

MINUTES OF THE METROPOLITAN SERVICE DISTRICT

COUNCIL SOLID WASTE COMMITTEE

February 18, 1988

Zoo Meeting Center

Committee Members Present: Jim Gardner, Gary Hansen,
Sharron Kelley, Corky
Kirkpatrick, George Van Bergen

Committee Members Absent: Larry Cooper, Tom DeJardin

Staff Members Present: Dan Cooper, Rich Owings, Becky
Crockett, Vickie Rocker, Bob
Applegate, Debbie Gorham,
Roosevelt Carter, Ray Barker,
Leigh Zimmerman

Chair Hansen called the meeting to order at 7:10 p.m.

1. Consideration of Minutes of January 26 and February 2, 1988

Motion: Councilor Kelley moved, seconded by Councilor Van Bergen, for approval of both sets of minutes.

Vote: The vote was unanimous and the motion passed.

2. Consideration of Ordinance No. 88-240A, Adopting an Updated General Purpose Landfill Chapter to the Solid Waste Management Plan

Mr. Rich Owings, Director of Solid Waste, said Ordinance 88-240A would place Metro in a flexible position to decide upon various landfill options.

Councilor Van Bergen asked if the ordinance would bring Metro in line with the current statute. Ms. Becky Crockett, Solid Waste Analyst, said it would, and the Department of Environmental Quality's (DEQ) requirements would be included in the "General Purpose Landfill Chapter." Chair Hansen asked staff how they would approach the City of McMinnville with the plan. Mr. Owings said the plan allowed for both in-region and out-of-region landfills.

Councilor Van Bergen said the statute already indicated Metro could dispose of waste at any location it chose. Mr. Dan Cooper, General Counsel, said the current plan stipulated the Wildwood site. Mr. Cooper said the proposal in front of the Committee allowed Metro to dispose of waste wherever it was legal to do so. Councilor Van Bergen

said the effect of the statute superceded Metro's plan. Mr. Cooper said that Metro needed to prove to DEQ it needed a landfill site.

Motion: Chair Hansen moved, seconded by Councilor Kelley, to recommend the full Council adopt the resolution.

Vote: The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 88-835, Adopting a Policy to Establish that the Portland/Multnomah County Transfer Station and Recycling Center be Privately Owned and Operated Facility and that Notice be Posted to Request that Potential Vendors Obtain Land Use Permits for Proposed Transfer Station Sites

The Committee asked staff what Metro would do to prepare a proposal for a publicly-owned transfer and recycling center in order to compare it with a privately-owned and operated facility. Staff proposed to accomplish the task with three teams: One to draft a Request for Proposals (RFP), one to find a site and make cost estimates for a municipal facility, and one to evaluate the proposals.

Councilor Gardner expressed reservations about the word "cost" in paragraph 1. of Resolution No. 88-835A, under BE IT RESOLVED:

The Metro East Transfer & Recycling Center(s) may be privately owned and operated. In the event of private ownership/operation the Metropolitan Service District shall operate the gatehouse to the facility. Ownership determination shall be subject to a cost comparison of private vendor proposals with a municipal transfer and recycling center option.

Councilors agreed the word "cost" be removed to make clear that comparisons would be made on more than just a cost basis.

Motion: Councilor Gardner, seconded by Chair Hansen, moved to delete the word "cost" from paragraph 1. of Resolution 88-835A.

Withdrawal of Motion: After further discussion, Councilors agreed they had not had time to read all the material submitted by staff and were not prepared to approve Resolution No. 88-835A. Further discussion of the Resolution was deferred until Council Solid Waste meeting March 1, 1988.

Chair Hansen decided to move Agenda Item No. 5 ahead of Agenda Item No. 4, the Executive Session, because people who had attended the meeting were waiting to hear the Committee discuss Agenda Item No. 5.

5. Consideration of Resolution No. 88-864, Securing General Purpose Landfill Disposal for Solid Waste from the Portland Metropolitan Region; and Consideration of Resolution No. 88-865, Notifying the Oregon Environmental Quality Commission that the Bacona Road Site is Not Needed

Mr. Cooper briefed the Committee on legal aspects of Resolutions No. 88-864 and No. 88-865. Mr. Cooper gave a lengthy report of criminal convictions for anti-trust violations related to certain Waste Management subsidiaries and of Oregon Waste Systems, Inc., qualifications to bid on the landfill contracts.

Councilors expressed their concern that only one bid had been submitted and accepted. Councilor Kirkpatrick asked if it were too late to go through the RFP process again. Staff said it could be done, but said it would be a lengthy process.

Mr. Merle Irvine, Wastech, Inc., spoke briefly to the Committee before the Executive Session. Mr. Irvine said Wastech, Inc., had just submitted an application to Metro to expand the Oregon Processing and Recovery Center (OPRC). Mr. Irvine was not requesting that Metro submit minimum tonnage amounts; the expansion was meant to increase the amount of materials recycled through OPRC.

4. Executive Session, Held Under the Authority of ORS 192.660(1)(h) to Discuss Litigation Matters with General Counsel

The executive session began at 9:16 p.m. Councilors present were Gardner, Kirkpatrick, Kelley, Hansen, and Van Bergen. Staff present were Mr. Owings, Mr. Barker, and Mr. Cooper. The executive session ended at 9:36 p.m., at which time Chair Hansen adjourned the meeting.

Respectfully submitted,



Paulette Allen, Clerk
SWC88.049/d.1