



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503 221-1646

Agenda

Meeting: SWPAC Agenda
Date: December 15, 1986
Day: Monday
Time: 12:00 o'clock
Place: Conference Room 330

9:00 a.m. Field trip to Grimm's and McFarlanes
till noon (Those who've signed up for this outing should be
in the Metro Lobby by 8:45 a.m.)

12:00 noon Meeting called to order
Approval of November 17th minutes
Announcements
Introduction of Council Members Gardner and Waker
Need for special January meeting

12:25 p.m. Briefing (informational) - Review of status of SB
405 Compliance - Marianne Fitzgerald from DEQ

12:40 p.m. Briefing (In preparation for recommendation at
special January meeting) - Discussion of Certifi-
cation Policies and Procedures Codification -
Wayne Rifer

12:55 p.m. Briefing (In preparation for future recommenda-
tion) - Legislative Program - Dennis Mulvihill

1:05 p.m. Briefing (Informational) - Rates and Financial
Management Plan - Rich McConaghy

1:20 p.m. Decision - Adoption of Cost-effectiveness Evalua-
tion of Yard Debris Collection Options - Wayne
Rifer

Preview of January Agenda:

Special January Meeting:

- Decision - Adoption of Yard Debris Standards
- Decision - Adoption of Certification Codification

Regular January Meeting (January 19, 1987)

- Discussion - Develop Criteria and Evaluation Process for
Yard Debris Program Submittals
- Briefing - Household Hazardous Waste Program

SOLID WASTE POLICY ADVISORY COMMITTEE

SWPAC

MINUTES NOVEMBER 17, 1986

Committee Members Present: Teresa DeLorenzo, Kathy Cancilla, Pete Viviano, Craig Sherman, Robert Harris, Delyn Kies, Bruce Rawls, Ed Gronke, Dave Phillips, Gary Newbore

Committee Members Absent: Carolyn Browne, Shirley Coffin, Dick Howard, George Hubel, Mike Sandberg, Michael Pronold

Staff Present: Yvonne Sherlock, Dan Durig, Dennis Mulvihill, Wayne Rifer, Dave Luneke, Doug Drennen, Gerry Uba, Chuck Geyer, Becky Crockett, Sandra Coats

Guests: Bob Brown, DEQ, Estle Harlan, OSSI

AGENDA ITEM

Approval of Minutes

The meeting was called to order at 12:13 p.m. by chairperson Teresa DeLorenzo.

A motion was requested for approval of the October 20, 1986 minutes.

MOTION

Craig Sherman moved to approve the minutes of the October 20, 1986 minutes.

Seconded by Bruce Rawls.
Carried unanimously.

Teresa DeLorenzo said it was suggested that the discussion of a special meeting in January be moved to the end of the meeting following Field Trips.

Under announcements the meeting was turned over to Dan Durig, Director of Solid Waste, who reintroduced Yvonne Sherlock, the Administrative Assistant for the Solid Waste Department who will be doing the coordination with SWPAC. Dan covered Yvonne's background and mentioned that she goes by both Yvonne and Bunny. The committee welcomed Yvonne.

Teresa DeLorenzo mentioned that both Shirley Coffin and Dick Howard had excused absences from today's meeting. Also, she introduced that Estle Harlan, a consultant for the hauling industry, who has been invited to attend the SWPAC meetings as an observer and will be available to answer questions.

Teresa suggested that when an item is put on the agenda as a Briefing Item, she would like the item to reflect what that briefing is in preparation for and this should be indicated on the agenda and on the 15-month schedule.

The Hazardous Waste Task Force report, Hazardous Waste Management Plan, was handed out and it was mentioned that Randi Wexler might be in at the end of the meeting to talk about the Household Hazardous Waste Collection Event which was held this past weekend. Bruce Rawls asked why there wasn't a collection site on the west side? Dan Durig replied that this was a pilot case to assess its effectiveness. In the report handed out the recommendations were that we look at a suburban and urban location and as it turned out there were only two fire departments that have certified hazardous materials teams in the region and those are the Gresham and Portland Fire bureaus.

AGENDA ITEM

BRIEFING - WASTE REDUCTION
PROGRAM OVERVIEW

Dennis Mulvihill passed out two papers, one entitled "Solid Waste Department" which is an overview of the department and the other entitled "Waste Reduction Program Components" which reflects what the waste reduction program is all about. These will become a permanent part of the department's hand-outs for public meetings. Discussion followed on a current organizational chart and a suggestion was made by Kathy Cancilla that the hand-out be an easy to read, picture-type-chart. Teresa DeLorenzo suggested the equivalent of an organizational chart for the program components and Bruce Rawls asked if it could be done as a matrix by listing all the components down one side and across the top and relating them to each other. It was suggested that the committee already has this information in the Work Plan which was distributed several months ago and that reading and understanding the Waste Reduction Plan would clarify questions.

AGENDA ITEM

BRIEFING - PROCESS TO CODIFY
CERTIFICATION POLICIES AND
PROCEDURES AND OVERVIEW OF
PLANNING AUTHORITY

Wayne Rifer was introduced and he mentioned that the November 11 memo which was included in the meeting packets covered, in brief, everything he was going to cover.

Wayne first spoke about the Certification Program Policies and Procedures. He is working closely with local governments in developing the new code relating to certification. The task of the Local Government Advisory Committee on Certification (LGACC) over the next several months will be to review and approve the language for the ordinances that would then be going to Council. Our first objective will be to develop the initial yard debris standards, working in conjunction with local jurisdictions and the hauling industry. Included in code will be definitions, purpose, yearly goals and standards, responsibilities of local government, guidelines, compliance reports, certification review, evaluation, approval, waivers, appeals and hearings. A November 14 memo was distributed which outlines the three-step process, (1) briefing SWPAC December 15 and the Council on December 18; (2) Council adoption of the first set of codes on January 22 after SWPAC receives a briefing on them at their January meeting, and (3) adoption of additional sections of the code subsequently. A discussion followed on the legal foundations for the code.

The adoption of standards for the collection of yard debris is also a three-step process including (1) defining of optional yard debris collection programs - the way it being done now (briefing for SWPAC at this meeting); (2) cost-effectiveness analysis of each option (briefing at the December SWPAC meeting); and (3) writing the standards which maximize flexibility for local jurisdictions and provide assurances that goals will be met. Gerry Uba, who will be responsible for the cost-effectiveness analysis project, was introduced. He is involved with the urban studies Ph.D. program at P.S.U. The development of options under Yard Debris represent a mixture of work involving staff and the Tri-County Council. Estle Harlan described the Tri-County Council's work and stated that not all options are attainable. LGACC will also be involved. This committee is advisory to SWPAC and they will meet on December 2, 1986 at 3:00 p.m. in the Council Chambers at the Metro offices. An agenda was distributed. The purpose of the first meeting is orientation and review of collection options. Teresa DeLorenzo mentioned that any member of SWPAC will be welcome and that Kathy and she will be there. The collection options were included in the SWPAC agenda packet with "draft" prominently typed at the top of the first page and Wayne distributed a substitute page 2 entitled OPTIONAL COLLECTION PROGRAMS which deals with changes in the third and fifth paragraphs, (1) the issue of street cleanliness (pertinent to frequency of service) and (2) funding mechanisms.

Wayne asked if there was any discussion and Ed Gronke asked what he was expecting to hear from the committee - did Wayne want them to rank the options, or what? He stated that he was looking for a consensus from the committee as to which options they felt were best. Craig Sherman asked if the program was user-funded? Wayne indicated that that is one of the two options. Dave Phillips mentioned that you have two options on funding - tax base and user-funding only one of which is workable. Discussion followed

on the Gladstone and Oregon City Yard Debris programs. Wayne pointed out that two of the three ways that the general public supports funding do not require the passing of a tax base. Gary Newbore questioned whether the 75% goal was realistic. Wayne replied that the Waste Characterization Study will give an indication of the sources of yard debris and when he gets the figures, he will be able to answer Gary Newbore's question better. Gary Newbore stated he felt regularly scheduled pick-ups would work the best with the cost built into regular garbage rates. Bruce Rawls stated that he felt there should be a menu to choose from - different people have different yard debris generation rates. Teresa DeLorenzo mentioned that the options are not mutually exclusive. Pete Viviano mentioned that he ran a three-year program, April to November, where he did on-curb yard debris pick-ups every Monday and was also involved in the twice-a-year clean ups with the drop boxes. The curbside pick up worked out but was costly. He thought it would work better if there was more participation and subsidies were provided. Ed Gronke stated that under the implementation options, he would vote against the voluntary program as not being practicable. Wayne pointed out that there is a 75% goal, but the real goal is maximum cost effectiveness. When the Waste Composition Study is completed, the cost effective numbers that come up will be reported to SWPAC. Estle Harlan stated that the program getting the most participation, which would be the weekly pick-up at the curb, would carry the price tag and that's what the committee's going to be looking at. If you based it on Oregon City's numbers, which are the most solid ones around, the price tag with every household participating would be over \$8,000,000, and if it is a users only charge, it will be more costly. Ed Gronke stated he felt the real question that we're getting close to now is how much is this going to cost Metro and are the people who live in the district willing to pay that amount of money? Discussion followed on costs and the implementation of the Alternative Technology Composting facility to deal with Yard Debris and also Metro's responsibility in view of EQC's burning ban and the landfill situation. Wayne mentioned that the other issue is that the EQC has in the past, and will again in the future, consider the question of putting Yard Debris on the list of principal recyclable materials under SB 405. That would mandate curbside collection. Teresa DeLorenzo mentioned she felt the document was great and she's looking forward to more details. Kathy Cancilla pointed out that in the examples given in Option III Palo Alto's program is government funded, and this fact should be kept in mind. Delyn Kies mentioned that she has input from the City of Portland Neighborhood Clean-Up and will get together with Chuck Geyer.

