

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

July 24, 1986

Councilors Present: Councilors Collier, Cooper, DeJardin
Frewing, Gardner, Hansen, Kafoury, Kelley,
Kirkpatrick, Oleson, Van Bergen and Waker

Staff Present: Donald Carlson, Eleanore Baxendale, Dan
Durig, Randi Wexler, Norm Wietting, Jim
Shoemake, Mary Jane Aman, Peg Henwood,
Sonnie Russill, Andy Cotugno, Jennifer
Sims, Debbie Allmeyer, Phillip Fell, Wayne
Rifer, Steve Rapp, Kay Rich and Vickie
Rocker

Presiding Officer Waker called the meeting to order at 5:30 p.m. He announced the Executive Session would be held immediately after consideration of Agenda Item No. 1. He also announced the female Golden Monkey currently on exhibit at the Zoo gave birth that morning, the first such birth outside the Republic of China.

1. WEST TRANSFER AND RECYCLING CENTER

Consideration of Resolution No. 86-668, Selecting and Authorizing Acquisition of the FAIRWAY WESTERN SITE for the Purpose of Constructing the West Transfer and Recycling Center; and

Consideration of Resolution No. 86-669, Selecting and Authorizing Acquisition of the CORNELL ROAD SITE for the Purpose of Constructing the West Transfer and Recycling Center

At the Presiding Officer's invitation, staff presented a report on the two resolutions before the Council. Randi Wexler, Solid Waste Analyst, reported that on July 22, 1986, a public hearing was conducted on the following two sites: 1) 1770 N.W. 216th, the Fairway Western Site; and 2) 21450-21480 N.W. Cornell Road. Additionally, she explained, in June 1986 the Council elected to hold the 209th/TV Highway Site in a reserve position. After reviewing the Cornell Site and the Fairway Western Site and weighing testimony from the July 22 hearing, the Council could elect to reexamine the 209th/TV Highway site, she said. Staff deemed all three sites workable for the transfer station project. At this meeting the Council was being asked to consider adopting one of the two Resolutions, one representing the Cornell Road Site and one representing the Fairway Western site. The Council could also reexamine the 209th/TV Highway site and at an August meeting, along with the above two sites.

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In response to Councilor Frewing's question, Ms. Wexler explained the reserve status of the 209th/TV Highway site was different from the Beaverton Champion site and other sites not selected because the 209th site was the only location formally put on reserve by the Council but the Council could choose to reconsider any other site. The Presiding Officer added the 209th site was unique in that it was the only site previously reviewed that the Council did not take action to eliminate from further consideration. Councilor Frewing noted it was his understanding when choosing a Cornelius Pass Road site over a Beaverton site, the Council did not specifically declare the Beaverton area unsuitable because, in fact, several Beaverton sites scored high on staff's evaluation. Ms. Wexler agreed, but again said the 209th/TV Highway site was the only location the Council had requested be kept in reserve. The Councilor said he did not consider the "reserve" designation special other than to distinguish it from other sites not actively being considered at any one point in time.

Presiding Officer Waker invited Councilors to discuss the sites under consideration.

Councilor Hansen declared in light of testimony he heard on July 22, he was no longer in a position to support the Fairway Western or the Cornell Road sites. He preferred to gather more information on the 209th/TV Highway Site before he made a final decision.

Councilor Frewing explained his preference would be for the Council to rethink its process. He said the public testimony he heard led him to believe the Council was going down the wrong track. The Council appointed an advisory group comprised of Washington County people to develop criteria for siting a transfer station. He did not understand why the Council did not pursue the highest ranked site until that site -- which he understood to be near 160th and Merlo Road -- was declared legally unworkable.

Ms. Wexler responded that the numerical analysis assigned by staff was not used to select the best site. Rather, the ratings were used to assist the advisory group in screening a list of 80 sites down to the top 10 sites. Once the 10 sites were identified, the numerical ratings were no longer and the mechanism for selecting a site was then public testimony and the advisory group's judgment, she explained.

