



Metro | *Meeting minutes*

Meeting: Solid Waste Advisory Committee (SWAC)
Date: March 12, 2014
Place: Metro Regional Center, Room 401

Members present

Amy Pepper, City of Troutdale
Theresa Koppang, Washington County
Dan Blue, City of Gresham
Bruce Walker, City of Portland
Alando Simpson, City of Roses Disposal & Recycling
Susan Millhauser, City of Lake Oswego
Kathy Kaatz, City of Tualatin
Keith Ristau, Far West Fibers
Mike Leichner, Pride Disposal
Leslie Kochan, Oregon Dept. of Environmental Quality
Matt Korot, Metro

Members Absent

Scott Keller, City of Beaverton
Amy Roth, Association of Oregon Recyclers
Paul Ehinger (alternate), Metro

1. CALL TO ORDER AND DECLARATION OF A QUORUM

Chair Matt Korot called the meeting to order and declared a quorum.

2. COMMENTS FROM THE CHAIR AND COMMITTEE MEMBERS

Chair Korot reviewed the meeting agenda. Then, as follow-up to last month's meeting, he reported that the Metro South Transfer Station project held its last stakeholder meeting on February 26. He sent the staff PowerPoint presentation from that meeting to SWAC members yesterday. It is also available on the Metro web site at www.oregonmetro.gov/metrosouth.

Chair Korot then shared a question that Alando Simpson asked yesterday about that stakeholder meeting: was there a consensus at the meeting on which options were most desirable. Chair Korot reported that Chuck Geyer, the project manager, had replied that option 1, with the building extension to the north and filling in the current load-out area was ranked highest. Option 3, with the off-site facility was a close second. At the request of stakeholders, Metro will re-look at Option 3 using a smaller footprint for the off-site facility.

3. CONSIDERATION OF SWAC MINUTES FOR FEB. 12, 2014

Approved with adding Susan Millhauser as present.

4. CHANGES TO THE COMMUNITY ENHANCEMENT FEE PROGRAM

Roy Brower began the presentation by explaining that the project that he and Bill Metzler will discuss entails a review of Metro's Solid Waste Community Enhancement Program and recommendations to Council for changes. He then explained that the current program is based on provisions in state statute and summarized the amount collected per ton, how the funds may be used and how the program is administered. Mr. Brower said that the program warrants a review because the solid waste system had changed significantly since the statute was adopted in 1987 and associated Metro Code almost 25 years ago. The code no longer is useful to decision-makers.

Mr. Brower then reviewed the facility types eligible and ineligible for enhancement fees under state statute. He noted that "hybrid" facilities, those that carry-out multiple activities are not specifically addressed in statute or Metro code. One option for addressing these facilities could be to base fees on the waste type and activities themselves, rather than the facility as a whole. He then listed the four Metro-region facilities (St. John's landfill, Metro South Transfer Station, Metro Central Transfer Station, Forest Grove Transfer Station) currently participating in the community enhancement program and described how each facility's program is administered, as well as those that are eligible, but not participating (Pride Disposal, Troutdale Transfer Station, WRI, Recology Suttle Road, Columbia Biogas, if built).

Mr. Brower summarized the key staff recommendations so far:

- Continue to rely on the framework established in state law
- List the program eligible solid waste facility activities
- Establish a process for starting programs in coordination with local governments
- Provide options for administering the program
- Increase the enhancement fee from \$0.50 to \$1.00 and include a process for considering future adjusts if the fee level is adjusted in statute

Mr. Brower then called out the key questions on which he and Mr. Metzler desired SWAC members' input:

1. Should the program be applied uniformly at all eligible facilities?
2. Which administrative models should remain under consideration?
3. Should a local government imposed tonnage tax on waste at a facility influence Metro's decision to collect a fee and establish a program?

Mr. Brower closed by reviewing the next steps in the project as determined at this time:

- April 15 - Council Work Session
- April 28 - Metro Policy Advisory Committee
- August - Ordinance to Council (1st reading)*
- September - Council public hearing*
- July 2015 - New program/fees effective

**Update since the meeting: these steps have been moved to October.*

Key Questions and Answers from SWAC members during the presentation

Mike Leichner: How is “area around site” defined?

Mr. Brower: Each committee defines that, but for smaller communities it may be the city limits.

Mr. Leichner: Can a neighboring community have any input on the fee, e.g., Hillsboro to Forest Grove?

Mr. Brower and Mr. Metzler: The program is intended to recover fees for exactly that reason: all users pay for the privilege of using a facility hosted by another jurisdiction. Neighboring jurisdictions could have representatives on the committee.

Leslie Kochan: Why are the other identified facilities not currently paying?

Mr. Metzler: Because most of these began as material recovery facilities that evolved to become transfer stations. We didn’t have clear code direction; so didn’t put program in place.

Theresa Koppang: Is the assumption that facilities outside of the region that take Metro waste would have to do their own program?

Mr. Metzler: Yes, under state statute.

