be given a specific Charge and time for reporting as an integral part of their establishment.

ARTICLE VI

REPORTING PROCEDURES

The Committee shall make its reports, findings and recommendations to the Metropolitan Service District Council. Any such reports and recommendations shall also be sent to the Executive Officer. The Solid Waste Policy Alternatives Committee shall adopt procedures which adequately notify affected jurisdictions and interested parties on matters before the Committee.

ARTICLE VII

AMENDMENTS

These By-Laws may be amended or repealed only by the Metropolitan Service District Council.

RB/gl
4886B/285-5
05/05/86

STAFF REPORT

Agenda Item No. 6.2

Meeting Date May 1, 1986

CONSIDERATION OF RESOLUTION NO. 86-644, FOR THE PURPOSE OF AMENDING THE BY-LAWS OF THE SOLID WASTE POLICY ADVISORY COMMITTEE TO ASSIGN RESPONSIBILITIES FOR THE CERTIFICATION PROGRAM AND READOPTING THE BY-LAWS

Date: April 18, 1986

Presented by: Wayne Rifer
Solid Waste Analyst

FACTUAL BACKGROUND AND ANALYSIS

Resolution No. 86-644 assigns responsibilities for the certification program pursuant to the Metro Waste Reduction Program. Consideration of this Resolution will follow final adoption of the Program.

The program for certification of local collection services will utilize disposal rate incentives to encourage the participation of local governments, the collection industry, and waste generators in programs which will achieve maximum feasible reduction. Metro must work closely with these publics to develop a certification program which is effective, feasible and fair. The Solid Waste Policy Advisory Committee is an important means for involving them in the development of the program.

The Work Plan for the Metro Solid Waste Reduction Program (Ordinance No. 86-199) states:

"In order to provide direct involvement in the administration of the program to those who will be directly effected, the SWPAC will be assigned responsibilities for certification by the Metro Council." page 29

Additionally, on page 31, the following task is included:

- " 1. Metro Council assigns certification responsibilities to SWPAC through By-Law amendments and Local Government Advisory Committee for Certification is formed. 3/86"

In the Waste Reduction Program the following certification responsibilities are assigned to SWPAC:

1. approve local government proposals for certification units, which will be the entity which is evaluated for compliance with certification standards,
2. advise Council on the setting of yearly certification goals, which are general statements of the methods of reduction which the program will address in the year,
3. define and recommend to Council yearly certification

- standards, which are the specific requirements which the certification units must meet,
4. determine annually whether units have satisfied the requirements for certification and make recommendation to Council, and
 5. hear certification "appeals", which the Council, at its option, may also hear.

In addition, of course, SWPAC will play an advisory role to Council on certification policy issues.

These new responsibilities of SWPAC, with the exception of the designation of certification units, are for decisions which are passed on to Council for final review and adoption. With the one exception, they are not a final decision making authority.

The only final authority granted to SWPAC relates to certification units. While all policy issues related to certification units will be adopted by the Council, the designation of the specific units will be done by SWPAC with the assistance of staff. This is primarily an administrative matter and will be accomplished through approval of proposals which are submitted by local jurisdictions. These designations will be provided to Council as an informational item.

The primary purpose which is accomplished by these amendments is to gain the active, "hands-on" participation of the general public and affected interests in the design and conduct of the certification program.

PROPOSED ACTION

Article II, the purpose statement of the SWPAC By-Laws (see Exhibit A), is proposed for amendment. That article generally includes areas related to solid waste management planning, but fails to specifically address the decision making function which SWPAC will have in the certification program. A new purpose would be added, stating:

"4. To provide involvement by local governments, the solid waste industry and the general public in the development and administration of the Metro program for certification of local collection services."

Because the By-Laws have been amended many times, this Resolution readopts the By-Laws with all the prior amendments incorporated.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 86-644.

COUNCIL MANAGEMENT COMMITTEE RECOMMENDATION

At its meeting of April 17, 1986, the Committee recommended that Council adopt Resolution No. 86-644.

met. comm.

STAFF REPORT

Agenda Item No. 3

Meeting Date April 17, 1986

CONSIDERATION OF RESOLUTION NO. 86-644, FOR THE PURPOSE OF AMENDING THE BY-LAWS OF THE SOLID WASTE POLICY ADVISORY COMMITTEE TO ASSIGN RESPONSIBILITIES FOR THE CERTIFICATION PROGRAM AND READOPTING THE BY-LAWS

Date: April 8, 1986

Presented by: Wayne Rifer
Solid Waste Analyst

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RB/srs
4886B/285-4
02/05/86

6. CONSENT AGENDA

Motion: Councilor Kirkpatrick requested Item No. 6.2, Consideration of Resolution No. 86-644, for the Purpose of Amending the By-Laws of the Solid Waste Policy Advisory Committee to Assign Responsibilities for the Certification Program and Readopting the By-Laws," be removed from the Consent Agenda. Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Councilor Kafoury

The motion carried and the item was removed from the Consent Agenda.

Motion: Councilor Kirkpatrick moved to approve Items 6.1 and 6.3 of the Consent Agenda. Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Councilor Kafoury

The motion carried and the following items were approved and adopted:

6.1 Minutes of March 27, 1986

6.3 Resolution No. 86-645, for the Purpose of Forming the Local Government Advisory Committee on Certification (LGACC) and Adopting a Missions and Procedures Statement

6.2 Consideration of Resolution No. 86-644, for the Purpose of Amending the By-Laws of the Solid Waste Policy Advisory Committee (SWPAC) to Assign Responsibilities for the Certification Program and Readopting the By-Laws

Estle Harlan, representative of the Oregon Sanitary Service Institute (OSSI), requested the Council include local solid waste disposal industry councils on the Local Government Advisory Committee on

Certification (LGACC). Ms. Harlan testified that because OSSI was not a local government and because SWPAC was already organized and did not include such representatives, the industry would not receive adequate recognition.

Councilor Kirkpatrick urged industry councils be invited to participate. Councilor Gardner pointed out the solid waste disposal industry was represented on SWPAC and questioned the need for additional recognition.

Motion: Councilor Kirkpatrick moved to adopt Resolution No. 86-644 and Councilor Gardner seconded the motion.

Vote: A vote on the motion resulted in:

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

Absent: Councilor Kafoury

The motion carried and the Resolution was adopted.

7. Consideration of Resolution No. 86-642, for the Purpose of Approving the FY 1986-87 Budget and Transmitting to the Tax Supervising and Conservation Commission (TSCC) (Public Hearing)

Presiding Officer Waker noted on April 22 the Executive Officer presented the FY 1986-87 Budget along with the Budget Committee's recommendations. A public hearing was also conducted at that meeting.

Motion: Councilor DeJardin moved to adopt Resolution No. 86-642 and Councilor Cooper seconded the motion.

Jennifer Sims, Director of Management Services, reported that at the last meeting a question had been raised about the status of cash balances and how those would effect fund balance estimates. Ms. Sims said she and Accounting Manager Don Cox reviewed fund balance estimates. She said balances were within recommended limits and staff would adjust projected amounts after the approved budget was returned from the TSCC and before it was forwarded to the Council for final adoption.

Councilor Kelley reported her previous concerns about the \$2.6 million carryover in the Solid Waste budget had been addressed to her satisfaction by staff. She was, however, concerned about the timing of rate increases and their effect on the budget. Councilor