Councilor DeJardin agreed the best site considered was the Champion site in Beaverton because it was at the center of waste generation. The fact that it was not selected would result in Washington County not being well served and he regretted the Council had been a part of that decision. The Councilor said the testimony received on

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July 22 having the most impact on his decision was given by Mike Ragsdale. That testimony focused on the need for positive cooperation between government and business in developing the Sunset Corridor. Councilor DeJardin refused to believe all the work of industry and government in developing the Corridor would fall apart because of a waste transfer and recycling center, but he was willing to reexamine the 209th/T.V. Highway site along with the Champion site.

Councilor Cooper said those once against the transfer station project seemed to be turning to an attitude of cooperation with the Council. Because of that change, the Councilor made the motion following motion:

Main Motion: Councilor Cooper moved, seconded by Councilor Oleson, the Council set over consideration of Resolution Nos. 86-668 and 86-669 to the August 14, 1986, meeting and that staff prepare a Resolution for Council consideration selecting the S.W. 209th/T.V. Highway location as a site for the west transfer and recycling center to also be considered at the August 14, 1986, meeting, along with a public hearing to review prior testimony and to hear any new testimony on the S.W. 209th/T.V. Highway Site.

Councilor Oleson agreed with the above strategy because it would keep the key sites and players on the front burner of the process. He saw the process coming to a positive end due to better cooperation. The Councilor, however, said he was bothered by the efforts of the Governor and others to paint the idea of the solid waste transfer station as a "boogeyman." He noted most people, once involved, would prefer to live near a solid waste transfer and recycling station rather than near other commercial and industrial sites. He was convinced once the facility was on line, it would be quickly accepted by its community. The problem in Washington County, he noted, was if the facility were not located in the Sunset Corridor, it would be sited in a residential neighborhood. Councilor Oleson said he was coming to the conclusion the periphery of the Corridor was the best place to site the facility. Although he did not expect new sites to surface before August 14, the above motion would allow more time for other parties to assist the Council.

Councilor Frewing said he was not sure the motion would help in advancing a decision. He proposed adding the Champion site in Beaverton to the list of sites to be considered by the Council on August 14, 1986.

Amendment to Main Motion: Councilor Frewing moved, seconded by Councilor DeJardin, to amend the main motion by adding the phrase "and Champion location" after the two references to the S.W. 209th/TV Highway location.

Councilor Gardner said he supported the amendment because he thought it best not to limit consideration of sites to the 209/T.V. Highway location. He said he was also beginning to think the Council was losing sight of what were originally declared to be the most important selection criteria: transportation access and proximity to the center of waste generation. Although Washington County's future growth would be to the west, it would not be as far west as the sites currently under consideration, he said. The 209th site, he explained, had serious transportation access drawbacks. Councilor Gardner suggested the sites previously excluded be brought back for consideration in order to ensure the most suitable locations be reviewed by the Council before a final decision was made.

Councilor Kelley declared she had not attended the July 22 public hearing -- the first Council meeting she had missed -- as a formal protest of the process. She said the lengthy siting process had an adverse effect on the Council, staff and public. All that time and over \$200,000 had been spent to no avail. The missing player, she said, was Washington County and until the County accepted their responsibility, all the time and energy would have been useless. She referred the Council to a letter from Washington County Commissioner Bonnie Hays. She pleaded the Council to involve the County in the upcoming process.

Presiding Officer Waker noted he had not received the Commissioner's letter which had been addressed to him.

Councilor DeJardin welcomed the opportunity to work cooperatively with Washington County. However, he said, come August 14, he wanted to see a decision made. He also discussed the fact that Clackamas County had been extremely patient in accepting Washington County's waste at the Clackamas Transfer & Recycling Center but were beginning to impose limitations on waste outside the County. He urged the Council to take immediate action so that further limitations would not be imposed. The Councilor was encouraged that local governments within Washington County were willing to work with the Council to find a site.