Wayne received confirmation from the committee that the information he presented is acceptable to SWPAC and he will continue working in the same direction. It was requested that Wayne Rifer

let SWPAC members know of the meetings of the LGACC sub-committee and Teresa DeLorenzo requested that all hand-outs given at SWPAC meetings automatically be mailed to all non-attendees.

AGENDA ITEM

BRIEFING - WTRC DESIGN

Dave Luneke, Engineer in the Solid Waste Department made a slide presentation on the West Transfer and Recovery Center design and siting. After the presentation Dave invited questions or comments from the committee and was asked about the design capacity. The facility was designed for vehicles per hour as opposed to tonnage and the department is just now working on the number of tons. In the design process particular attention was paid to traffic flow, noise, litter control, construction of building, landscaping and traffic impacts on the surrounding area.

EXTRA ITEM

HOUSEHOLD HAZARDOUS WASTE
COLLECTION EVENT

Randi Wexler was introduced to the committee and reported that the Household Hazardous Waste Collection Event, November 15 and 16, was successful. The number of cars visiting the sites were counted rather than the number of families and there were 252 cars at Gresham and 201 in Portland for a total of 453. She said she was surprised at the DDT products that were turned in and that there was much more motor oil than expected. Lilly Miller is taking back all of their products. Several PCB ballasts were turned in and GE will take care of them. This morning she had already had six calls from citizens inquiring as to when the event would be repeated. During the collection of the Hazardous Waste the Gresham Hazardous Materials Response Team, Portland Hazardous Waste Response Team, Explorer Scouts, Solid Waste Staff, people from City of Portland and DEQ worked and there was good cooperation from Gresham Sanitary and Waste Management. Pegasus Waste Management was there at 5:00 p.m. and worked most of Sunday night getting the materials out.

EXTRA ITEM

LANDFILL SITING

Bob Brown from DEQ distributed two informational bulletins which had been prepared by DEQ entitled "What is a Neighborhood Protection Plan" and "Landfill Siting Update October, 1986." The environmental work on the sites has begun and November 17, 18 and 20 DEQ will have neighborhood meetings for the three proposed sites.

AGENDA ITEM

FIELD TRIPS

The committee has three choices as far as becoming familiar with Yard Debris, (1) a morning field trip can be planned with those participating back at noon for the SWPAC meeting, (2) everyone can participate and plan a half-day meeting where everyone would arrive at noon, do the field trip and have a meeting, or (3) Yard

Debris can be covered in a slide presentation and skip the field trip. It was decided that the first option will be pursued in December with the field trip starting at 9:00 a.m. At least five people will need to participate in the field trip to make it worthwhile.

The details of the special January meeting will be handled December 15 and it was announced that no meeting had been set on rate review.

The meeting was adjourned at 2:05 p.m. The next meeting will be December 15.

STAFF REPORT

Agenda Item No. 8.1

Meeting Date Nov. 20, 1986

CONSIDERATION OF RESOLUTION NO. 86-702 FOR THE
PURPOSE OF ADOPTING PRINCIPLES FOR A LEGISLATIVE
PROGRAM FOR THE 1987 LEGISLATIVE SESSION

Date: November 17, 1986

Presented by: Phillip Fell

FACTUAL BACKGROUND AND ANALYSIS

I. CONSOLIDATING REGIONAL FUNCTIONS:

ISSUE: When Metro was created, it was envisioned that it would be the organization which would consolidate what the legislature referred to as a "proliferation of regional services in the metropolitan area." Among the services specifically identified is public transportation. Metro is also given authority to take over the Boundary Commission subject to a vote of the people. These services are likely to become legislative issues for two reasons. Some metropolitan-area legislators are interested in holding a discussion of merging Tri-Met and the Boundary Commission into Metro; the Special Districts Association will probably propose abolition of the Portland-area Boundary Commission. Staff recommends that the Council evaluate these services to determine its own position on the merger issues because the question will likely be raised. Metro will play a major role in any legislative proposal.

PRINCIPLES:

Staff offers no recommendations on principles pending discussion with key actors.

II. GENERAL GOVERNMENT FUNDING:

ISSUE: Under the existing financing system, Metro's general government functions, such as elections, Executive Officer and Council expenses do not have direct revenue source. Therefore, Metro must use a system of interfund transfers to finance these general government costs. This practice has been identified as confusing to the general public by the TSCC and the funding shortage has limited Metro's ability to explore achievement of its primary legislatively-mandated function, i.e., consolidation of regional services.

PRINCIPLE:

Provide a direct source of revenue for Metro's General Government functions from state-shared revenues (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

III. CONVENTION CENTER FUNDING:

ISSUE: Voter approval of the \$65 million bond issue provides the major element in the convention center financing package. Staff is currently working with the City of Portland to implement the \$5 million LID required to complete the local financial arrangements. The remaining element necessary to complete the total funding package is a \$15 million appropriation from the State Legislature.

PRINCIPLE:

- Obtain a \$15 million state appropriation. Metro will assume a leadership role.

IV. SOLID WASTE:

ISSUE: The 1985 Legislature interjected itself into this region's solid waste situation via the passage of SB 622. The Legislature provided the Oregon Department of Environmental Quality with effective sitng authority and directed Metro to develop and implement an aggressive waste reduction program.

The approach used in developing the Solid Waste Reduction Program adhere closely to the legislative hierarchy of preferred waste reduction/disposal techniques: reduce, reuse, recycle, recover energy/resources, landfill.

The program was also developed in conformity with this region's existing waste disposal system which is characterized by distinct responsibilities for collection and disposal and unstable markets for recyclable commodities.

A major component of the plan is the construction and operation of alternative technology disposal facilities. A key factor in Metro's ability to construct a facility is our ability to site. Staff is currently evaluating the use of our existing functional planning authohrity for that purpose. However, Metro's solid waste functional planning authority has never been tested in the courts and the efficacy of this approach is unknown. Although

continued evaluation may suggest that legislative enhancement of our existing functional planning authority is a more desirable option, the Council should consider seeking specific alternative technologies siting authority from the 1987 Legislature. Then, if the Council determines that such a facility is feasible within the context of SB 662 mandates, the ability to implement that decision will be in hand whether obtained through specific siting authority or through enhanced functional planning authority.

Hazardous waste disposal is an area of growing concern which will be addressed during the upcoming legislative session. With the exception of exempt small quantities, Metro is excluded by definition from responsibility for hazardous waste disposal. Nevertheless, preservation of an environmentally secure landfill is obviously of concern to us. Accordingly, the Council should consider adoption of principles which allow Metro to respond positively to any hazardous waste legislation which may be introduced.

Metro's role will vary between leadership and support depending on the individual solid waste issue.

PRINCIPLES:

Reduce, Reuse, Recycle

Metro will support:

- legislation which increases the market for recyclable materials;
- legislation which encourages public participation in reduction, reuse and recycling programs; and
- legislation which reduces the volume of material being landfilled.

Alternative Technologies Siting

Metro will provide leadership for legislation which:

- combines siting/permitting authority;
- limits time frame for appeals;
- addresses local land use plans; and
- provides local governments with an opportunity to provide sites within a specific time frame.

Hazardous Waste

Metro will support legislation which:

- enhances our ability to keep hazardous materials out of the landfill; and
- encourages the development and use of safe disposal practices for hazardous waste. *ELEN*

Items for Possible Addition to the Legislative Program

1. **Facilities Financing:** Metro's financial advisors are currently reviewing the recommendation that Metro requires and should seek authority to use Letters of Credit to decrease borrowing costs associated with financing construction of solid waste facilities. At this time, it is unclear that Metro requires legislative action to make use of such a tool or that such action should be a priority. If, upon further review, it becomes clear that we do require legislative action and that acquiring such a tool should be a high priority, staff will approach the Council for authorization to seek the necessary statutory changes.
2. **Plastics:** Materials made of plastic are becoming a proportionately greater segment of the solid waste stream. For the past several months, a DEQ task force has been meeting to develop legislative recommendations to address this problem. To this point, no recommendations have been adopted. When the task force reaches some conclusions, currently scheduled for early December, staff will evaluate those conclusions and possible approach the Council to amend our legislative program.
3. **Support adding wine cooler containers to the Bottle Bill:** Oregon's Bottle Bill has worked effectively but proposed expansion of existing legislation has generated substantial opposition among affected parties. Grocers suggest that accepting returnable containers has created sanitation and space problems in their stores and that processing costs result in a net financial loss. Wine distributors don't want to pay deposits for containers which they don't distribute. They see the establishment of franchised distribution areas -- which grocers adamantly oppose -- as a prerequisite for adding wine coolers to the Bottle Bill. Two major environmental groups, the Oregon Environmental

Council and the Association of Oregon Recyclers, are still sorting through their priorities and have not yet determined how they will address this issue. Metro is currently conducting a waste composition study; the initial results of that study will be available in mid-December. Staff will review those results and continue discussions with affected parties before approaching Council with a recommended position.