Bruce Walker: My understanding is that yard debris–only composting facilities are eligible.

Mr. Brower: True, under state law. We are not proposing to included them at this time, but could consider later if Council desired.

Mr. Walker: Yard debris facilities can generate odors. Can flexibility be allowed to give LGs right to include them?

Roy: I don’t disagree with you, but we don’t want to address now. We want to start with higher level, multipurpose facilities and transfer stations.

Mr. Metzler: If they took food waste, they would be included. Bringing in all yard debris facilities would make the program very large.

Mr. Brower: We are not prepared to take on a bigger scope at this time.

Mr. Metzler: We are trying to maintain consistency with state law and maintain a level playing field.

Ms. Kochan: If there was a stinky yard debris facility in Portland, could the city invoke state law to apply the fee itself?

Mr. Metzler: Yes, keeping in mind that state law requires that a local government already be collecting another fee.

Mr. Brower: To note, this does not replace enforcement for violation

Alando Simpson: Could two government entities (Portland & Metro) both collect fees for community enhancement?

Mr. Metzler: No, that is prohibited by state law.

Comments from SWAC members regarding question #1

Susan Millhauser: How would fees impact rates?

Mr. Metzler: About \$0.75/year/household (\$0.50-\$1.00 range) with a different impact on commercial customers.

Amy Pepper: What would Metro do if a fee was applied to a facility and the host local government wanted nothing to do with it?

Mr. Metzler: Establish a Metro-administered community-based committee.

Mr. Leichner: If there is not uniform application, then a local government could decide to keep the \$0.75 in rate-payers pockets. \$0.75 won't affect competition; a truck running at a cost of \$1.00/minute can't go very far on that. Given pressures on rate, the fee should not be applied uniformly, but left to local governments to decide.

Mr. Blue: Uniformity makes sense, but first choice should go to local governments. I recognize that Gresham is a community of 105,000 and not doing anything for impact on Troutdale.

Mr. Leichner: Most facilities are in industrial zone, so really not an impact on traffic because that's part of being in the neighborhood.

Ms. Kochan: There needs to be a consistent way of compensating communities that have facilities in their backyards.

Comments from SWAC members regarding question #2

Mr. Brower: Should any of those options fall off? Should any be sure to go forward?

Mr. Metzler: The first two options work well. We are unsure about the last.

Ms. Pepper: Does Metro hold the money? How is it distributed?

Mr. Brower: For Oregon City and Forest Grove we remit quarterly to the local government.

Mr. Blue: My preference is to maintain the Metro-administered and IGA options, but give local governments the ability to enter into agreements with neighborhood associations or facilities. Keep the relationship between Metro & local governments.

Mr. Walker: If a facility has a successful partnership with a neighborhood association, why does a local government have to get involved?

Mr. Blue: From my experience and thinking of long-term, we want some controls and authority relative to neighborhood association use of funds.

Keith Ristau: Do all eligible facilities have a neighborhood association?

Mr. Brower: Not necessarily.

Ms. Millhauser: I echo what Mr. Blue says. Would also add that from my experience changes in neighborhood association leadership result in a lack of continuity.

Kathy Kaatz: the City of Tualatin would want to be involved regarding type of projects.

Comments from SWAC members regarding question #3

Mr. Metzler: By example, this question is asking how the fee would apply in a community like Troutdale that has a tonnage tax in place.

Ms. Pepper: We collect \$0.65/ton tax. At the time, Council discussed whether to make a community enhancement fee or a tax and selected a tax that goes to the general fund.

Mr. Blue: Regardless of whether a local government collects a tax, there should be uniform application of a community enhancement fee program.

Ms. Koppang: I agree.

Ms. Pepper: If Metro limited itself from collecting a fee where a tax is in place, could a local government invoke state law to put a community enhancement fee in place?

Mr. Metzler: Yes

5. CITIZEN COMMUNICATIONS TO SWAC AGENDA ITEMS

If the fee is applied at a transfer station that briefly manages material, will another fee be applied on the facility that actually processes the material? All of this affects rates and can impact programs, particularly budding ones like food waste.

Mr. Metzler: Good point. It would be allowed, but this is worthy of discussion.

What about administration fees?

Mr. Metzler: We will recommend to Council that a certain amount or percentage be allowed.

Facility administration or neighborhood option could be problematic if there is a difficult relationship with the facility.

What about differing fees by whether industrial or non-industrial area is affected?

Mr. Walker: The Columbia Biogas example shows how this is hard. It is in industrial but ¼ mile from residential.

The issue came up a couple of years ago about communities saying they don't host a facility, but are impacted by truck traffic.

Mr. Brower: For this, we would rely on a committee's designation of impact area.

6. PREVIEW OF THE NEXT MEETING'S AGENDA AND FINAL COMMENTS

Chair Korot said that a discussion of Metro authorities relative to the Solid Waste Roadmap may be held at the April meeting. If not, we will next meet in May.

7. ADJOURN

Chair Korot adjourned the meeting at 11:55.