Presiding Officer Waker commented the decision on the site was not improving with age. Although a number of sites could mechanically serve as a location for a transfer station, the 209th/TV Highway site would be the most suitable of those under consideration, he said. Existing public users of the Hillsboro Landfill drive by the

209th site, creating no additional public traffic impact. There would be traffic impacts from garbage trucks, he acknowledged, but all sites would be subject to those impacts. Finally, the Presiding Officer said the Governor had pledged his support to assist Metro in every possible, legal manner to establish a transfer center at that site. The site was closer to the center of waste and on an existing travel route. He said he would support the 209th site on August 14.

Councilor Kirkpatrick hoped everyone would be ready to make a decision on August 14. She said she was reluctantly supporting both motions on the table although she did not expect a lot of new information would come to light. She noted that by delaying the action, the Council was recognizing the decision was political, not technical, and she regretted that fact.

Councilor Hansen, speaking against the amendment, said the majority of the Council had already moved away from the Champion site and to open it for reconsideration, if the votes were not there, would cloud the issue and lengthen the deliberation process. Councilor Cooper agreed with Councilor Hansen.

Councilor Frewing questioned whether his amendment and the main motion would mean that anyone wishing to address the Council could speak on any matter related to the sites under consideration. The Presiding Officer answered the Council had indicated on several previous occasions that if the 209th/TV Highway site was brought forward for further consideration, the Council would afford the opportunity for additional comments from the public. The motion on the table would provide that opportunity on August 14.

Vote on the Amendment: The vote resulted in:

Ayes: Councilors DeJardin, Frewing, Gardner, Kirkpatrick
and Van Bergen

Nays: Councilors Collier, Cooper, Hansen, Kafoury, Kelley,
Oleson and Waker

The motion failed.

Councilor Van Bergen supported the main motion with the exception of conducting an additional public hearing. He did not see what would be gained. All the Councilors had visited the sites, had heard the public speak about specific concerns and he could not imagine any new information that would come to light. Presiding Officer Waker hoped the August 14 hearing could be confined to truly new testimony or indications for support for a new site.

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Councilor Oleson said the sponsors of the main motion intended the hearing to be restricted to new testimony and for the Presiding Officer to be rigorous in controlling the meeting.

Eleanore Baxendale, General Counsel, said the Council could be provided with written testimony of previous hearings and the Council could declare its intent of reviewing that testimony by reading the written record prior to the August 14 meeting.

Councilor Kafoury said she had not attended the July 22 hearing for many of the reasons noted by Councilor Kelley. She said she had not nor would she now support the 209th/TV Highway site and would not support the motion for many of those reasons. She did not feel conciliatory about Washington County's late stage "invitation to dance" and commented the problem was they were dancing all over the floor and it was difficult to keep up with them. In summary, the Councilor said she would rather not have a site than the wrong site and the 209th/TV Highway site was the wrong site. She preferred pursuing other means of dealing with Washington County's garbage than to chase phantom sites, land use plan amendments, and go through endless public hearings.

Vote on the Main Motion: The vote resulted in:

Ayes: Collier, Cooper, DeJardin, Hansen, Kirkpatrick, Oleson, Van Bergen and Waker

Nays: Councilors Frewing, Gardner, Kafoury and Kelley

The motion carried.

EXECUTIVE SESSION

The meeting was called into executive session at 6:10 p.m. under the authority of ORS 192.660(1)(h) to discuss litigation matters with counsel. All 12 Councilors were present at the session. The Presiding Officer called the meeting back into regular session at 6:35 p.m.

ALASKA TUNDRA LITIGATION

Motion: Councilor Frewing moved to direct Metro's legal representative to negotiate a settlement as discussed in executive session. Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing,
Gardner, Hansen, Kafoury, Kelley, Kirkpatrick,
Oleson, Van Bergen and Waker

The motion carried.

2. INTRODUCTIONS

None.

3. COUNCILOR COMMUNICATIONS

None.