4. The Legislature has given Metro two different directives governing our rate-setting authority. The first, which reflects general policy for all utilities and is specified in ORS ch. 268, limits Metro to establishing rates which recover our cost of service. The second is contained in SB 662 which directs Metro to make use of its rate-setting authority as an incentive for waste reduction. Metro's General Counsel feels that rate incentives must be established within a cost of service framework. DEQ, however, feels that our authority to use rates as an incentive exists without regard to our cost of service. Staff is currently discussing this issue with DEQ and may opt to approach the Council for authorization to seek legislative clarification.

V. TRANSPORTATION:

ISSUE: Throughout the legislative interim, finance studies of both transit and highway needs have been conducted by a consortium of state-wide transportation providers. The Oregon Transit Finance Study has been conducted as a cooperative effort of ODOT and representative transit agencies. ODOT and city and county representatives collaborated to produce the Oregon Roads Finance Study. Both studies have been concluded with the adoption of resolutions. Metro staff endorses the recommendations of the two task forces and will support their legislative proposals.

PRINCIPLES:

Transit:

- Re-establish state funding for transit capital projects.
- Increase state contribution for special needs transit.
- Continue state payments in-lieu-of payroll taxes.

Highway:

- Increase state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopt a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establish a State-wide Urban Arterials Program.

VI. ADMINISTRATION:

ISSUE: State and federal laws regulating payment of overtime wages are inconsistent. Federal law requires Metro to pay overtime wages to employees working in excess of 40 hours per week. State law requires that overtime wages be paid to employees working more than eight hours per day. The requirements of the state law have created difficulties with seasonal employees for the Visitor Services Division at the Zoo. Because Zoo attendance is partially a function of weather, it is difficult for the Division to predict staffing needs. To comply with the eight-hour limitation of state law, the Zoo has reduced shift length and hired more employees to create additional shifts. This has increased personnel processing costs as well as exposure to Workers' Compensation and unemployment claims.

PRINCIPLE:

Support legislation sponsored by the League of Oregon Cities to amend state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

ITEM FOR POSSIBLE ADDITION TO THE LEGISLATIVE PROGRAM:

Both state statute and the Department of Revenue's administrative rules allow jurisdictions to list the purposes for which they will spend revenues in the ballot title and question of a tax base measure. However, both the statute and administrative rule are vague. In the May Primary, Metro's tax base ballot title was successfully challenged with the court ruling that listing the spending purposes was obfuscating. Staff is awaiting a response from the Secretary of State's office before approaching the Council for authorization to seek strengthening of the statute governing wording in the tax base ballot title and question.

PF/gl
6562C/485
11/19/86

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING)	RESOLUTION NO. 86-702
PRINCIPLES FOR A LEGISLATIVE)	
PROGRAM FOR THE 1987 LEGISLATIVE)	Introduced by
SESSION)	Councilor Tanya Collier and
)	Executive Officer Rick Gustafson

WHEREAS, The Metropolitan Service District was created by legislative action and vote of the people within the District boundary for the purpose of addressing specific regional problems and consolidating regional services; and

WHEREAS, The Metropolitan Service District requires additional authority to fulfill its legislative and popular mandates; and

WHEREAS, The residents of the region, in anticipation of the economic benefits to the region and the state, have authorized the Metropolitan Service District to build and operate a regional convention center; and

WHEREAS, A state appropriation is required to complete the funding package envisioned by the CTS Master Plan; and

WHEREAS, Other jurisdictions and individuals have common interests and roles in resolving regional problems and addressing regional governance; and

WHEREAS, The 1987 Oregon Legislature will convene on January 12, 1987; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports legislation which adheres to specific principles in the

following areas which are contain in Attachment A.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1986.

Richard Waker, Presiding Officer

PF/gl
6562C/485
11/19/86

ATTACHMENT A

General Government Funding:

Provides a direct source of revenue for Metro's General Government functions from state-shared revenues, (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

Convention Center Funding:

Provides a \$15 million state appropriation.

Reduce, Reuse, Recycle:

- increases the market for recyclable materials;
- encourages public participation in reduction, reuse and recycling programs; and
- reduces the volume of material being landfilled.

Alternative Technology Siting:

- combines siting/permitting authority;
- limits time frame for appeals;
- addresses local land use plans; and
- provides local governments with an opportunity to provide sites within a specific time frame.

Hazardous Waste:

- enhances our ability to keep hazardous materials out of the landfill; and
- encourages the development and use of safe disposal practices for hazardous waste.

Transit:

- Re-establishes state funding for transit capital projects.
- Increases state contribution for special needs transit.
- Continues state payments in-lieu-of payroll taxes.

Highway:

- Increases state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopts a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establishes a State-wide Urban Arterials Program.

Administration:

Amends state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

6562C/485
11/19/86

1987 METRO COUNCIL ROSTER

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Meeting Summary: Local Government Advisory Committee on
Certification, 12/2/86

THIS WAS A LIVELY AND PRODUCTIVE DISCUSSION OF THE CERTIFICATION PROGRAM. MUCH DISCOMFORT AND SOME MISUNDERSTANDINGS ABOUT THE PROGRAM WERE EXPRESSED. THIS SUMMARY IS INTENDED TO GET THE ISSUES OUT ON THE TABLE FOR FURTHER DISCUSSION.

ATTENDANCE

<u>Jurisdiction</u>	<u>Representative</u>	<u>In Attendance</u>
Washington County	Mr. Mike Sandberg	Mike Sandberg
Clackamas County	Mr. Dave Phillips	Dave Phillips
Multnomah County	Mr. Bob Kuhlken	Bob Kuhlken
Beaverton	None	---
Cornelius	Mr. Jerald P. Taylor	---
Durham	None	---
Fairview	Ms. Marilyn Holstrom	---
Forest Grove	Mr. Jeff Hecksel	Jeff Hecksel
Gladstone	Mr. Jonathan Block	---
Gresham	Ms. Lynda Kotta	---
Happy Valley	None	---
Hillsboro	Mr. Stanley Dillon	Pat Graham
Johnson City	None	---
King City	None	---
Lake Oswego	Mr. Bob Kinkaid	Bob Kinkaid
Maywood Park	None	---
Milwaukie	Ms. Sandra Miller	Don Robertson
Oregon City	Mr. Steve Powell	---
Portland	Mr. John Lang	John Lang
City of Rivergrove	Mr. Ed LaPlante	---
Sherwood	Mr. Tad Milburn	Tad Milburn
Tigard	Mr. Keith Liden	Keith Liden
Troutdale	Ms. Pam Christian	Pam Christian
Tualatin	Ms. Janet Young	Janet Young
West Linn	Mr. Ed Druback	Ed Druback
Wilsonville	Mr. Steve Starner	---
City of Wood Village	Mr. Robert Lokting	Robert Lokting

SYNOPSIS OF DISCUSSION

Due to the failure of the tape recorder to pick up much of the discussion, these minutes are in the form of a synopsis of points discussed. Attenders are invited to submit changes in this record, or to further question the accompanying staff response.

The questions raised by LGACC will be further aired in the December SWPAC meeting.

Metro staff comments on many of the issues raised are included, indented and in italics.

THE PHILOSOPHICAL BASIS OF THE CERTIFICATION PROGRAM

The appropriateness of Metro giving direction to local jurisdictions on solid waste collection was challenged by some. Under Oregon's system of home rule, local governments may resent Metro interference with their activities.

Staff Comment: State law clearly defines the responsibilities for solid waste management in the Metro area.

- o Providing collection and recycling services is a matter of statewide concern*
- o Cities and counties are responsible for providing collection services*
- o Metro is assigned responsibilities for disposal and for regional solid waste management planning and waste reduction planning*
- o Local collection services must "carry out" and not "conflict with" regional solid waste management and waste reduction plans (ORS 459.095 & .200).*

In consideration of the urgent State concern for waste reduction in the metropolitan area, as articulated in Section 8 of SB 662 passed by the 1985 legislative assembly, this region must develop mechanisms for the actors to work in a coordinated fashion to this end. That is the sole purpose of the certification program.

CERTIFICATION ENFORCEMENT MECHANISMS

A key issue discussed was the nature of the enforcement mechanisms for the certification program. Metro has decided not to utilize rate differentials (charging a higher disposal rate for haulers from non-certified areas), but is alternatively developing a two prong approach:

1. a cooperative effort of working together with local governments and the haulers on shared solid waste problems, and
2. the Metro waste reduction and solid waste planning authorities as defined in State law, which require local collection programs to be in compliance with regional plans, are proposed as the back up enforcement capability, conditional upon Council approval.

There was nearly a consensus by local representatives that Metro needs to adopt strong enforcement mechanisms in order to effectively encourage jurisdictions to face difficult and costly solutions. The proposed approach, based on cooperation, was seen by some as Metro avoiding having to take a tough stance and basically putting the issue onto local governments.

Several ideas for enforcement were presented by local representatives.

