

Meeting:	Metro Council Work Session	
Date:	Tuesday, June 21, 2016	REVISED 06/17/2016
Time:	2:00 p.m.	
Place:	Metro Regional Center, Council Chamber	

CALL TO ORDER AND ROLL CALL

2:00 PM	1.	CHIEF OPERATING OFFICER COMMUNICATION	
2:10 PM	2.	TRANSFER SYSTEM CONFIGURATION PROJECT RECOMMENDATIONS	Tim Collier, Metro
2:55 PM	3.	METRO ATTORNEY COMMUNICATIONS	
3:10 PM	4.	COUNCILOR LIASON UPDATES AND COUNCIL COMMUNICATION	

ADJOURN

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إش عادي عليب مي يز من Metro

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Agenda Item No. 2.0

TRANSFER SYSTEM CONFIGURATION PROJECT RECOMMENDATIONS

Metro Council Work Session Tuesday, June 21, 2016 Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: June 21, 2016

PRESENTATION TITLE: Transfer System Configuration Project - Recommendations

DEPARTMENT: FRS

PRESENTER(s): Tim Collier, Director FRS <u>tim.collier@oregonmetro.gov</u> 503-797-1913

WORK SESSION PURPOSE & DESIRED OUTCOMES

- Purpose: For Metro Council to give input on staff policy proposals and a draft resolution
- Outcome: Councilors endorse recommendations (with any changes).

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Project Background: The Transfer System Configuration Project is one of the six planning elements of the Solid Waste Roadmap Program. The purpose of the project is to determine what model of the public-private transfer system best serves the public interest. "Public interest" is defined as delivering on the six public benefits previously presented to the Metro Council.

Since the last engagement with the council, staff has drafted a series of recommendations and continued working with stakeholders – including an 11-member Task Force whose members represent facilities that handle over 95 percent of the region's tonnage and over two-thirds of the hauling interests – on reviewing those recommendations and adding additional input. We have also received feedback from local government directors and the Solid Waste Advisory Committee.

The Policy Option:

Working with staff, local governments and members of the solid waste industry, we have developed a final set of policy recommendations for the Council to review and give final direction on.

QUESTIONS FOR COUNCIL CONSIDERATION

List questions for Council's consideration that will help/guide the Council in providing policy direction.

- Do the policy recommendations reflect Council's direction?
- Are there any additional changes the Council would like to see before the resolution comes back to them in final form?

PACKET MATERIALS

- Would legislation be required for Council action X Yes \Box No
- If yes, is draft legislation attached? X Yes \Box No
- What other materials are you presenting today? Draft resolution and attachments.

BEFORE THE METRO COUNCIL

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FOR THE PURPOSE OF ADOPTING A TRANSFER SYSTEM CONFIGURATION POLICY **RESOLUTION NO. 16-XXXX**

Introduced by Chief Operating Officer Martha Bennett in concurrence with Council President Tom Hughes

WHEREAS, Metro, as the solid waste system planning authority for the region, regulates solid waste facilities and disposal sites within the region and the disposal of solid waste generated in the region, pursuant to Metro's constitutional, statutory, and charter authority, consistent with the policies included in the Regional Solid Waste Management Plan, and as set forth in Metro Code Title V; and

WHEREAS, solid waste regulation, disposal, and planning are traditional local government functions within Metro's authority; and

WHEREAS, Metro owns and operates two transfer stations located in the Metro region, and

WHEREAS, Metro Code Chapter 5.01 requires a legislative grant of authority by Metro, through issuance of a solid waste franchise, before a private transfer station located in the region is allocated solid waste that would otherwise flow to a public transfer station; and

WHEREAS, the Chief Operating Officer has developed options regarding the configuration of the public and private transfer station system in the Metro region; and

WHEREAS, the Chief Operating Officer recommends, to ensure that the transfer system provides maximum public benefit, that Metro maintain the current configuration of public and private transfer stations and (1) allocate tonnage on a percentage basis to ensure flow to public stations; (2) limit the amount of putrescible solid waste any one private company may transfer; and (3) ensure transparency of rates; and