4. EXECUTIVE OFFICER COMMUNICATIONS

Donald Carlson, Deputy Executive Officer, presented the report in the absence of the Executive Officer.

Waste Reduction Promotional Campaign. Vickie Rocker, Public Affairs Director, reported on the current "Save the Earth with a Brown Paper Bag" promotional campaign. Area grocery stores were using the bags which, in turn, could be used for storing glass, paper and tin for future recycling. Recycling instructions were printed on the bags. In addition, ads on the recycling program were appearing in newspapers and the program was being promoted on television programs, at shopping centers, and at county fairs. Ms. Rocker reported staff had received a positive response to the ads and an evaluation would be conducted later in the advertising campaign.

Clackamas Transfer & Recycling Center (CTRC) Break In

Dan Durig, Solid Waste Director, explained someone had broken into the cashroom of the CTRC facility the evening of July 19-20. Police were investigating the incident. A discussion followed about cash handling procedures at the facility. Mr. Durig explained newly imposed procedures had resulted in larger amounts of cash being left in individual tills but other cash was deposited on a daily basis.

5. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

7. CONSENT AGENDA

Presiding Officer Waker announced item 7.4 (Resolution No. 86-666, Amending the Concept Plan, Authorizing New Interstate Transfer Projects and Amending the Transportation Improvement Program) was being removed from the Consent Agenda due to changes in the project schedule. The item would be brought back to the Council at a later date.

Motion: Councilor Kafoury moved to approve the Consent Agenda and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kafoury, Kelley, Kirkpatrick, Oleson, Van Bergen and Waker

The motion carried and the following minutes and contracts were approved and resolutions adopted:

- 7.1 Minutes of May 29 and June 12, 1986;
- 7.2 Resolution No. 86-662, Amending the Transportation Improvement Program to Include Phase II Funding for Extending the Service Life of the Hawthorne Bridge;
- 7.3 Resolution No. 86-663, Amending the FY 87 Unified Work Program;
- 7.5 Resolution No. 86-667, Amending the Functional Classification System and the Federal-Aid Urban System;
- 7.6 Contracts for Workers' Compensation and Employee Health Benefits; and
- 7.7 Contract with Government Finance Associates, Inc. for Financial Advisory Services.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 86-670, for the Purpose of Establishing a Self-Insurance Program

Jennifer Sims, Management Services Director, reviewed the four sections of the self-insurance Resolution: Section 1 established policy; Section 2 required the Executive Officer to prepare a program and procedures; Section 3 established budget administration procedures; and Section 4 set out levels of authority and the Council's role for settling claims.

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Ms. Sims explained the current policy did not provide coverage for prior acts. She would pay to continue the current proper acts coverage unless the Council instructed otherwise. The Resolution did not have to be amended to include that coverage, she said.

In response to Councilor Cooper's question, Ms. Sims said no additional staff would be added to manage the self-insurance program. The Grants/Contracts Specialist would assume that responsibility.

Presiding Officer Waker asked about the nature of previously settled claims and how they were reported. Ms. Sims said most claims had been settled by the Executive officer, the highest claim paid being around \$25,000. Most claims were under \$10,000, she said. The Presiding Officer requested staff report settlements to the Council.

Councilor Frewing noted a probable error in Exhibit 2. Ms. Sims said she would check those figures for accuracy.

Councilor Van Bergen thought the key to a successful self-insurance program was to designate someone to review claims and to take an aggressive stance in defending the agency. Ms. Sims said that type of program had already been established, especially since deductibles had substantially increased.

Deputy Executive Officer Donald Carlson assured the Council a status report of insurance claims would be provided the Council quarterly.

Councilor Oleson requested staff check with the State of Oregon and other jurisdictions to see how those jurisdictions were administering their insurance programs. Ms. Sims said she had checked with other governments when designing the self-insurance program and would continue to rely on those agencies for information and support.

Motion: Councilor Kafoury moved to adopt Resolution No. 86-670 and Councilor Kelley seconded the motion.