Metro could simply ban yard debris from disposal at the landfill. For example, no loads with over x% of yard debris would be allowed. A periodic sampling would occur with possible financial penalties or a prohibition from further dumping for infractions. Such a ban would put considerable pressure on local jurisdictions and collectors to develop alternative collection programs and to educate the customer about not putting yard debris in the garbage.

Staff Comment: The option for banning certain kinds of material at the disposal site is included in the second phase (1989) of the Waste Reduction Program. Several factors argue against implementing bans except as a last resort: administrative difficulties, costs for continual waste testing, and the inability of the collector to guarantee generator response.

A mandatory ordinance prohibiting the generator from disposing of yard debris with mixed waste could be passed by Metro and/or local governments.

Staff Comment: An ordinance making it illegal to mix yard debris with garbage could be considered, though national experience shows they are unenforceable and are meaningful only if strong public support is behind them.

Some preference was expressed for the rate differential as the method of enforcing certification. It would be manageable within franchised areas and would provide a strong incentive for compliance.

Staff Comment: Differentials were evaluated by Metro and determined to be undesirable for several reasons:

- 1. Rate differentials would be difficult to implement in an equitable manner, especially in the competitive, largely unregulated collection system in Portland.*
- 2. They were viewed as penalizing the hauler, while it is really the jurisdiction which has the responsibility to develop waste reduction collection programs.*
- 3. Rate differentials seemed to create a combative rather than cooperative atmosphere for the program.*

In general it should be recognized that none of the enforcement mechanisms considered avoid the need to develop collection services for yard debris. Metro has chosen to work cooperatively with jurisdictions under the intent of State law. More drastic measures for enforcing compliance will be considered if this approach does not work.

Metro should consider providing funding to local jurisdictions for required reduction services.

Staff Comment: This option is being evaluated through the Metro budgetary process, and would be complementary to enforcement of certification standards.

Metro should also consider directly providing the required services. A jurisdiction could request Metro to provide the collection services to the public. For example, Metro could contract for yard debris collection. The question was raised as to whether such action is permitted within Metro's legal authority.

Staff Comment: Metro is not a general purpose government and can only carry out functions specifically assigned by law. Solid waste collection is not included in existing law. This responsibility is explicitly assigned to cities and counties.

EVALUATING COMPLIANCE WITH CERTIFICATION STANDARDS

How will Metro evaluate whether standards are being met? The Metro proposal is that jurisdictions demonstrate that they are providing required services and Metro will judge their submittals. Some felt this is backwards.

Metro should be determining if the reduction goals are being met by examining waste at disposal sites. If yard debris is found to continue to be in waste from a specific area, action should then be taken. This would go along with the ban concept. The chief question is, should Metro evaluate the services provided or the results obtained?

Staff Comment: Several options will be considered in the near future for how standards will be written and how they will be evaluated. LGACC and SWPAC will participate in those considerations. Since results can vary greatly due to demographic differences, rather than efforts, Metro considers it more equitable to measure the services provided rather than results.

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Staff Comment: Accompanying materials will hopefully clarify the process; the economic analysis will be completed shortly.

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Staff Comment: Market prices for yard debris are not expected to cover costs of collection. The service

will entail an additional cost to the public. LGACC, SWPAC and Metro Council will evaluate if the anticipated costs are reasonable.

The yard debris problem has been addressed repeatedly in this region with no success. It was asked why we are raising it again. Experience in Troutdale has demonstrated that people will not participate in a yard debris collection system.

Staff Comment: Programs such as those in Gladstone and Oregon City demonstrate that separate collection can be done and is a very popular service. Recent programs to study and to strengthen markets indicate the high probability that providing markets for all material collected in the region is feasible, if collection can be cost-effective. Determining cost effectiveness is our current task.

What would happen if collection programs are instituted and the processors or markets are unable to handle the material?

Staff Comment: If current projections for growth of markets are not fulfilled, collection of the material would be unproductive. Therefore, collection systems should be phased in over a five year period as market growth is demonstrated. This phasing will be included in the certification standards.

The yard debris options must address funding mechanisms. Local governments cannot afford to fund collection from general funds nor is it feasible to ask for new or increased taxes.

Staff Comment: Funding is likely to be one of the most difficult aspects of the program, and will be addressed in detail after the specific programs and funding needs are defined.

LGACC ISSUES

A longer meeting time for the next meeting was requested.

What is the committee's authority? To whom does the committee report?

Staff Comment: The next meeting will allow for an entire morning or afternoon, and will be scheduled for early January. The committee's authorities and reporting is fully described in the Mission and Procedures Statement which was mailed earlier.

Metro's Legal Authority to Conduct the Certification Program

State law and executive order assign authorities for solid waste management in the three county area as follows:

Collection	Cities and Counties
Disposal	Metro
Solid Waste Planning	Metro

State law assigns authority for collection franchising to local governments and directs them to carry out regional waste management and waste reduction plans.

459.200 City, county authority to issue collection service franchises; opportunity to recycle; rates. (1) The Legislative Assembly finds that providing for collection service including but not limited to the collection of recyclable material as part of the opportunity to recycle is a matter of state-wide concern.

(2) The exercise of the authority granted by this section is subject to ORS 221.735 and 459.085 (3).

(3) It is the intent of the Legislative Assembly that a city or county may displace competition with a system of regulated collection service by issuing franchises which may be exclusive if service areas are allocated. The city or county may recognize an existing collection service. A city or county may award or renew a franchise for collection service with or without bids or requests for proposals.

(4) In carrying out the authority granted by this section, a city or county acts for and on behalf of the State of Oregon to carry out:

- (a) The purposes of ORS 459.015;
- (b) The requirements of ORS 459.005, 459.015, 459.035, 459.165 to 459.200, 459.250, 459.992 and 459.995;
- (c) Waste reduction programs; and
- (d) The state solid waste management plan.

ORS 459 defines franchises broadly. Solid waste management includes collection services.

(4) "Collection franchise" means a franchise, certificate, contract or license issued by a city or county authorizing a person to provide collection service.

(19) "Solid waste management" means prevention or reduction of solid waste; management of the storage, collection, transportation, treatment, utilization, processing and final disposal of solid waste; or resource recovery from solid waste; and facilities necessary or convenient to such activities.

Local government authorities in waste collection are further restricted by the Metro solid waste management plan.

459.085 Restrictions on authority of local government units. (1) No ordinance, order, regulation or contract affecting solid or liquid waste disposal, resource recovery or solid waste management shall be adopted by a local government unit if such ordinance, order, regulation or contract conflicts with regulations adopted by the commission pursuant to ORS 459.045 or with a solid waste management plan or program adopted by a metropolitan service district and approved by the department or any ordinances or regulations adopted pursuant to such plan or program.

The legislative intent that Metro develop and implement a waste reduction program which address all aspects of waste management was further emphasized in SB 662 of the 1985 session.

Sec. 8. (1) The metropolitan service district organized under ORS chapter 268 shall prepare a solid waste reduction program. Such program shall provide for:

(a) A commitment by the district to substantially reduce the volume of solid waste that would otherwise be disposed of in land disposal sites through techniques including, but not limited to, rate structures, source reduction, recycling, reuse and resource recovery;

(b) A timetable for implementing each portion of the solid waste reduction program;

(c) Energy efficient, cost-effective approaches for solid waste reduction that are legally, technically and economically feasible and that carry out the public policy described in ORS 459.015 (2); and

(d) Procedures commensurate with the type and volume of solid waste generated within the district.

To carry out this directive, the Metro Council adopted the Waste Reduction Program which states: "Local governments, which exercise regulatory control over solid waste collection, will be encouraged to participate fully in the waste reduction efforts through Metro certification." Final Report p 12.

CONSIDERATION OF RESOLUTION NO. 86-702 FOR THE
PURPOSE OF ADOPTING PRINCIPLES FOR A LEGISLATIVE
PROGRAM FOR THE 1987 LEGISLATIVE SESSION

Date: November 17, 1986

Presented by: Phillip Fell

FACTUAL BACKGROUND AND ANALYSIS

I. CONSOLIDATING REGIONAL FUNCTIONS:

ISSUE: When Metro was created, it was envisioned that it would be the organization which would consolidate what the legislature referred to as a "proliferation of regional services in the metropolitan area." Among the services specifically identified is public transportation. Metro is also given authority to take over the Boundary Commission subject to a vote of the people. These services are likely to become legislative issues for two reasons. Some metropolitan-area legislators are interested in holding a discussion of merging Tri-Met and the Boundary Commission into Metro; the Special Districts Association will probably propose abolition of the Portland-area Boundary Commission. Staff recommends that the Council evaluate these services to determine its own position on the merger issues because the question will likely be raised. Metro will play a major role in any legislative proposal.

PRINCIPLES:

Staff offers no recommendations on principles pending discussion with key actors.

II. GENERAL GOVERNMENT FUNDING:

ISSUE: Under the existing financing system, Metro's general government functions, such as elections, Executive Officer and Council expenses do not have direct revenue source. Therefore, Metro must use a system of interfund transfers to finance these general government costs. This practice has been identified as confusing to the general public by the TSCC and the funding shortage has limited Metro's ability to explore achievement of its primary legislatively-mandated function, i.e., consolidation of regional services.