WHEREAS, the Metro Council finds that maintaining two public transfer stations and ensuring flow to those stations results in significant health and environmental public benefits because the public stations provide enhanced services, including longer hours, self haul capacity, and acceptance of hazardous waste and recyclables; and

WHEREAS, the Metro Council finds that maintaining a consistent flow of solid waste to public transfer stations serves the public benefit of promoting innovative solid waste programs; for example, the Council has identified the recovery of food scraps as a priority policy and flow of solid waste to public transfer stations is key to the success of that policy; now therefore

BE IT RESOLVED that the Metro Council (1) adopts the Transfer System Configuration Policy, attached as Exhibit A; (2) directs the Chief Operating Officer to proceed with implementation of the Policy.

ADOPTED by the Metro Council this [insert date] day of [insert month] 2016.

Tom Hughes, Council President Approved as to Form: Alison R. Kean, Metro Attorney

Exhibit A:

Transfer System Configuration Policy:

- 1. **Tonnage Allocation based on Percentage**. Allocating tons on a percentage basis with a minimum percentage reserved for the public facilities will ensure that rising regional tonnage will increase all allocations proportionally. Conversely, if, for example, food waste collection or economic recession reduces wet waste regionally, then flow to **all** transfer stations will be reduced proportionally, and not just reduce flow to the public stations.
- 2. **Tonnage Allocation Process**. Emphasize predictability and transparency so that all operators can plan accordingly. Minimize ongoing tonnage allocation "negotiations" and try to prevent continually re-adjusting allocations. However, the collection and transfer system is dynamic, and it may be unreasonable to keep allocations fixed indefinitely. At a minimum, staff should seek to develop a consistent process and framework for adjusting allocations that could be adopted by Council as a matter of policy and the details implemented by the COO as drafted in Attachment A.
- 3. **Flexibility to Pursue Additional or New Services, or Technology.** Ensure that any changes to the transfer system can accommodate future decisions related to important new services with public benefits, such as organics recovery, or pursuing new technology, such as advanced materials recovery (AMR), or waste-to-energy.
- 4. **Small Business Opportunities**. Support smaller locally-based businesses remaining in the collection system and other small businesses that use the system.
- 5. **Promote Efficient Off-Route Travel**. For reduction of greenhouse gas and other public benefits, encourage haulers to minimize off-route travel (i.e., trip between collection route and transfer station or base yard).
- 6. **Improve Transparency about the Cost of Services Provided at the Public Stations**. Provide a separate accounting of the cost of various discrete public services provided at the public stations i.e., separate out the cost of services such as wet waste consolidation and transfer, dry waste recovery, self-haul, and organics consolidation and transfer to provide a more detailed and direct comparison of the cost of services offered at private stations.
- 7. **Rate Transparency at Private Stations**. Local government staff have stated they would benefit from additional transfer station rate transparency in their collection franchise rate review processes. A number of approaches are described in the implementation details.
- 8. Wet Waste Generated in Region Should Utilize the Regional Transfer System. In order to minimize inefficiencies, all landfill-bound waste should utilize the regions transfer system, or some alternative disposal system (Waste to Energy, Alternative Materials Recovery, etc.).



Date:	Thursday June 21, 2016
То:	Metro Council
From:	Tim Collier, Director Finance and Regulatory Affairs
Subject:	Transfer System Configuration Policy Proposals

Executive Summary

This document provides staff proposals for Council to consider to improve governance and operation of the Metro region transfer system. It is the culmination of a lengthy study of issues facing the transfer system by Metro staff and key stakeholders such as the Transfer System Task Force (consisting of representatives from each transfer station in the region), the Solid Waste Alternatives Advisory Committee, local government solid waste directors, and others. More specifically, it responds to questions and comments from Council members at a Work Session held on March 1, 2016 and additional feedback from stakeholders since that time.