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kafoury, Kelley, Kirkpatrick and Oleson

Absent: Councilors Van Bergen and Waker

The motion carried and the Resolution was adopted.

Due to other obligations, Presiding Officer Waker turned the chair over to Deputy Presiding Officer Gardner. He then left the meeting.

9. OTHER BUSINESS

9.1 Consideration of Approving a List of Alternative Technologies Vendors to Which RFPs Will be Issued

Debbie Allmeyer, Solid Waste Analyst, said she would first report on staff's recommendation regarding the short list. She would then discuss staff's recommendation for a strategy for the Request for Proposals (RFP) process. Staff requested the Council approve staff's recommendations on both matters.

Ms. Allmeyer reviewed the process for recommending a short list of vendors to which RFPs would be issued for alternative technologies projects. The Technical Review Committee (TRC) and Policy Review Committee (PRC) reviewed written information and audio-visual presentations supplied by 13 vendors, and interviewed 12 vendors. One firm, Foster/Wheeler, did not wish to be interviewed and did not submit an audio-visual presentation and would not be issued an RFP. Firms recommended for the short list for mass burn or RDF technology included: American Ref-fuel, Combustion Engineering, Fluor Engineers and Schnitzer-Ogden. Reuter was recommended for Buhler-Miag compost technology and Riedel Environmental for DANO technology. McClaran and Associates were not recommended for the short list but due to their extremely innovative proposal, staff discussed means by which a portion of the waste stream could be diverted to assist their effort.

Ms. Allmeyer reported the PRCs recommendation was not unanimous, the difference of opinion centering on financial issues. Minutes of the July 18 meeting, contained in Appendix XI of the staff report, contained highlights of the discussion regarding financing issues.

Councilor Frewing, in response to staff's plans to divert high-grade refuse to GSX, questioned whether other vendors would be satisfied with receiving the lower grade refuse. Ms. Allmeyer explained the Request for Qualification/Information sent to vendors had clearly indicated the origins and composition of waste the vendors were likely to receive.

Bob Zier of Gershman, Bickner & Bratton, Inc. (GBB), a consultant to Metro, discussed how the vendors were rated. Evaluation criteria included solid waste and resource recovery experience, general management and technical experience in developing sites and markets for large projects, financial stability and strength in putting together financable projects, corporate commitment to resource recovery activities, developmental approach, and public acceptability. Subcriteria were established to evaluate finance issues: the vendor's capability to obtain 100 percent performance and payments

bonds for their proposed facility, the vendors commitment to provide an appropriate amount of equity into the project if it were privately financed, evidence of an investment grade rating, and net assets of at least 150 percent of the project's probable cost.

Motion: Councilor Kirkpatrick moved to approve the "short list" of firms to which RFPs would be issued for Metro's alternative technologies project to include Reuter (Buhler-Miag technology) and Riedel Environmental (DANO technology) and the following firms for mass burn or RDF technologies: American Ref-fuel, Combustion Engineering, Fluor Engineers and Schnitzer-Ogden. Councilor Kafoury seconded the motion.

Councilor Kirkpatrick, a member of the PRC, reported the Committee's recommendation was not unanimous. Councilor Kelley had raised questions regarding the financial capabilities of some firms and the use of the term "most qualified" in assigning ratings.

Councilor Kelley discussed her concerns about the short list process. She first noted the PRC should have been included in the TRC meetings in order to gain more information about the project. She was primarily concerned that the PRC had not been provided enough information to accurately determine the financial integrity of companies. She then discussed the respective financial standings of Schnitzer-Ogden and Westinghouse. She questioned why a lower numerical rating had been assigned Westinghouse given the strong financial history of Westinghouse and some problems with the Schnitzer-Ogden corporation.

Ms. Baxendale, referring to the matrix in the staff report, explained no firm was disqualified on the basis of finances. All firms were rated "most qualified" on the finance criterion. The firms were judged according to their ratings in all categories, some criteria weighted more importantly than others. As a result of the overall rating, some firms were deemed "most most qualified" and others were not recommended for the short list.