PRINCIPLE:

Provide a direct source of revenue for Metro's General Government functions from state-shared revenues (cigarette tax), and authority to levy an excise tax on our own services. Metro will assume a leadership role.

III. CONVENTION CENTER FUNDING:

ISSUE: Voter approval of the \$65 million bond issue provides the major element in the convention center financing package. Staff is currently working with the City of Portland to implement the \$5 million LID required to complete the local financial arrangements. The remaining element necessary to complete the total funding package is a \$15 million appropriation from the State Legislature.

PRINCIPLE:

- Obtain a \$15 million state appropriation. Metro will assume a leadership role.

IV. SOLID WASTE:

ISSUE: The 1985 Legislature interjected itself into this region's solid waste situation via the passage of SB 622. The Legislature provided the Oregon Department of Environmental Quality with effective siting authority and directed Metro to develop and implement an aggressive waste reduction program.

The approach used in developing the Solid Waste Reduction Program adhere closely to the legislative hierarchy of preferred waste reduction/disposal techniques: reduce, reuse, recycle, recover energy/resources, landfill.

The program was also developed in conformity with this region's existing waste disposal system which is characterized by distinct responsibilities for collection and disposal and unstable markets for recyclable commodities.

A major component of the plan is the construction and operation of alternative technology disposal facilities. A key factor in Metro's ability to construct a facility is our ability to site. Staff is currently evaluating the use of our existing functional planning authority for that purpose. However, Metro's solid waste functional planning authority has never been tested in the courts and the efficacy of this approach is unknown. Although

continued evaluation may suggest that legislative enhancement of our existing functional planning authority is a more desirable option, the Council should consider seeking specific alternative technologies siting authority from the 1987 Legislature. Then, if the Council determines that such a facility is feasible within the context of SB 662 mandates, the ability to implement that decision will be in hand whether obtained through specific siting authority or through enhanced functional planning authority.

Hazardous waste disposal is an area of growing concern which will be addressed during the upcoming legislative session. With the exception of exempt small quantities, Metro is excluded by definition from responsibility for hazardous waste disposal. Nevertheless, preservation of an environmentally secure landfill is obviously of concern to us. Accordingly, the Council should consider adoption of principles which allow Metro to respond positively to any hazardous waste legislation which may be introduced.

Metro's role will vary between leadership and support depending on the individual solid waste issue.

PRINCIPLES:

Reduce, Reuse, Recycle

Metro will support:

- legislation which increases the market for recyclable materials;
- legislation which encourages public participation in reduction, reuse and recycling programs; and
- legislation which reduces the volume of material being landfilled.

Alternative Technologies Siting

Metro will provide leadership for legislation which:

- combines siting/permitting authority;
- limits time frame for appeals;
- addresses local land use plans; and
- provides local governments with an opportunity to provide sites within a specific time frame.

Hazardous Waste

Metro will support legislation which:

- enhances our ability to keep hazardous materials out of the landfill; and
- encourages the development and use of safe disposal practices for hazardous waste. *ELON*

Items for Possible Addition to the Legislative Program

1. **Facilities Financing:** Metro's financial advisors are currently reviewing the recommendation that Metro requires and should seek authority to use Letters of Credit to decrease borrowing costs associated with financing construction of solid waste facilities. At this time, it is unclear that Metro requires legislative action to make use of such a tool or that such action should be a priority. If, upon further review, it becomes clear that we do require legislative action and that acquiring such a tool should be a high priority, staff will approach the Council for authorization to seek the necessary statutory changes.
2. **Plastics:** Materials made of plastic are becoming a proportionately greater segment of the solid waste stream. For the past several months, a DEQ task force has been meeting to develop legislative recommendations to address this problem. To this point, no recommendations have been adopted. When the task force reaches some conclusions, currently scheduled for early December, staff will evaluate those conclusions and possible approach the Council to amend our legislative program.
3. **Support adding wine cooler containers to the Bottle Bill:** Oregon's Bottle Bill has worked effectively but proposed expansion of existing legislation has generated substantial opposition among affected parties. Grocers suggest that accepting returnable containers has created sanitation and space problems in their stores and that processing costs result in a net financial loss. Wine distributors don't want to pay deposits for containers which they don't distribute. They see the establishment of franchised distribution areas -- which grocers adamantly oppose -- as a prerequisite for adding wine coolers to the Bottle Bill. Two major environmental groups, the Oregon Environmental

Council and the Association of Oregon Recyclers, are still sorting through their priorities and have not yet determined how they will address this issue. Metro is currently conducting a waste composition study; the initial results of that study will be available in mid-December. Staff will review those results and continue discussions with affected parties before approaching Council with a recommended position.

4. The Legislature has given Metro two different directives governing our rate-setting authority. The first, which reflects general policy for all utilities and is specified in ORS ch. 268, limits Metro to establishing rates which recover our cost of service. The second is contained in SB 662 which directs Metro to make use of its rate-setting authority as an incentive for waste reduction. Metro's General Counsel feels that rate incentives must be established within a cost of service framework. DEQ, however, feels that our authority to use rates as an incentive exists without regard to our cost of service. Staff is currently discussing this issue with DEQ and may opt to approach the Council for authorization to seek legislative clarification.

V. TRANSPORTATION:

ISSUE: Throughout the legislative interim, finance studies of both transit and highway needs have been conducted by a consortium of state-wide transportation providers. The Oregon Transit Finance Study has been conducted as a cooperative effort of ODOT and representative transit agencies. ODOT and city and county representatives collaborated to produce the Oregon Roads Finance Study. Both studies have been concluded with the adoption of resolutions. Metro staff endorses the recommendations of the two task forces and will support their legislative proposals.

PRINCIPLES:

Transit:

- Re-establish state funding for transit capital projects.
- Increase state contribution for special needs transit.
- Continue state payments in-lieu-of payroll taxes.

Highway:

- Increase state highway revenues for maintenance, repair, preservation and modernization through increases in gas taxes, truck fees, vehicle registration fees and the establishment of a titling fee.
- Adopt a Highway Trust Fund Distribution Formula of 50 percent state, 30 percent counties, 20 percent cities to more accurately reflect existing maintenance and modernization needs.
- Establish a State-wide Urban Arterials Program.

VI. ADMINISTRATION:

ISSUE: State and federal laws regulating payment of overtime wages are inconsistent. Federal law requires Metro to pay overtime wages to employees working in excess of 40 hours per week. State law requires that overtime wages be paid to employees working more than eight hours per day. The requirements of the state law have created difficulties with seasonal employees for the Visitor Services Division at the Zoo. Because Zoo attendance is partially a function of weather, it is difficult for the Division to predict staffing needs. To comply with the eight-hour limitation of state law, the Zoo has reduced shift length and hired more employees to create additional shifts. This has increased personnel processing costs as well as exposure to Workers' Compensation and unemployment claims.

PRINCIPLE:

Support legislation sponsored by the League of Oregon Cities to amend state law to conform with the federal requirement that overtime wages be paid to employees working in excess of 40 hours per week.

ITEM FOR POSSIBLE ADDITION TO THE LEGISLATIVE PROGRAM:

Both state statute and the Department of Revenue's administrative rules allow jurisdictions to list the purposes for which they will spend revenues in the ballot title and question of a tax base measure. However, both the statute and administrative rule are vague. In the May Primary, Metro's tax base ballot title was successfully challenged with the court ruling that listing the spending purposes was obfuscating. Staff is awaiting a response from the Secretary of State's office before approaching the Council for authorization to seek strengthening of the statute governing wording in the tax base ballot title and question.

PF/gl
6562C/485
11/19/86

Meeting Summary: Local Government Advisory Committee on
Certification, 12/2/86

THIS WAS A LIVELY AND PRODUCTIVE DISCUSSION OF THE CERTIFICATION PROGRAM. MUCH DISCOMFORT AND SOME MISUNDERSTANDINGS ABOUT THE PROGRAM WERE EXPRESSED. THIS SUMMARY IS INTENDED TO GET THE ISSUES OUT ON THE TABLE FOR FURTHER DISCUSSION.

ATTENDANCE

<u>Jurisdiction</u>	<u>Representative</u>	<u>In Attendance</u>
Washington County	Mr. Mike Sandberg	Mike Sandberg
Clackamas County	Mr. Dave Phillips	Dave Phillips
Multnomah County	Mr. Bob Kuhlken	Bob Kuhlken
Beaverton	None	---
Cornelius	Mr. Jerald P. Taylor	---
Durham	None	---
Fairview	Ms. Marilyn Holstrom	---
Forest Grove	Mr. Jeff Hecksel	Jeff Hecksel
Gladstone	Mr. Jonathan Block	---
Gresham	Ms. Lynda Kotta	---
Happy Valley	None	---
Hillsboro	Mr. Stanley Dillon	Pat Graham
Johnson City	None	---
King City	None	---
Lake Oswego	Mr. Bob Kinkaid	Bob Kinkaid
Maywood Park	None	---
Milwaukie	Ms. Sandra Miller	Don Robertson
Oregon City	Mr. Steve Powell	---
Portland	Mr. John Lang	John Lang
City of Rivergrove	Mr. Ed LaPlante	---
Sherwood	Mr. Tad Milburn	Tad Milburn
Tigard	Mr. Keith Liden	Keith Liden
Troutdale	Ms. Pam Christian	Pam Christian
Tualatin	Ms. Janet Young	Janet Young
West Linn	Mr. Ed Druback	Ed Druback
Wilsonville	Mr. Steve Starner	---
City of Wood Village	Mr. Robert Lokting	Robert Lokting

SYNOPSIS OF DISCUSSION

Due to the failure of the tape recorder to pick up much of the discussion, these minutes are in the form of a synopsis of points discussed. Attenders are invited to submit changes in this record, or to further question the accompanying staff response.