The proposals seek to ensure that the transfer system provides maximum Public Benefits (as defined by the Metro Council) today and in the future. The key recommendations for the transfer system are as follows:

- A. **Percentage Tonnage Allocation**: Allocations would be made on a pre-established *percentage* basis. Individual facility tonnage allocations would then be set on this percentage. That way tonnage allocations for each year will increase (or decrease) according to the change in total tons available.
 - A tonnage "floor" is recommended to ensure that public stations continue to provide the high quality service for which they are known. Staff proposes that a minimum of 40% of the region's wet waste be delivered to Metro transfer stations leaving up to 60% available for allocation to private transfer stations.
 - Percentage allocations to private facilities would recognize private investment and provide greater certainty for future business planning.
 - Flexibility would be built in to respond to system changes, such as to accommodate new facilities, lower than anticipated deliveries, and shifting tons from one station to another.
- B. **Small Business Opportunities.** To enable small, local business to thrive, Metro should limit to 40% the amount of wet waste that any single company can transfer.
- C. **Rate Transparency**. Three options have been identified for Council consideration that would improve the transparency of tip fees at private wet waste transfer stations and to assist local government collection rate review.

Further detail on the specific policy proposals is provided on the next page, with additional implementation examples provided in the attachment.







Policy Proposals:

- 1. **Tonnage Allocation based on Percentage**. Allocating tons on a percentage basis with a minimum percentage reserved for the public facilities will ensure that rising regional tonnage will increase all allocations proportionally. Conversely, if, for example, food waste collection or economic recession reduces wet waste regionally, then flow to **all** transfer stations will be reduced proportionally, and not just reduce flow to the public stations.
- 2. **Tonnage Allocation Process**. Emphasize predictability and transparency so that all operators can plan accordingly. Minimize ongoing tonnage allocation "negotiations" and try to prevent continually re-adjusting allocations. However, the collection and transfer system is dynamic, and it may be unreasonable to keep allocations fixed indefinitely. At a minimum, staff should seek to develop a consistent process and framework for adjusting allocations that could be adopted by Council as a matter of policy and the details implemented by the COO as drafted in Attachment A.
- 3. **Flexibility to Pursue Additional or New Services, or Technology.** Ensure that any changes to the transfer system can accommodate future decisions related to important new services with public benefits, such as organics recovery, or pursuing new technology, such as advanced materials recovery (AMR), or waste-to-energy.
- 4. **Small Business Opportunities**. Support smaller locally-based businesses remaining in the collection system and other small businesses that use the system.
- 5. **Promote Efficient Off-Route Travel**. For reduction of greenhouse gas and other public benefits, encourage haulers to minimize off-route travel (i.e., trip between collection route and transfer station or base yard).
- 6. **Improve Transparency about the Cost of Services Provided at the Public Stations**. Provide a separate accounting of the cost of various discrete public services provided at the public stations i.e., separate out the cost of services such as wet waste consolidation and transfer, dry waste recovery, self-haul, and organics consolidation and transfer to provide a more detailed and direct comparison of the cost of services offered at private stations.
- 7. **Rate Transparency at Private Stations**. Local government staff have stated they would benefit from additional transfer station rate transparency in their collection franchise rate review processes. A number of approaches are described in the implementation details.
- 8. Wet Waste Generated in Region Should Utilize the Regional Transfer System. In order to minimize inefficiencies, all landfill-bound waste should utilize the regions transfer system, or some alternative disposal system (Waste to Energy, Alternative Materials Recovery, etc.).

BACKGROUND AND EXAMPLE IMPLEMENTATION DETAILS

Metro Council Direction

The RSWMP and Resolution 06-3729 (adopting the Transfer Station Ownership study, aka Disposal System Planning "DSP1") state that Metro should continue to operate two public stations, but that policy direction did not elaborate to what degree, in what role, with what footprint. At a work session on March 1, 2016, Metro Council confirmed that the transfer system should be managed to provide the following public benefits:

