

MINUTES OF THE COUNCIL SOLID WASTE COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

May 9, 1989

Council Chamber

Committee Members Present: Gary Hansen (Chair), Sharron Kelley (Vice Chair), Roger Buchanan, Mike Ragsdale and Judy Wyers

Committee Members Absent: None

Chair Hansen called the meeting to order at 5:40 p.m.

1. Consideration of Minutes of March 14 and 28, 1989

Motion: Councilor Ragsdale moved for approval of the minutes.

Vote: Councilors Buchanan, Hansen, Ragsdale and Wyers voted aye. Councilor Kelley was absent. The vote was unanimous and the minutes were approved.

2. General Staff Reports

Bob Martin, Director of Solid Waste, discussed the recent Hazardous Waste Collection Day. He said the event attracted more participants than estimated and was more expensive than previously projected. He said 2,500 people participated which doubled previous attendance records. He discussed types of waste collected and said some waste had been hazardous and some waste was not considered hazardous.

Mr. Martin discussed the status of the contract with Jack Gray Transport, Inc. (JGT). He said the contract was on schedule and that staff met with the Columbia River Gorge Commission and representatives of affected Gorge communities. Mr. Martin said the involved communities received JGT's operating and contingency plans for review. He said after review of that information the community representatives realized trucks to transport solid waste would use the main highway and avoid travel through small towns.

He said the Columbia River Gorge Commission and affected communities made five specific requests: 1) that JGT limit their hours of operation in the summer months; 2) that JGT provide state-of-the art splash control equipment on the trucks; 3) a regular process of review with JGT on a quarterly basis; 4) no staging areas in scenic areas; and 5) that truckers would not use rest stops. Mr. Martin said the truckers would only use the freeway and the Cascade Locks way station.

Finally, Mr. Martin discussed Metro's contract with R. W. Beck to evaluate potential Metro East Station sites. He said an appropriated budget adjustment was not required and staff would do a line-item transfer in FY 1989-90.

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 2

Councilor Buchanan asked if the contract to view public sector sites could be expanded to view private-sector sites. Mr. Martin said staff would not recommend such an approach. He said Metro would receive information directly from private proposers. He said if information received was questionable, the site would probably not be feasible. Staff recommended R. W. Beck continue their analysis of the current sites under consideration. Councilor Buchanan asked if a traffic expert would assess proposals. Mr. Martin said each proposer would be aware of traffic issues and provide detailed traffic planning. He said it was best to wait for the submittal of proposals.

Councilor Kelley asked if the proposer would be ready to implement the bid immediately after the RFP was approved. She said Metro had allocated ample funding to gather necessary information by June 13. Mr. Martin said contractor activity would be within the scope of work. Councilor Kelley stated time was of the essence and did not want delays in building the facility to become an issue. Councilor Buchanan noted he had toured solid waste facilities on the east coast and that he toured a facility built in four months by Browning-Ferris, Inc. Mr. Martin said each solid waste facility had its own specifications which affected construction time length.

3. Quarterly Program Progress Report

Mr. Martin discussed Solid Waste staffing. He said three promotions, two temporary upgrades, two new hires and seven new positions were advertised in the quarter ending March 31, 1989. He said the quality of candidates interviewed was excellent. Mr. Martin noted the North Portland Enhancement Committee approved 11 proposals for funding. Mr. Martin gave an overview of current budget issues.

Chair Hansen noted the North Portland Enhancement Committee met May 8 and in two meetings reviewed projects and approved funding worth \$50,000.

Mr. Martin reviewed the rate structure. He said staff was currently involved in the development of a Five-Year Financial Forecast which would follow the standard format established for all Metro departments. He said such a plan would assist staff to anticipate rate adjustments on a comprehensive long-term basis. He said the Five-Year Financial Forecast final report would soon be submitted. He did not anticipate drastic rate increases.

Mr. Martin discussed operations and noted a new method to unload asbestos was instituted December 1988 and re-evaluated in March. He said a conveyor system was developed to unload asbestos bags by hand onto a belt which carried asbestos away from the customer and deposited asbestos on the ground. He said the conveyor belt had been surplus Metro equipment and required funding only for the rental of a generator to run the conveyor.

