

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

SPECIAL MEETING  
July 5, 1984

Councilors Present: Councilors Bonner, Cooper, Deines, Hansen, Kafoury, Kelley, Kirkpatrick, Van Bergen, Waker and Williamson.

Councilors Absent: Councilors Banzer and Oleson.

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Eleanore Baxendale, Dan LaGrande, Dan Durig, Dennis Mulvihill, Ed Stuhr, Patty Kubala, Everlee Flanigan and Ray Barker.

A special meeting of the Council of the Metropolitan Service District was called to order at 5:35 p.m. by Presiding Officer Kirkpatrick for the purpose of informally discussing: 1) Landfill and Transfer Chapters of Solid Waste Management Plan Update, and 2) General Fund Financing.

Landfill and Transfer Chapters of Solid Waste Management Plan Update

Patty Kubala, Solid Waste Staff, in continuing her presentation from the Council meeting of June 28, reviewed the Draft Report: Solid Waste Management Plan Update 84 and distributed copies of the Landfill and Transfer Sections. She stated that the Plan is divided into 5 chapters and tonight she will go over the major points/highlights of the first 2 completed chapters as the staff is still working on the last 3 chapters.

Rick Gustafson, Executive Officer, asked Councilors how they wish to plan a strategy for the eventual transitioning of St. John's Landfill to the Wildwood Landfill, or its alternative, if necessary. Metro's present position before beginning Phase II is to take no action until the Wildwood Landfill permit is in hand. However, based on the fact that the Court of Appeals did not reverse its opinion on LUBA - we will not have a new landfill available when St. Johns is filled.

Councilor Williamson asked if Metro can possibly get some legislation passed next session that would shorten up the time concerning the appeals.

Discussion followed as to what options be considered, i.e. closure of St. Johns, time it takes to get a permit for Wildwood Landfill, diversion, or possibly a new option.

Councilor Bonner requested that we get a decision on all options available to us and the consequence of those decisions. The target date ought to be by September 1984.

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Mr. Gustafson recommended that one of the options be extending the life of St. John's Landfill, another would be State legislation, that is to get the State directly involved in our regional problems and figure out a way to finally get our landfill sited. Also:

- get some change in the siting process so that Wildwood can be sited
- look for a new site but figure out some way to change the legislation
- keep St. John's forever

Councilor Waker said that we don't necessarily need to do any of those things if we can get a Wildwood decision.

Mr. Gustafson responded, your point is valid, however my conclusion is that even if we reapply for the permit from Multnomah County as soon as it's issued, it won't be soon enough. In the meantime we ought to extend St. John's on a temporary basis.

Councilor Waker stated that we ought to get the people, who slow down the process of garbage removal, to pay the cost of delaying.

Councilor Deines commented that I am all for getting out of the landfill business if the State laws don't allow us to site landfills. We have already spent millions of dollars unsuccessfully. We ought not spend millions more unless the investment is assured of success.

Ms. Kubala summarized her report listing some alternatives for siting a long-term disposal site other than the Wildwood Landfill, should we not be able to receive a permit for it. The report also lists some alternative locations and the extension of St. John's, its hurdles for action, i.e. appeal State's statues, EPA approval and land use approval from the City of Portland.

She stated that the Transfer Section is a summary of past studies and much of its policies on transfer stations has been established by practice or formalized by agreements with other jurisdictions.

She reviewed the Service Level Charts and said the summary gave a good indication of where we are now.

Presiding Officer Kirkpatrick asked when can the Council expect to have the rest of the chapters completed?

Ms. Kubala answered that an in-house draft will be available before I leave and there still is some technical work to be done by the Solid Waste staff.

Presiding Officer Kirkpatrick asked whether the in-house draft on Waste Reduction is near completion?

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Dan Durig, Solid Waste Director, replied that it is in very rough form, it should be noted that we have lost both of our staff members who have been working on this report.

Councilor Bonner pointed out that he objected to the last sentence: "Continued validity of adopted policies." in II Scope and Direction, A. Policies Already Adopted. He said that the sentence is incorrect and although the policy may have been adopted, it is not valid.