- 1. Protect people's health
- 2. Protect the environment
- 3. Maintain our commitment to the solid waste hierarchy as set forth in state law
- 4. Maintain a system that is flexible and adaptable to changing needs and circumstances
- 5. Ensure adequate and reliable services are available to all customers
- 6. Recognize prior and future public and private investment
- 7. Ensure sustainable finance
- 8. Minimize long-term life cycle cost of providing transfer services

The Metro Council also confirmed the role of the public stations as follows:

Metro should continue its public transfer station operations to achieve multiple objectives:

- Provide a rate benchmark for local government regulators of collection;
- Provide enhanced services, such as household hazardous waste collection,, long operating hours and days, enhanced employee benefits, etc.;
- Provide a public disposal option for any and all haulers (keeps level playing field for small businesses and the public, facilities open to all); and
- Provide flexibility to pursue new services or technologies, consistent with the waste management hierarchy.

At the work session, staff presented the following findings about the transfer system:

- Metro's public/private system works well: its basic functions, geographic locations of facilities and service responsibilities should be retained.
- There is adequate access to self-haul disposal, no need for substantial new service.
- For household hazardous waste, if additional service is desired (beyond what is being provided at MCS and MSS), additional round-ups are the preferred delivery method.
- The public/private wet waste tonnage split is currently about right to balance the following competing goals:
 - Minimizing off-route collection cost and related traffic and emissions impacts.
 - Ensuring adequate private station throughput and tip fees to allow for continued operations at current service levels.
 - Ensuring adequate public station throughput to allow the provision of enhanced public services at reasonable cost, and to provide the opportunity to pursue new, innovative solutions.

Guiding Principles for Transfer System Management Options

When considering management options for the transfer system, the following principles will shape how those options are developed:

- 1. Metro has the broad legal authority to require all waste to be delivered to its public transfer stations and may choose to allocate waste tonnage to private facilities to achieve desired regional outcomes and public benefits.
- 2. Metro will continue to move all solid waste to higher and better forms of management, as guided by the state waste management hierarchy, while also considering technical and economic feasibility.
- 3. During the 2017-2019 interim period, franchises should be viewed as transitional prior to full-term franchises (5 year) taking effect in 2020.
- 4. Metro will continue to utilize franchises to authorize in-region transfer stations, and nonsystem licenses to authorize haulers seeking to deliver solid waste to out-of-region nonsystem facilities.

Appendix A

Draft Tonnage Allocation Process

- 1. Requests for additional tonnage beyond the Base Allocation may be made annually during a time window established by Metro. Awards of additional tonnage would be made by Metro on the basis of the following:
 - A. Anticipated and demonstrable need clearly documented by the private station owner.
 - B. Letter of support by local government solid waste regulator (facility host community and collection franchiser) of clear and unambiguous benefit to ratepayers.
 - C. Metro flow model estimates of tons to each facility based on off-route windshield cost (travel cost and tip fee minimization).
 - D. Total wet waste tonnage forecasted for coming year.
- 2. Tonnage is available for allocation to all authorized private transfer stations and haulers seeking to deliver tonnage outside, but proximate to the region and that are in compliance with local and state requirements.
- 3. Tonnage included in allocation includes
 - A. Wet waste tons delivered for disposal at landfills.
 - B. Wet waste tons delivered for disposal, incineration or energy recovery at a waste-toenergy facility.
- 4. Tonnage not included in the allocation includes (other restrictions or limitations may independently apply):
 - A. Wet waste tons that are recovered, e.g., through advanced recovery
 - B. Out-of-region wet waste tons that do not otherwise limit a transfer station's capacity to accept in-region tons
 - C. Commercial or residential food waste
 - D. Dry waste/residual

- E. Inerts
- F. Recyclables (source separated or comingled)
- G. Electronics waste
- H. Yard debris
- I. Wood waste/biomass
- J. Special waste
- K. Cleanup waste

Materials following this page were distributed at the meeting.