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 3

He noted the Metro South Station extended its operating contract in the third quarter.

Chair Hansen asked if Metro had complied with Environmental Quality Commission (EQC) deadlines. Mr. Martin said Metro was in compliance and ahead of schedule on several projects.

Councilor Wyers noted the 1% for Recycling Committee received 47 proposals to encourage recycling effort in the region.

4. Consideration of Resolution No. 89-1095, for the Purpose of Exempting an Amendment of a Personal Services Agreement with Sweet-Edwards/EMCON, Inc. from Competitive Procurement Procedures

The Committee and staff discussed the resolution briefly. Mr. Martin and Dennis O'Neil, Senior Solid Waste Planner, explained the amendment would provide \$50,200 in additional services to Metro's agreement with Sweet-Edwards/EMCON, Inc., for engineering investigation and evaluation of the St. Johns Landfill in connection with its closure. Staff explained the firm completed two draft reports which were reviewed by regulatory agencies and other interested parties. Those reviews determined additional tasks should be completed to include information about particulate air quality. Staff referred to a list attached to the resolution's Exhibit A. Staff said there was not sufficient time in which to solicit and examine competitive proposals and recommended an exemption from the competitive procurement procedures.

Motion: Councilor Ragsdale moved to refer the resolution to the Contract Review Board for review and adoption.

Vote: Councilors Buchanan, Hansen, Kelley, Ragsdale and Wyers voted aye. The vote was unanimous and the motion passed.

5. Consideration of Ordinance No. 89-295, for the Purpose of Amending Metro Code Chapter 5.02, Relating to Solid Waste Disposal Charges (Public Hearing)

Mr. Martin explained the 1985 Oregon Legislature adopted Senate Bill 662 which required Metro to pay DEQ \$1 per ton for a landfill siting effort. The Department of Environmental Quality notified Metro in January 1989 the landfill siting costs were paid and Metro could suspend payment. Mr. Martin explained Ordinance No. 89-295 would reduce the disposal rates collected at St. Johns Landfill and Metro South Station.

Chair Hansen asked if the Rate Review Committee reviewed the ordinance. Mr. Martin said they did and approved the reduction in rates. The Committee asked if haulers would pass the savings created by the ordinance onto customers. Mr. Martin believed commercial customers would receive a reduction because of the greater cost impact and competition. He said in

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 4

the case of residential customers, it was unlikely they would benefit from the reduction because the reduction was equal to \$.10 per month for one-can service.

The Committee and staff briefly discussed the possible impact of pending state legislation on solid waste rates. Staff agreed some proposed legislation, if passed, would force Metro to raise rates, but said such increases were unknown at this time.

Mr. Martin noted the revised Waste Reduction Plan (WRP) called for the St. Johns Landfill to accept clean yard debris for processing from commercial and private disposers. He said yard debris received at the landfill would be removed and processed by a private processor. He said staff would draft a RFB to award a contract for that purpose July 1989. He said beginning January 1, 1990, Metro would prohibit disposal of source-separated yard debris at certain Metro area disposal sites, including the St. Johns Landfill, if uncontaminated by other wastes.

Mr. Martin said staff recommended language modification of the Metro Code, Section 5.02.015, "Definitions" and explained Ordinance No. 88-278 adopted by the Council December 22, 1988, removed the term "Residential" from several Code sections, but inadvertently did not remove the term from subsection (g) of Ordinance No. 88-278. Mr. Martin said Ordinance No. 89-295 would correct that language.

Phil North, Solid Waste Planner, noted Ordinance No. 89-295 subsection (i) was in error. He said subsection (i) should be bracketed and subsection (h) inserted in place of subsection [(i)].

Main Motion: Councilor Ragsdale moved to amend language as recommended above by staff, delete the term "self-haul disposers" where stated, and recommend the ordinance for adoption to the full Council as amended.