The questions raised by LGACC will be further aired in the December SWPAC meeting.

Metro staff comments on many of the issues raised are included, indented and in italics.

THE PHILOSOPHICAL BASIS OF THE CERTIFICATION PROGRAM

The appropriateness of Metro giving direction to local jurisdictions on solid waste collection was challenged by some. Under Oregon's system of home rule, local governments may resent Metro interference with their activities.

Staff Comment: State law clearly defines the responsibilities for solid waste management in the Metro area.

- o Providing collection and recycling services is a matter of statewide concern*
- o Cities and counties are responsible for providing collection services*
- o Metro is assigned responsibilities for disposal and for regional solid waste management planning and waste reduction planning*
- o Local collection services must "carry out" and not "conflict with" regional solid waste management and waste reduction plans (ORS 459.095 & .200).*

In consideration of the urgent State concern for waste reduction in the metropolitan area, as articulated in Section 8 of SB 662 passed by the 1985 legislative assembly, this region must develop mechanisms for the actors to work in a coordinated fashion to this end. That is the sole purpose of the certification program.

CERTIFICATION ENFORCEMENT MECHANISMS

A key issue discussed was the nature of the enforcement mechanisms for the certification program. Metro has decided not to utilize rate differentials (charging a higher disposal rate for haulers from non-certified areas), but is alternatively developing a two prong approach:

1. a cooperative effort of working together with local governments and the haulers on shared solid waste problems, and
2. the Metro waste reduction and solid waste planning authorities as defined in State law, which require local collection programs to be in compliance with regional plans, are proposed as the back up enforcement capability, conditional upon Council approval.

There was nearly a consensus by local representatives that Metro needs to adopt strong enforcement mechanisms in order to effectively encourage jurisdictions to face difficult and costly solutions. The proposed approach, based on cooperation, was seen by some as Metro avoiding having to take a tough stance and basically putting the issue onto local governments.

Several ideas for enforcement were presented by local representatives.

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DEPARTMENT OF ENVIRONMENTAL QUALITY
Waste Reduction Program
Hazardous & Solid Waste Division

APPROVAL OF WASTESHED RECYCLING REPORT

Issued in accordance with the provisions of ORS 459.185 and OAR 340-60-045

ISSUED FOR:

West Linn Wasteshed

WASTESHED REPRESENTATIVE:

Ed Druback
City of West Linn
4900 Portland Avenue
West Linn, OR 97068

ISSUED BY DEPARTMENT OF ENVIRONMENTAL QUALITY


Fred Hansen, Director

SEP 16 1986
Date

Summary of the West Linn Wasteshed Recycling Programs

Summary

1. History

West Linn is a city of 12,950 persons located 12 miles south of Portland. It is primarily a residential and commercial community, with only one large industry. In June, 1983 a nine-member solid waste reduction task force made specific recommendations to the City Council on ways the City could reduce its solid waste output by 50%. Most of these recommendations have been implemented and include:

- free weekly on-route recycling collection available to all citizens.
- an active promotional support campaign for the recycling program.
- city staff to support the program.
- high-grade office paper recycling in city offices and schools.
- a comprehensive yard debris recycling program.

In July, 1985 the City petitioned the Environmental Quality Commission to establish the City as its own wasteshed. The City wanted its program to serve as a model for other communities to look at to see how a successful recycling program can be accomplished. Wasteshed status was granted the City in January, 1986.

2. Programs

The West Linn Wasteshed is all of the area within the city limits. The principal recyclable materials for the West Linn Wasteshed are: newspaper, ferrous and non-ferrous scrap metal, used motor oil, corrugated cardboard and kraft paper, container glass, aluminum, high-grade office paper and tin cans. On-route collection is available to all citizens. There are no disposal sites or multi-material recycling depots in the Wasteshed.

A. On-Route Collection

The City of West Linn has one solid waste collector. The franchise agreement between the City and the collector specifies that a uniform same-day recycling pickup service be available for all citizens whether or not they receive solid waste collection service. Recycling service is available to all single-family dwellings, multi-family dwellings and commercial and industrial accounts. The franchisee also is required to keep records on citizen participation and types and volumes of materials collected. The recycling service is free to all citizens, and is paid for through the garbage rates and franchise fees.

In addition to curbside collection of all principal recyclable materials, the hauler collects and recycles yard debris during the spring and fall months. The City maintains a yard debris collection and composting site which is open each Saturday from February through November. The residential yard debris material is composted and either used by the City or resold to local residents and businesses.

B. Education, Promotion and Notification

The City of West Linn is committed to supporting its on-route recycling program with sufficient promotion, education and staff time to ensure its success.

The City has an active Citizen Advisory Committee which meets monthly to discuss and make recommendations on solid waste reduction programs. The City has staff persons who coordinate the education and promotion programs. The City also has a group of volunteers who act as block leaders to encourage their neighbors and friends to recycle.

Since the on-route recycling program began in 1983, seven flyers have been mailed to all residents in the City, and more are planned. Stickers which remind people to recycle have been placed on garbage cans citywide. Yard signs and buttons have been distributed throughout the City.

A Recycling Handbook is distributed through the Welcome Wagon and is available on request. The recycling program has had a booth at the City Fair every year for the last three years. A number of newspaper articles regarding the recycling programs have appeared in local newspapers. Also, the City publishes a recycling volunteer newsletter and has given awards to citizens for their efforts, and the City Newsletter has had articles on recycling.

City staff is available to speak to neighborhood and civic group meetings, and a slide show and films are available for use. The City has distributed recycling and solid waste reduction curricula to their schools and has conducted an in-service for elementary school teachers to help them use the materials in their classrooms.

Overall, the City of West Linn has developed a comprehensive notification, education and promotion program which is intended to reach all citizens in a number of different ways. Its success is documented in that approximately 45% of the citizens participate in the residential recycling programs and an average of 50,000 lbs. of waste is diverted from the landfill each month.

Criteria for Approval

The Department shall review the recycling report to determine whether the opportunity to recycle will be provided to all persons in the wastashed. The Department shall approve the recycling report if it determines that the wastashed will:

1. Provide the opportunity to recycle, as defined in OAR 340-60-020, for:
 - a. Each material identified on the list of principal recyclable material for the wastashed, as specified in OAR 340-60-030, or has demonstrated that at a specific location in the wastashed a material on the list of the principal recyclable material is not a recyclable material for that specific location; and
 - b. Other materials which are recyclable material at specific locations where the opportunity to recycle is required.
2. Have an effective public education and promotion program which meets the requirements of OAR 340-60-040.

Evaluation

The Department finds that:

1. The opportunity to recycle is being provided for each material on the list of principal recyclable materials for West Linn through weekly on-route collection from all citizens, including residential and commercial customers and non-customers. There are no disposal sites in the wastashed. In addition to the principal recyclable materials, the program includes on-route collection and recycling of yard debris. The City maintains a yard debris collection and composting site which is available to all residents, and the composted material is either used by the City or sold to businesses and residents.
2. The City of West Linn has developed a comprehensive and effective public education and promotion program which meets the requirements of OAR 340-60-040. Initial notification was provided to each person in the City when the recycling services became available, and numerous reminder notices have been delivered citywide. The City has dedicated staff and money to promote recycling in the community, in the schools, and in numerous other ongoing activities which will publicize recycling opportunities and encourage people to recycle.

Conclusion

Based on the findings above, the West Linn Wastashed Recycling Report is approved.

Recycling Report

Hazardous & Solid Waste Division
Dept. of Environmental Quality

RECEIVED
JUN 27 1986

Wasteshed: WEST LINN

Wasteshed Representative: Ed Druback
address: 4900 Portland Avenue
West Linn, Oregon 97068

phone: 656-4211
contact person: Ed Druback

Education and Promotion Representative: Ed Druback
address: 4900 Portland Avenue
West Linn, Oregon 97068

phone: 656-4211
contact person: Ed Druback

date: June 1, 1986

The deadline for submission of completed recycling reports is July 1, 1986. Please submit the report by that date to the Department of Environmental Quality, Hazardous and Solid Waste Division, P. O. Box 1760, Portland, Oregon 97207.

On-route Collection

Wastashed WEST LINN

Use one-letter codes listed at the bottom of the form to indicate the frequency of on-route recycling collection service, materials collected on-route, and recycling notification for each city of 4,000 or more population and the surrounding urban growth boundary of the city. Use parentheses around the codes to indicate service planned by July 1, 1986 but not yet in effect. Use footnotes following codes to indicate additional information.