600 NE Grand Ave. Portland, OR 97232-2736 503-797-1700 503-797-1804 TDD 503-797-1797 fax



Date:	Tuesday June 14, 2016
To:	Martha Bennett, Chief Operating Officer
From:	Tim O'Brien, Principal Regional Planner Gerry Uba, Principal Regional Planner
CC:	Ted Leybold, Manager Resource Development John Williams, Deputy Director Planning and Development
Re:	CPDG Projects and Urban Growth Management Decision

Councilor Harrington recently inquired about the relationship between existing Community Planning and Development Grant (CPDG) projects focused on planning for urban reserve areas and a potential urban growth management decision in 2018. As expected there are a few areas being planned through the CPDG program as well as another location that staff believes concept planning will be completed by 2018, all of which can be seen on the attached map.

CPDG Cycles 3 & 4

CPDG Cycle 3, awarded in 2013, included three projects that included planning for urban reserve areas.

- The City of Beaverton completed a concept plan for the 1,240 acre South Cooper Mountain urban reserve area (6B) in January 2015. The CPDG award was \$469,397 which included funds for developing the Title 11 comprehensive plan requirements for the 2002 Cooper Mountain expansion area and the 2011 South Cooper Mountain expansion area.
- The City of Sherwood's concept plan for the 1,240 acre Sherwood West urban reserve area (5B) is scheduled for completion in June 2016. The CPDG award was for \$221,139.
- The City of Wilsonville completed a concept plan for the 275 acre Advance Road urban reserve area (4H) in November 2015. The CPDG award was for \$341,000 which included funds for developing Title 11 comprehensive plan requirements, development code and a Transportation System Plan amendment for the 2002 Frog Pond expansion area.

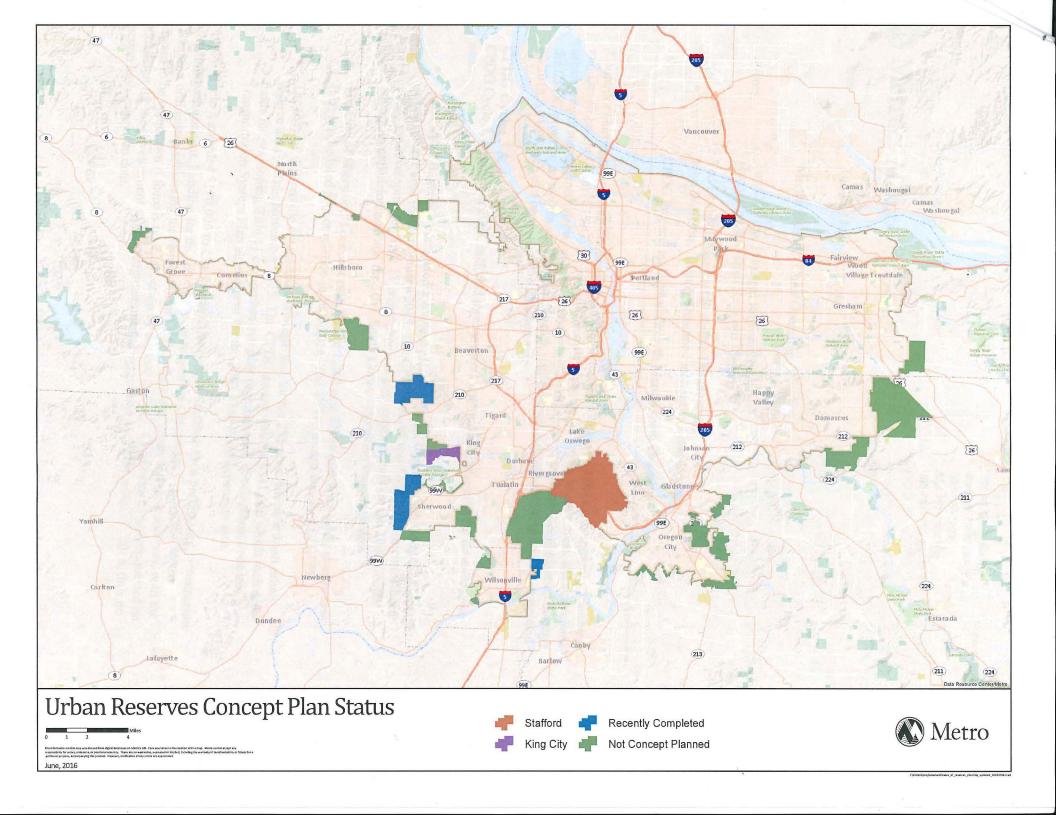
CPDG Cycle 4 awarded \$170,000 to Clackamas County for a Stafford Area preliminary infrastructure feasibility assessment. Funding for this project is contingent on Clackamas County and Metro adopting ordinances addressing the remand from LCDC regarding urban and rural reserves, with the award to be withdrawn if there is no final action by the end of 2017. Clackamas County requested an extension for the development of an intergovernmental agreement until December 31, 2016, thus no action has occurred to date.