Councilor Gardner added the Committee had examined the companies' related project experience before deciding which companies would be recommended for the short list. He again emphasized that no company was unqualified for the project but some companies clearly rated higher than others in direct project experience.

Councilor Gardner presented vendors an opportunity to address the Council regarding the process.

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The Sales Engineer for the General Electric Company (GE), (he did not identify himself) discussed GE's financial capability to carry out an alternative technology project. The company's \$14 billion assets would assure a project could be built and the company was willing to give Metro a guarantee to that effect, he said. He asked Metro to consider expanding the number of proposals it would receive in order to increase competition. He cited GE's Spokane project as an example of a municipality changing its thinking to the benefit of the all involved.

Mr. Zier of GBB discussed the merits of limiting the project to four vendors. To increase that number could jeopardize the project since each vendor would be asked to spend its own funds to develop all aspects of the project, he said.

Councilor Frewing referred to staff's matrix and questioned why staff had indicated National Resource Recovery Corporation/General Electric (NRRC/GE) had been shown as exhibiting limited corporate commitment. Mr. Zier said the two firms had never worked together which would make financing the project more difficult.

Ms. Baxendale again explained the rating was not a matter of GE being unqualified. They were not as qualified as other firms for the project, given all the criteria to be rated.

Harvey Gershman of GBB said he had witnessed strong companies fail on large public projects in spite of performance bond criteria. Therefore, it was important to pay close attention to all the combined factors of financial strength when determining who should be short listed. He said a sound performance guarantee was a very important factor in determining who would be asked to participate in the project.

Dan Durig, Solid Waste Manager, said the project was much different than a straight low bid construction type project. Substantial amounts of money were at stake for the companies competing for the project. Therefore, it was important for those companies to know the exact extent of their competition in order to plan a successful project.

Marcus Wood of Stoel, Rives, Boley, Frazer and Wyse acknowledged it was a legitimate policy concern for Metro to consider limiting the number of bids for the project. However, he hoped GBB's evaluation of whether a company could secure adequate guarantees for their project was not the basis for determining a company's suitability. He said NRRC had stated a corporate commitment to give full performance guarantees on this project sufficient to support the necessary financing and to pass those guarantees along to Metro in an enforceable manner.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Gardner, Hansen, Kafoury, Kirkpatrick, Oleson and Van Bergen

Nay: Councilor Kelley

Absent: Councilors Frewing and Waker

The motion carried.

Ms. Allmeyer directed the discussion to the matter the PRC's recommendation regarding the RFP and waste allocation strategy. She recommended the information in the staff report be amended to require vendors to respond to information about all levels of tonnage. Mr. Durig added the most vendors had indicated this would not be a problem.

Motion: Councilor DeJardin moved to accept the PRC's recommendation regarding the RFP and waste allocation strategy as contained in the staff report with a new requirement it be compulsory for all firms to respond to each quantity specified in the RFP they receive. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kirkpatrick and Van Bergen

Absent: Councilors Kafoury, Kelley, Oleson and Waker

The motion carried.

Ms. Allmeyer briefly reviewed the project schedule, explaining some minor amendments. The project completion date would remain unchanged. She said a September 18, 1986, work session was planned for the Council to discuss the project in detail.

9.2 Consideration to Proceed with Phase II of the Resource Recovery Project and to Continue the Contract with Gershman Bickner & Bratton, Inc. for Professional Consulting Engineering Services

Ms. Allmeyer explained the contract had originally been approved by the Council with the understanding the Council would authorize additional expenditures beyond Phase I. Due to the actions taken under item 9.1 above, Phase I had been completed.

Motion: Councilors Kirkpatrick and Cooper moved to authorize staff to proceed with Phase II of the Resource Recovery Project and to continue the contract with Gershman Bickner & Bratton, Inc. for professional consulting engineering services.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Hansen, Kirkpatrick and Van Bergen

Absent: Councilors Kafoury, Kelley, Oleson and Waker

The motion carried.

