

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING SOLID WASTE CHARGES AND USER FEES FOR FY 2014-15.) ORDINANCE NO. 14-1324
)
) Introduced by Chief Operating Officer
) Martha Bennett with the concurrence of
) Council President Tom Hughes

WHEREAS, Metro Code Chapter 5.02 establishes charges for the acceptance of solid waste at Metro Central and Metro South transfer stations; and,

WHEREAS, Metro Code chapters 5.01 and 5.02 establish user fees on solid waste accepted at all disposal sites in the system; and,

WHEREAS, Metro's costs for solid waste services and programs have changed; now therefore,


THE METRO COUNCIL ORDAINS AS FOLLOWS:


Section 1. Solid Waste Fees and Charges. The schedule of solid waste fees and charges attached hereto as Exhibit "A" is approved, and shall be implemented on the Effective Date of this ordinance.

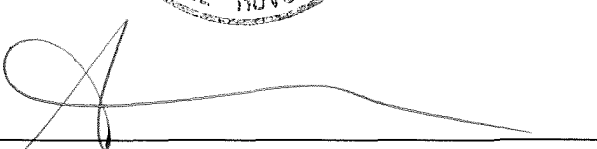
Section 2. Effective Date. This ordinance shall become effective on July 1, 2014, provided that and only if Ordinance No. 14-1323 has taken effect by July 1, 2014.

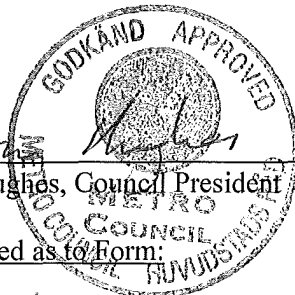
ADOPTED by the Metro Council this 20th day of March, 2014.

Attest:


Troy Rayburn, Recording Secretary


Tom Hughes, Council President


Alison R. Kean, Metro Attorney



Approved as to Form:

Exhibit “A” to Ordinance No. 14-1324

SCHEDULE OF SOLID WASTE FEES AND CHARGES

Effective July 1, 2014

Charges at Metro Central Station and Metro South Station

Tonnage Charges by waste class

The rates per ton pursuant to Metro Code sections 5.02.025(a)(1) and 5.02.029 shall be:

- (1) Mixed solid waste\$ 61.62
- (2) Wood waste or yard debris (separated or comingled).....52.13
- (3) Residentially generated organic waste.....58.78
- (4) Commercially generated organic waste (Metro Central only).....64.17

Transaction Charges by transaction class

The rates per transaction pursuant to Metro Code 5.02.025(a)(3) shall be:

- (1) For users of staffed scales\$ 12.00
- (2) For users of automated scales3.00

Minimum Charges

Minimum tonnage charges pursuant to Metro Code sections 5.02.025(b) and 5.02.029(h)(2) shall be based on 340 pounds for all classes of solid waste.

Fees on Disposal of Solid Waste

Regional System Fees by waste class

The rates per ton pursuant to Metro Code sections 5.01.150, 5.02.045 and 5.02.047 shall be:

- (1) Cleanup material contaminated by hazardous substances\$ 2.50
- (2) All other solid wastes.....18.21

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 14-1324 FOR THE PURPOSE OF ADOPTING SOLID WASTE CHARGES AND USER FEES FOR FY 2014-15.

Date: March 20, 2014

Presented by: Brian Kennedy, FRS (Ext. 1908)

Summary

Each year, the Chief Operating Officer proposes new solid waste rates as part of the budget process. The changes are needed to keep current with costs and tonnage flows.

Main points of this legislation.

- This legislation is the first to adopt the new solid waste rates via the rate schedule authorized by Ordinance 14-1323 and makes the rates effective July 1, 2014.
- Metro's tip fee for garbage is proposed to be \$93.33 in FY 2014-15. This is down one dollar (1 percent) from the current rate. It will result in a small decrease every month to ratepayers. The decrease in the tip fee includes a reduction of 35 cents in the regional system fee from \$18.56 to \$18.21 per ton. (More information on the Regional System Fee is provided on the next page.)
- Tip fee increases are proposed for two of the three organic waste streams accepted at Metro regional transfer stations –residential organics and commercial organics. These increases stem from increases in Metro's per-ton contract cost. The tip fee for clean wood and yard debris is decreasing by 89 cents per ton.
- Even with these changes, the organics rates remain \$30 to \$41 per ton below the price of disposal, and remain a powerful economic incentive for recovery.

Adoption of Ordinance No. 14-1324 would authorize the following charges at Metro regional transfer stations, effective July 1, 2014.

Table 1. Proposed Solid Waste Charges at Metro Regional Transfer Stations
Rates Effective July 1, 2014

Rates	Current	Proposed	Change
Fees per transaction			
Users of staffed scales	\$12.00	\$12.00	- 0 -
Users of automated scales	3.00	3.00	- 0 -
Fees per ton (Tip Fees)			
Mixed solid waste ("refuse")	\$94.33	\$93.33	(\$1.00)
Clean wood/yard debris	\$53.02	\$52.13	(\$0.89)
Residential organics	56.67	58.78	2.11
Commercial organics	60.88	64.17	3.29

Adoption of this ordinance would also leave the following rate unchanged from current levels:

- Minimum load charge. This is the main rate paid by household self-haulers at the Metro stations. It would remain unchanged at \$28 for loads of 340 pounds and under.

Background Part 1. Overview of Metro’s Solid Waste Rates

Metro maintains two classes of solid waste rates. One class, the Regional System Fee, is charged on all disposal. The second class is a suite of charges for services at Metro regional transfer stations only.