Presiding Officer Kirkpatrick thanked the Council for being here tonight and said that the Landfill is the biggest and most important issue before us and it is most important for us to be successful in this matter.

Mr. Gustafson asked the Council how they wish to proceed, 1) shall staff return with a recommendation on policies or 2) form a task force, ask Services Committee or the entire Council to make a recommendation on policies?

Councilor Deines commented that he preferred not to get his policies from the staff since the Council is a policy-making body.

Presiding Officer Kirkpatrick commented that she can reach a decision more easily if she has an overview of all the chapters rather than just pieces of it. She would like a list of alternatives with the expertise drawn from staff, those working with people from the cities, working with Genstar and working with SWPAC.

Mr. Gustafson asked, shall we consider the landfill issue separately or in the whole Plan?

Presiding Officer Kirkpatrick stated that if it's going to take us another year to get the whole Plan, I don't want to wait. I would hope that it is not going to be the case.

Councilor Waker said if we were to single out the landfill and ask you to come back in a month with all the alternatives and some analysis of the alternatives to the Council as a whole, would that be a realistic time-frame?

Mr. Gustafson said yes.

Councilor Kafoury said my preference is to have a list of options and their analysis so that we can focus on a decision.

Councilor Waker said he would prefer to find a shortcut to the legal process in pursuing a Wildwood permit rather than spending

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\$3.8 million on a diversion program to buy two years time. I don't particularly like the options available. Our policy is to get the Wildwood Landfill open on time, we ought to make that our best effort.

Councilor Williamson said it seems to me that the Legislature could hold the key - perhaps we could make some effort to take the Plan to them and tell them what we want.

Councilor Bonner said that I would like to start analyzing some of the options soon to see what we can do.

Presiding Officer Kirkpatrick asked the Executive Officer if he has enough direction.

Mr. Gustafson answered, based on the conversation we are having, I ask that you allow me to work with you to structure the next set of reports. There seems to be an interest in diversion strategy and what we can do. Also, we need to pick up about four possible legislative actions and then outline the one we ought to use.

#### General Fund Financing

Executive Officer Gustafson distributed a report entitled "Revenue Proposal for General Government." He outlined this draft as to where we are in our financial strategy and our goal to identify potential sources of revenue. We have listed several options so that we can discuss them with the Council, who in turn may wish to hold their own public discussions and then participate with us in subsequent discussions.

He said that although there isn't a need at this time, Councilors may want to seek a revenue source that would replace the need to collect dues from local governments. Currently \$400,000-\$600,000 is being paid by dues. Although this amount is not listed and is not a need at this time, the Council may want to factor it in for future planning.

He asked Councilors to consider the merits of an additional state-wide cigarette tax to help finance Metro's costs.

Councilor Bonner felt that since cigarette taxing is diminishing, in addition to this source we ought to be looking for revenues which will grow over the years and provide capital funding to this region.

Councilor Hansen suggested that Metro may want to take a position on a lottery for seeking potential funding. He asked whether sales taxing has been explored?

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Mr. Gustafson answered yes, our bordering states Washington and California have given local governments the option to have a local sales tax added to the state-wide sales tax.

Councilor Waker stated that someday he would like to have a discussion on how we might fund capital projects by borrowing money from the public who use it and then then repaying those who leave the area, i.e. property transfer taxes.

Councilor Van Bergen commented that this revenue proposal is not imaginative for the long pull. We need to take a more aggressive role with an income, property or sales tax.

Councilor Kelley added that we need to seek revenue for the services we can render, I don't think we can ask for a state-wide tax for a non-specific purpose.

Mr. Gustafson stated that this proposal may not be the answer to Metro's funding, however the law requires us to perform certain tasks without the money to do it. I don't believe we are at a point where the voters are prepared to approve an income tax for services that are already provided and will have to be provided.

He proposed that from now to September we conduct a series of meetings with people who are interested in Metro to discuss this proposal and look at other possible options to expand our list. Then we need to submit our proposed legislation for financing this organization to the Legislative Committee on September 28th.

The special meeting was adjourned at 7:15 p.m.

Respectfully submitted,

  
Toby Janus  
Council Secretary