Other Area

Recently King City staff informed Metro they intend to initiate a concept planning process for the 530 acre Beef Bend South urban reserve area (6D). This project is being funded by King City with the expectation that the work will be completed prior to a growth management decision in 2018.

Future CPDG Projects

Prior to the kick-off of the Cycle 4 grant process, staff attempted to compile a project pipeline to encourage local governments to submit grant applications for certain identified projects. Staff intends to repeat this exercise for Cycle 5 after consulting with Planning and Development staff and the consultant and development communities to identify projects and issues to be addressed, including the need for additional concept planning of urban reserve areas. The projects/issues identified will be presented to MTAC for review and recommendation prior to the development of a final project pipeline document that will be utilized in the Cycle 5 grant application process in 2017/2018.



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June 22, 2016

Rebecca Geisen Project Manager Regional Water Providers Consortium 1120 SW 5th Ave., Room 600 Portland, OR 97204

Dear Ms. Geisen:

I am writing to notify you that fiscal year 2016-17 will be the last year that Metro is able to financially support the Regional Water Providers Consortium.

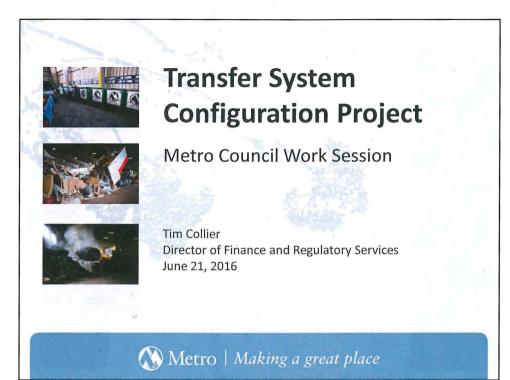
The Metro Council reviews all of the agency's institutional memberships each year and is faced with difficult decisions in establishing priorities. Since Metro is not a water provider or involved in the planning and management of municipal water supplies; our participation in the work and issues that are most pressing to the consortium is minimal. While we greatly appreciate the work the consortium performs within our region, at this time the Council's direction to me has been to commit our resources elsewhere.

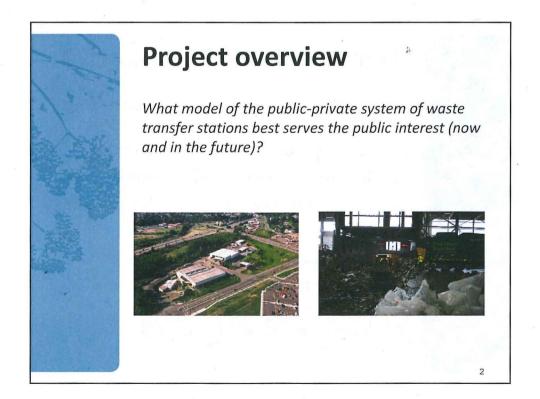
Thank you for the service you provide the region and having various Metro Councilors participate in your meetings over the years. Although we cannot be of further financial support, we wish you future success in your work.