1. **Regional System Fee** is a universal charge on the disposal of garbage. It is levied at all landfills, the Marion County Burner, Forest Grove Transfer Station, and the Metro stations. There are two levels of system fee: one for mixed solid waste, and a reduced rate for environmental cleanup materials. The proposed rates are \$18.21 and \$2.50 per ton, respectively. System fees raise about \$20 million per year and pay for Metro’s regional solid waste programs and services: household hazardous waste, latex paint recovery, St. Johns Landfill management, facility regulation, illegal dumpsite cleanup, and resource conservation and recycling.
2. **Charges for services at the Metro stations** cover the costs of Metro’s transfer station operations, transport, processing and disposal. Each customer pays a two-part fee: a fixed charge for the transaction costs, and a variable charge (“tip fee”) for each ton in the load.
 - **“Transaction Charges”** are the fixed fees for each load of waste accepted. There are two levels of transaction fee: one for users of the staffed scales (mainly self-haulers), and another for users of the automated scales (mainly commercial haulers). Together they raise about \$2.8 million dollars per year and pay for the cost of operating the scalehouses and related functions.
 - **“Tip Fees”** are different for each waste stream – garbage, residential organics, commercial organics, and wood/yard debris – and reflect the costs that are specific to each stream. The current and proposed rates are shown in Table 1.

Every tip fee is made up of a **Tonnage Charge** and various pass-throughs (Table 2). The tonnage charge pays for the costs of doing the work. In this region, the Regional System Fee, Metro excise tax, and DEQ fees are charged on all disposal. Together, Metro’s tonnage charges raise about \$31 million per year, and pay for the costs of station operations, recovery, transport, processing, disposal, capital, and management.

Of the add-on components, both the Regional System Fee and the excise tax are set to fall. The Regional System Fee is decreasing by 35 cents and the excise tax by 53 cents. These changes, combined with a decrease in the tonnage charge of 12 cents results in the Metro tip fee decreasing by 1 dollar to \$93.33 per ton from \$94.33 per ton.

Table 2. Components of Proposed Metro Tip Fees by Waste Stream
Rates Effective July 1, 2014

Rate Component	Mixed Solid Waste	Organic Waste		
		Clean Wood or Yard Debris	Residential Organics	Commercial Organics
Tonnage Charge <i>Covers costs of transfer, transport, recovery, disposal.</i>	\$61.62	\$51.63	\$58.28	\$63.67
Pass-Throughs <i>Government fees and taxes levied at disposal sites.</i>				
Regional System Fee	\$18.21	-*	-*	-*
Metro excise tax	11.76	-*	-*	-*
DEQ fees	1.24	-*	-*	-*
Enhancement Fee	0.50	0.50	0.50	0.50
Total = Tip Fee	\$93.33	\$52.13	\$58.78	\$64.17

* It is the policy of Metro and DEQ to support material recovery and recycling by levying solid waste surcharges and taxes on the waste that is ultimately disposed. For this reason, the Regional System Fee, Metro excise tax, and DEQ fees are not included in the tip fees for organic wastes.

Background Part 2. Understanding the Proposed FY 2013-14 Rates

There are three main reasons for the changes – and in some cases, the lack of change – in the proposed FY 2013-14 rates.

1. **Tonnage.** After five years of decline, tonnage has stabilized at Metro stations. Staff expects this trend to continue through FY 2014-15 – although staff does not expect any significant *increases* at Metro stations.
2. **Setting organics charges at the cost of service.** In FY 2013-14, organics rates were set to a level that covers their costs for the first time. That practice is continued for FY 2014-15. This is not only a best practice in itself, but it also reduces the size of increase in the mixed waste tip fee tip fee – mainly by providing a larger tonnage base over which to spread fixed contract and capital costs.

The rate increase for residential and commercial organics is driven by underlying costs and tonnage. However, the larger tonnage base for fixed costs continues to remove upward pressure on the mixed waste rate.

3. **The excise tax.** The tax rate is set automatically by a formula in the Code each year, and is never a formal part of the rate ordinance. However, it is related to the rate actions because it is part of the tip fee (Table 2). For FY 2014-15, the excise tax rate will fall 53 cents to \$11.76 per ton.

Information/Analysis

1. **Known Opposition.** There is no known opposition. The majority of ratepayers will enjoy a small decrease in Metro's tip fee.
2. **Legal Antecedents.** The process for setting Metro's solid waste rates are set forth in Metro Code Chapter 5.02. Ordinance 14-1323 removed the specific Metro solid waste rates from Metro Code Chapter 5.02 and requires adoption of the rates via a separate ordinance and rate schedule. Metro reviews solid waste rates annually. The proposed FY 2014-15 rates comply with the restriction set forth in Chapter III, Section 15 of the Metro Charter limiting user charges to the amount needed to recover the costs of providing goods and services.

The excise tax rate is established automatically by a passive mechanism set forth in Metro Code sections 7.01.020 and 7.01.022 and does not require council action to take effect.

3. **Anticipated Effects:** If adopted, this ordinance would decrease the tip fee for solid waste at Metro transfer stations by 47 cents per ton. It would also increase the tip fees for organic wastes by the amounts set forth in Table 1.
4. **Budget Impacts.** The rates established by this ordinance are designed to raise \$52 million in enterprise revenue during FY 2014-15. This revenue would cover the cash requirements of the proposed FY 2014-15 solid waste budget.

RECOMMENDATION

The Chief Operating Officer recommends adoption of Ordinance No. 14-1324.