On-route Collection Service			Principal Recyclable Materials										Notification		
City	type	provider	frequency of service	Ferrous metal	Non-ferrous metal	Used motor oil	Newspaper	Glass	Aluminum	Corrugated cardboard	Tin cans	Ledger Paper	Other	Notice	Reminder notice
West Linn	Res.	<u>K & K Recycling</u>	W(1)	(2)	(2)	R	R	R	R	R	R	(3)	(4)(6)	Y	Y
	Com.	<u>K & K Recycling</u>	W(5)	R	R	R	R	R	R	R	R	R	..	Y	Y

Notes:

- (1) Weekly curbside service provided to all single family residences, and weekly collection of "R" noted materials from collection boxes at multi-family residences.
- (2) On call collection of these materials from single family residences.
- (3) Curbside collection of this commodity from single family residences.
- (4) Curbside collection of yard debris (Spring and Fall) [fee charged] by W.L.S.S.
- (5) On Call collection of materials, with weekly routed service for regular producers.
- (6) The City also maintains a yard debris collection and composting site. The site is open each Saturday (February through November) from 10 a.m. to 4 p.m. and accepts residential yard debris from West Linn residents for a fee. The material is composted and either used by the city or resold to residents and businesses.

Codes: Frequency of service W = Weekly B = Bi-weekly or semi-monthly M = Monthly O = On call # = other (please explain)	Codes: Materials R - Recycling provided to all collection service customers S - on-route recycling provided to <u>Some</u> but not all customers (please explain) A - opportunity provided by an approved <u>Alternative</u> method N - on-route recycling <u>Not</u> provided for this item (please explain)	Codes: Notification Y - <u>Yes</u> - notice distributed to <u>all</u> collection service customers S - notice distributed to <u>Some</u> collection service customers (please explain) N - notice <u>Not</u> provided (please explain)
---	--	--

Education, Promotion, and Notification

Wasteshed

WEST LINN

A) Citizen involvement in education and promotion

Describe below the procedure used for involving citizens in planning and implementing the educational and promotional aspects of the "opportunity to recycle" (see OAR 340-60-040 (2)). If different procedures are used in different parts of the wasteshed, indicate the area where each is used.

- A] SOLID WASTE AND RECYCLING COMMITTEE: A citizen's advisory committee to the City Council. Meets monthly on the third Tuesday. All meetings are open to the general public and are announced by giving the required statutory notice.
- B] VOLUNTEER NEWSLETTER: A newsletter (intended to be quarterly) published to inform interested residents about the program and allowing for feedback to staff.
- C] CITIZEN'S MEETINGS: Staff often attends various neighborhood and other civic group meetings.

B) Notification, education, and promotion campaigns and materials

List information concerning major campaigns or activities conducted and materials produced and distributed in the wasteshed. Activities listed here should be sufficient to satisfy OAR 340-60-040, the "Recycling Education, Promotion, and Notification" rule. Include both activities accomplished since January 1, 1985 and activities proposed to be accomplished by December 31, 1986. For recycling programs in existence prior to 1985, also include notification activities conducted prior to January 1, 1985 if necessary to satisfy the notification requirements of the rule. See instructions for suggestions on the types of activities to list.

Provider	Description of activity/item	When done or when proposed	Audience	Area	Attachment #
K & B	mailed flyer	Aug. 1983	citywide		A1
City	citizens meetings	December 1983	citywide		
City	citizens meetings	April 1984	citywide		
K & B	yard signs	May 1984	citywide		
City	mailed flyer	June 1984	citywide		A12
City	recycling button	July 1984	citywide		A13
City	library program	July 1984	youngsters		
City	"Prince and Princess of Trash" Parade Float	July 1984	citywide		
City	Fair Booth	July 1984	citywide		

Provider	Description of activity/item	When done or when proposed	Audience	Area	Attachment #
City	flyer	December 1985	MPD complexes		A2
City	teacher in-service	January 1985	teachers (elementary)		
City	Wizard of Waste	January 1985	5th graders		
City	Trash Monster	January 1985	3rd graders		
City	Away with Waste	January 1985	school cur. directors		
City	neighborhood meetings	February 1985	citywide		
City	mailer	February 1985	city eastside		A3
City	mailer	March 1985	city westside		A3
City	slideshow	March 1985	citywide groups		
City	mailer	May 1985	citywide		A4
City	garbage can stickers	June 1985	citywide		A5
City	Fair Booth	July 1985	citywide		
City	volunteer newsletter	August 1985	active recyclers		A6
City	Away with Waste	August 1985	5 to each school		
City	recycling handbook	August 1985	300 mailed in response to phone questions		A7
City	flyer	September 1985	citywide		A8
City	flyer	September 1985	mfd complexes		A9
City	survey & promotion	September 1985	selected residents		
City	newsletter	April 1986	citywide		A10
City	citywide canvass	<June 1986>	citywide		
City	citywide clean-up day	May 1986	citywide		
City	handbook	June 1986	Welcome Wagon		A7
K & K	Parade Float	<July 1986>	citywide		
City	Fair Booth	<July 1986>	citywide		

Provider	Description of activity/item	When done or when proposed	Audience	Area	Attachment #
City	Mayor's declaration	<July 1986>	citywide		
City	curriculum materials	<September 1986>	city schools		
City	mailed flyer	<Oct-Nov 1986>	citywide		
Additional notes:					
<p>(1) The city holds yard debris home composting seminars four times a year. These are held at various locations around the city (14-50 people usually attend). The program also talks about and distributes information on the curbside program, as well as the composting site.</p>					
<p>(2) From the period of January 1983 to date there have been no less than 50 articles on recycling in West Linn in the local media. Some selected articles are attached in All.</p>					
<p>(3) The West Linn cable channel also aired a notice concerning the yard debris site.</p>					

DRAFT

STAFF REPORT

Meeting Date _____

DEVELOPMENT OF METRO CODE FOR POLICIES AND PROCEDURES OF THE CERTIFICATION PROGRAM

Date: December 5, 1986

Presented by: Wayne Rifer
Solid Waste Analyst

Due to the legal and regulatory implications of the certification program for local jurisdictions and the hauling industry, Metro's Legal Council has advised that policies and procedures for the program be adopted into Metro code.

Current Metro Solid Waste Code consists of these sections:

- 5.01 Disposal Site Franchising
- 5.02 Disposal Charges and User Fees
- 5.03 Disposal Site Franchise Fee

A new section would be added, section 5.04, relating to the Waste Reduction Program and specifically the certification program.

CONTENT OF CERTIFICATION CODE

5.04.001 Definitions

Defining fundamental concepts such as cost-effectiveness, certification units, etc.

5.04.002 Findings and Purpose

Defining the purpose and basic approach for Metro's relationship with the collection system through waste reduction and solid waste management planning authorities

5.04.003 Yearly Certification Goals and Standards

Providing for annual adoption of goals and standards by resolution, and defining certain parameters such as economic feasibility

5.04.004 Responsibility of Local Governments

Defining specific actions which must be taken by local jurisdictions such as requirements for reporting

5.04.005 Compliance Reports

Defining the content of required submittals from jurisdictions which demonstrate compliance with standards

- 5.04.006 Certification Review, Evaluation, and Approval
Describing the methods and criteria for the review, evaluation and approval of local government submittals for compliance with standards
- 5.04.007 Consequences of Non-certification
Defining the process for Council to issue an order of non-certification, including necessary findings, and the consequences of that order
- 5.04.008 Waivers
Certain circumstances may call for a waiver from the penalties for non-certification
- 5.04.009 Appeals and Hearings
Defining procedures, standing and due process