9.3 Consideration of a Contract to Retain Dean Gisvold as Counsel for the Resource Recovery Project

Ms. Baxendale reviewed the staff report and strongly recommended Mr. Gisvold for the project because of his directly-related experience and satisfactory history with the Metro organization.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Cooper, to approve the contract with Dean Gisvold for counsel for the Resource Recovery Project.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, Cooper, DeJardin, Frewing, Gardner, Kirkpatrick and Van Bergen

Absent: Councilors Hansen, Kafoury, Kelley, Oleson and Waker

The motion carried.

9.4 Report from the Hazardous Waste Task Force

Randi Wexler, Solid Waste Analyst, reported the Council appointed a task force to study two specific substreams of the hazardous waste stream: household hazardous waste (garden chemicals, paints and related items, automotive products, household cleaners, and other ignitable products); and small businesses generating less than 220 pounds of certain types of hazardous waste per month that could be legally disposed in municipal landfills. The task force had been meeting since February 1986. Ms. Wexler explained that although Metro had a policy of not knowingly accepting hazardous type wastes in its landfills, wastes such as those described above were routinely disposed at the St. Johns Landfill. Further, state regulations allowed small business waste under the 220 pound limit to be disposed in municipal landfills.

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The task force identified household hazardous waste as part of the total waste stream and recommended Metro take a lead role in providing alternative disposal and recycling options for homeowners. Specifically, the committee recommended a household collection day be established. Ms. Wexler explained such an event would involve Metro coordinating with one of more other jurisdictions to publicize the event and working with a household waste treatment and transporter company to handle the waste. Metro would manifest the waste, log it and send it to a disposal facility.

Ms. Wexler reported the task force was still studying the small business waste issue. The problem was more difficult to resolve because of the varied types of waste produced and the high costs of appropriate disposal. Staff's position, she explained, was that Metro should not take the lead in providing alternatives for small business waste disposal since Metro had no legal authority to do so. The task force, however, was of the opinion that Metro should provide leadership and assist in continuing discussions that would lead to a solution. The task force would hold an additional meeting to discuss the issue, she reported.

Finally, Ms. Wexler explained she would be requesting the Council adopt the task force's household hazardous waste plan in August. The committee was most anxious to start a pilot project this fall, she said. She commended the committee for working to resolve large and complex problems.

Councilor Frewing added that Ms. Wexler and Dennis O'Neil had provided excellent staff support to the task force. He asked the Council for their feedback on whether Metro should coordinate a household collection day this fall and hopefully on an ongoing annual basis. If services could not be donated, a collection day would cost Metro about \$15,000 to \$20,000. He said another idea discussed by the committee was the production of a resource book by Metro that could be used by other agencies and businesses to assist people in disposing of household hazardous waste. The Councilor also asked for feedback on the issue of whether Metro should assume a lead role in coordinating disposal of hazardous wastes by businesses generating less than 220 pounds per month.

After Council discussion, it was agreed Metro could coordinate a household hazardous waste collection day. The Council, however, agreed with staff that Metro should not take an active role in business waste disposal when it had no clear authority to do so. Councilor Cooper discussed the problem with excessive paperwork to dispose of small quantities of hazardous waste by businesses and hoped something could be done to simplify the disposal process.

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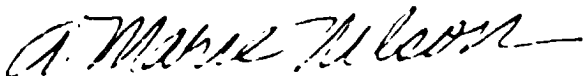
Public Hearings and General Conduct

Councilor Van Bergen expressed concern about the conduct of some citizens at public hearings and questioned how the Presiding Officer could take a more active role in resolving problems of decorum.

After discussion, it was agreed a well-defined meeting structure would help ensure orderly meetings. Specific suggestions included posting public hearing rules in the meeting room, hiring a security officer to be present at meetings, and inviting local government officials to have an active role in the hearing such as introducing the Council to the public.

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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