Sincerely,

Martha Bennett Chief Operating Officer Metro Regional Government

cc: Council Tim O'Brien Tim Collier

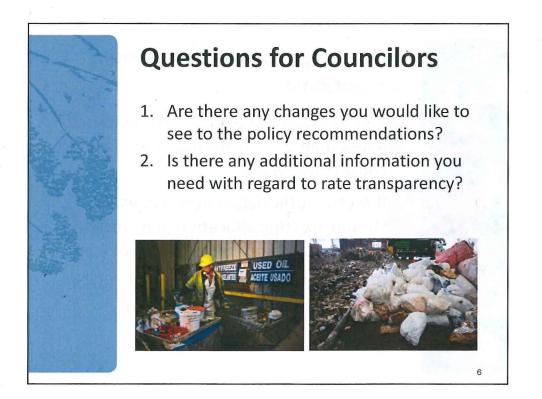


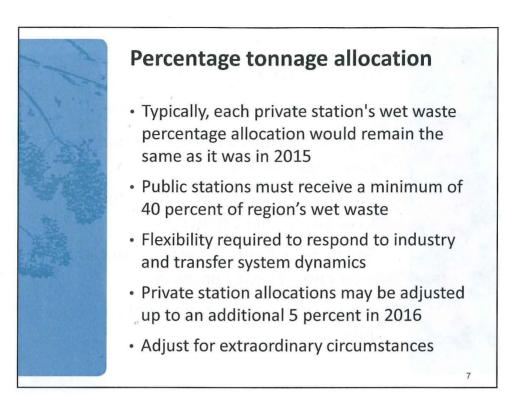


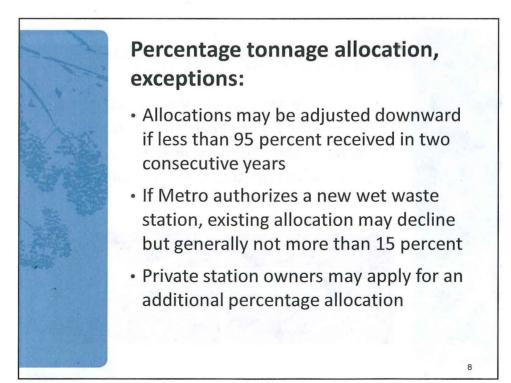










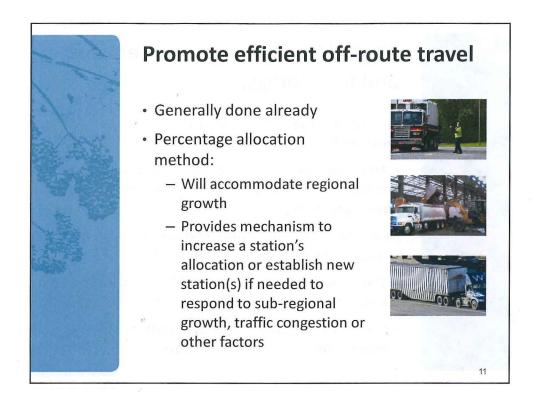


Flexibility to pursue new services and technology

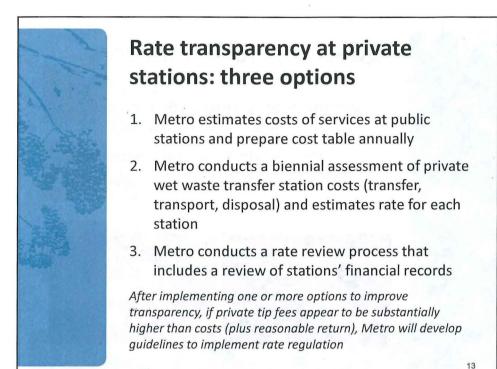
Current proposal reinforces existing system and provides flexibility:

- Allocations exclude source-separated organics and materials that may go through advanced materials recovery (AMR)
- For AMR, WtE, and similar, Metro can require all waste to be processed prior to landfill
- The 40 percent allocation to public stations allows a WtE option for that portion of region's wet waste
- For food scraps, Metro has legal authority to manage flows in a number of ways