PROCESS FOR ADOPTION OF CERTIFICATION CODE

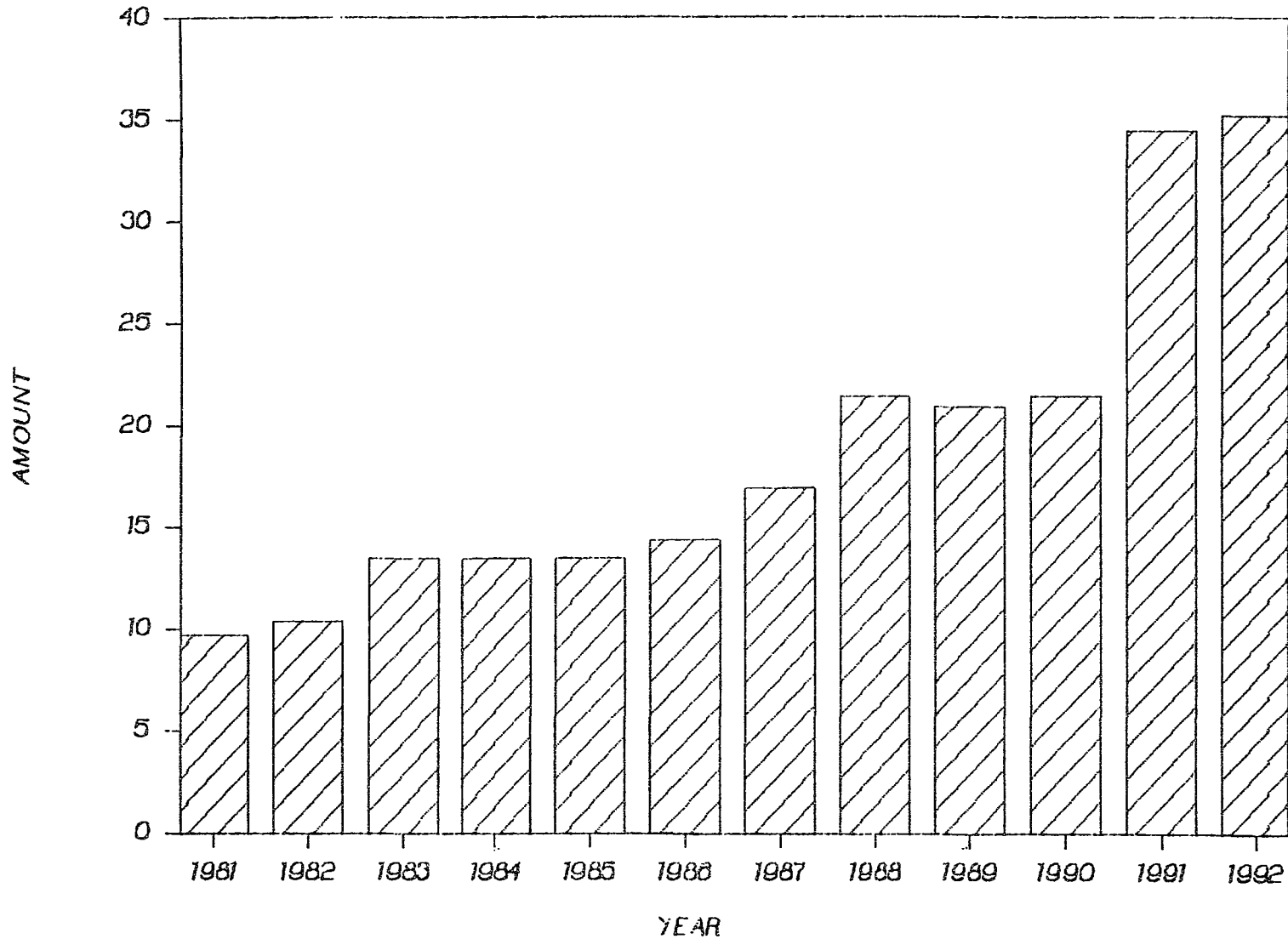
This Code will be developed in two steps following the briefing of the Council Subcommittee on Solid Waste:

Step 1: Council will adopt by ordinance the sections of Code which set up the mechanics for developing certification standards (sections 5.04.001 - 005): SWPAC will review the ordinances at their January meeting, Council will hear the first reading January 22, second reading and adoption February 12.

Step 2: Additional sections of Code which set up the process for review, approval and adjudication of local government programs (sections 5.04.006 - 009) will be adopted in April.

Historic & Projected Disposal Rates*

\$/ton



*Projected costs in 1988 through 1992 do not necessarily reflect disposal rates. The graph represents figures which do not spread out costs such as preparation of a new landfill over several years. The projections are estimates, and are a combination of commercial and public rates.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: December 12, 1986

To: Rate Review Committee Memebers
Solid Waste Policy Advisory Committee Members

From: Rich McConaghy *Jm*

Regarding: Rate Review Committee Recommendation on 1987
Metro Disposal Rates

I would like to thank the members of the Rate Review Committee for your time and efforts in developing a recommendation on the 1987 Rate Study. Your recommendation, which is enclosed, was presented to the Metro Council last evening. George Hubel represented the Committee and responded to a number of questions from Councilors. It is expected that the Council will consider action on the rates next Thursday, December 18 (tentatively at 6:30 PM).

If any of the members have questions on the recommendation, please contact Steve Rapp or myself. It is expected that a brief overview of the Rate Study will be presented at the regular SWPAC meeting scheduled for December 15. A reminder to Rate Review Committee members that we've tentatively scheduled an afternoon site tour for you on Thursday, January 29 at 1:00. Additional information will be provided as that date approaches.

Thanks again for your enthusiastic participation.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: December 11, 1986

To: Executive Officer
Metro Council

From: Solid Waste Rate Review Committee

Regarding: Recommendations on 1987 Metro Disposal Rates

The Rate Review Committee held meetings on December 4 and 10 to consider issues related to adoption of Metro disposal fees for 1987. Committee members have devoted a great deal of time, both individually and jointly, in examining the information presented in the Rate Study.

The recommendations agreed to, as a result of the Committee's review and discussion, include the following:

1. The Committee recommends that the waste flow projections and cost figures presented in the rate study be accepted as reasonable.

In relation to the review of cost figures, the committee has a concern that expenditure projections not be set so high and that waste flow projections not be set so low as to generate too great an increase in fund balance at the end of the year. In FY '86 the fund balance increased by about \$527,000 in a time when the budget and the rates had projected that the fund balance would actually decrease. The committee believes that staff has provided adequate explanation on the affect of increased waste flows, cost savings and unspent contingency in contributing to this result. However, the Committee suggests that future rate analyses provide a comparison of how actual cost and waste flows relate to budget and rate projections. The Committee members would also like to be kept informed of policy actions throughout the year which are expected to result in significant changes in the costs or waste flow components of the annual rate analysis.

2. The Committee has reviewed the background and recommendation on the \$4.50 per ton Certification Non-compliance Fee which would be adopted but not implemented. The committee does not wish to make a recommendation on this differential rate for two reasons:

- Insufficient data has been presented to determine whether the amount of \$4.50 per ton is appropriate on either a cost or an incentive basis.

- The rationale for and nature of this fee is primarily political and the justification for its adoption cannot be based on purely technical factors. The effect of this fee is essentially to create a penalty, and the committee believes that this should be set through a political process rather than a rate process.
3. The Committee has reviewed the discussion and recommendation dealing with the fund balance and recommends providing a rate offset from this available resource to result in commercial rates which are no more than 16.2% above the current commercial disposal rate at St. Johns. This suggests a St. Johns total commercial rate of \$16.70 per ton rather than the \$16.90 per ton recommended by staff. Percentage increases to the total St. Johns public rate should be comparable to this. This recommendation is based on two considerations.
- As detailed in the memo from Government Finance Associates, the Committee believes that it would be prudent to retain the major portion of the fund balance so that it can be allocated to the sorts of long-term needs which have been identified (Operating reserve, debt reserve, capital repair and replacement reserve and self-insurance for environmental impairment).
 - The Committee encourages the Council to identify its long-term financial needs, provide justification of those needs and to establish time tables (where appropriate) for supporting those needs when allocating the fund balance now and in the future. In the absence of specific needs, the Council is encouraged to use the fund balance to affect a rate offset.
 - Taking the above two comments into account, the Committee recognizes an important need for smoothing or moderating rate increases over time. The Committee's recommendation on what the rate ought to be (\$16.70/ton) is based on providing for a consistent annual increase over the next six years. Staff's recommendation is based on smoothing over only the next two years. Even though there may be less confidence in the rates projected for 1992 than those for 1988, it is reasonable to use the more distant estimate for smoothing rates, particularly since it yields a slightly lower annual increase and since rates have been conservatively estimated in the past. Through this estimation of what the rate ought to be, the appropriate amount of the fund balance rate offset can be derived.
4. The Committee recognizes the complexity of the policies considered in the 1987 rate analysis and notes that between the announcement of the proposed rates and their anticipated

adoption, only a short amount of time has been allowed for review of the proposed rates, by affected parties. In the future, a minimum of four weeks should pass between the date the Rate Study is available and the first consideration of the rate ordinance by the Council. The Rate Review Committee should meet to consider its recommendation no less than two weeks into this period.

5. The Committee supports the recommendations of staff in the following areas: Code modifications to provide processing center recycling incentives, source-separated yard debris rates, rate allocations of diversion costs, April 1 effective date, special waste fees, tire rates and the public minimum charge. Related to these areas, the Committee observes that the costs of diverting waste to Marion County and paying the DEQ fee for non-Metro sites will create greater diversion if paid through the base rate, as recommended, rather than through the user fee. The Committee's recommended St. Johns base rate of \$16.70 per ton (Recommendation 3) assumes an April 1 effective date. If rates were to be implemented on January 1, the total rate increase could be about \$1.00 per ton less, however, the Committee suggests that this would not allow adequate lead time for customers to adjust to the increase.

The committee appreciates the participation of SWPAC members and interested individuals in the meetings which were held.

RM:shc



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

January 30, 1987

Mr. Pete V. Viviano
Southeast Refuse Service, Inc.
14680 S. E. Clatsop Street
Portland, OR 97236

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Mike Ragsdale
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma


Re: Your Resignation Letter

Dear Pete:

I have received your resignation letter of December 30, 1986. On behalf of the staff and management of Metro's Solid Waste Department, I want to thank you for the time and effort you have contributed to SWPAC during the past year. We're sorry to see your resignation but understand that you may have other time commitments.

Good luck in all of your endeavors.

Sincerely,


Yvonne M. Sherlock
Administrative Assistant

YMS:lb



Southeast REFUSE SERVICE, INC.

14680 S. E. CLATSOP STREET
PORTLAND, OREGON 97236
Phone: 761-9373

RECEIVED JAN 2 1987

12-30-86

Dear Yvonne Sherlock,

Please be advised of my resignation on the
Swapac committee, as of Jan 1-1987.

I appreciate the opportunity to be able to
serve for the past year.

Sincerely
Pete V. Diviano