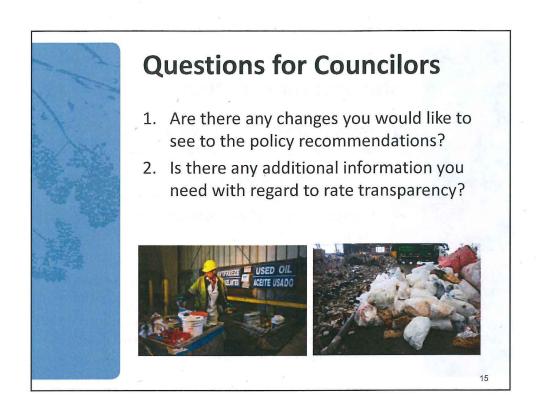




	Wet Waste	Self- Haul	Dry W		YD / Organic	Total
Transfer Station Component Costs (2015)					692	
Transfer (including scalehouse)	\$12.00	\$44.62	\$79.28	\$79.28	\$17.79	\$26.35
Transport to Landfill / Processing	\$22.64	\$22.64	\$21.24	\$22.64	\$22.00	\$22.39
Landfill / Processing	\$23.13	\$23.13	\$0.00	\$23.13	\$32.92	\$21.95
Total Cost	\$57.77	\$90.39	\$100.52	\$125.05	\$72.70	\$70.69
Fees & Taxes	\$32.11	\$32.11	\$0.00	\$32.11	\$0.00	\$27.44
Total Estimated Break-Even Tip Fee	\$89.88	\$122.50	\$100.52	\$157.16	\$72.70	\$98.13
2015 Actual Tip Fee						\$94.98
	~					







Industry Task Force Members

Alando Simpson	City of Roses Disposal & Recycling
Vince Gilbert and Vern Brown	Environmentally Conscious Recycling
Terrell Garrett and Eric Wentland	Greenway Recycling
Matt Miller and Larry Head	Gresham Sanitary
Andy Kahut	Kahut Waste Services
Mike Leichner	Pride Recycling
Brian May and Ray Phelps	Republic Services
Greg Moore and Carl Peters	Recology
Jason Hudson and Dean Large	Waste Connections
Dean Kampfer	Waste Management
Paul Ehinger and Bruce Philbrick	Metro

SWACC Members

Amy Pepper	City of Troutdale
Kathy Kaatz	City of Tualatin
Casey Camors	City of Milwaukie
Scott Keller	City of Beaverton
Theresa Koppang	Washington County
Bruce Walker	City of Portland
Alando Simpson	City of Roses Disposal & Recycling
Keith Ristau	Far West Recycling
Mike Leichner	Pride Disposal
Leslie Kochan	Oregon Department of Environmental Quality
Amy Roth	Association of Oregon Recyclers
Matt Korot	Metro
Paul Ehinger (alternate)	Metro

Loal Government Directors

Amy Pepper	City of Troutdale
Bill Gotzinger	Multnomah County
Bruce Walker and Jill Kolek	City of Portland
Eben Polk and Rick Winterhalter	Clackamas County
Peter Brandom	City of Hillsboro
Scott Keller	City of Beaverton
Shannon Martin	City of Gresham
Theresa Koppang	Washington County
Tanya Gray	City of Vancouver
Mike Davis	Clark County
Audrey O'Brien	Oregon Department of Environmental Quality

Eight Elements for Enhanced Public Benefits

- 1 Tonnage allocation based on percentage (Public Stations guaranteed 40%)
- 2 Improved tonnage allocation appeals process
- 3 Flexibility to pursue new services/technology
- 4 Small business opportunities (No private transfer station owner may have more than 40% market share)
- 5 Promote efficient off-route travel
- 6 Improve cost transparency at public stations
- 7 Rate transparency at Private stations
 - a. Metro estimates cost of services at public stations
 - b. Metro conducts biennial assessment or private station costs
 - c. Metro conducts a rate review process that includes reviewing financial records
 - d. If above does not get us the desired result Metro sets rates
- 8 All wet waste generated in the region must go to a transfer station in the region, with exceptions made for WTE, AMR or other alternative processing

			LG	
	Task Force	SWAAC	Directors	Staff
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