Vote on Main Motion: Councilors Buchanan, Hansen, Kelley, Ragsdale and Wyers voted aye. The vote was unanimous and the motion passed.

6. Consideration of Resolution No. 89-1091, for the Purpose of Approving the Evaluation Methodology for Proposals for the Metro East Station

Staff explained the RFP project schedule provided for an addendum to be issued to respond to proposer requests for clarification and to provide additional detail on evaluation of proposals in terms of methodology and weighting. Staff explained the Evaluation Methodology, Exhibit A to the resolution further and said the addendum provided for: 1) Minimum qualifications to be met prior to full evaluation of a proposal; 2) Six general categories of evaluation with detailed criteria within each general category; and 3) A bonus category related to special waste and household

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 5

hazardous waste. Staff explained an unacceptable rating of minimum qualifications would disqualify a proposer from further evaluation.

The Committee and staff discussed the resolution at length. The major issue discussed involved the evaluation methodology and criteria on vertical integration. Committee members expressed their concerns and the concerns of their constituents regarding the potential negative impact of a company having principal or partial involvement in the three primary functions of the solid waste system; collection, transfer stations and land disposal.

Chair Hansen opened the public hearing.

Jim Benedict, Schwabe, Williamson, spoke on behalf of Oregon Waste Systems, Inc., (OWS) and distributed "Oregon Waste Systems Comments Regarding Evaluation Methodology for the Metro East Transfer Station Proposal." Mr. Benedict said vertical integration should be a neutral issue. He offered an alternative scoring system. He said Metro staff had performed an excellent job on the evaluation methodology. He referred to the hand-out distributed and suggested total percentages be revised in each category as suggested. The Committee and Mr. Benedict discussed methodology weighting further.

Andrew Selser, 946 S.E. 14th Avenue, Portland, noted OWS was a subsidiary of Waste Management of America, Inc. (WMA) which had been found guilty of numerous anti-trust violations. He said with the methodology criteria, OWS could have a low score but could recoup with the raising of rates. He urged the Committee to keep vertical integration in mind as well as WMA's past ethical conduct as much higher priorities. He said Mr. Benedict testified vertical integration was of lesser importance and said he believed that was a dangerous assumption because there were reasons to require vertical integration criteria.

Chair Hansen closed the public hearing.

The Committee discussed the issues further and made the following motions to amend.

First Motion to Amend: Councilor Ragsdale moved to amend Exhibit A, Evaluation Methodology, Technical Proposal, "Compliance with environmental regulations" to "Is capable of complying with environmental regulations" and to increase the weight from 4 to 5.

Vote on First Motion to Amend: All Councilors voted aye. The vote was unanimous and the motion passed.

Second Motion to Amend: Councilor Ragsdale moved to amend Exhibit A, Evaluation Methodology, Technical Proposal, "Environmental conditions

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 6

of site" with additional criteria language to be drafted by staff and to increase the weight to 5.

Vote on Second Motion to Amend: All Councilors present voted aye. The vote was unanimous and the motion passed.

Third Motion to Amend: Councilor Ragsdale moved to amend Exhibit A, Evaluation Methodology, Management Proposal, "Willingness to demonstrate innovative techniques to increase efficiency and maximize Recovered Materials" to read "Demonstration of programs to increase efficiency and maximize recovery of materials" and to move the language to Technical Proposal.

Vote on Third Motion to Amend: All Councilors present voted aye. The vote was unanimous and the motion passed.

Fourth Motion to Amend: Councilor Ragsdale moved to amend Exhibit A, Evaluation Methodology, Vertical Integration, by incorporation of language to be submitted by staff and to change the weights to: Collection--weight 5, Disposal--weight 5, Recycling--weight 3, and Patents--weight 2; and to delete Transport.

Under the same motion, Councilor Ragsdale moved to delete "Affirmative Demonstration that techniques and controls will be implemented to avoid vertical integration of the solid waste business serving the Metro area in the context of:" and to adjust the weight scores in that section accordingly.

Vote on Fourth Motion to Amend: Councilors Buchanan, Hansen and Ragsdale voted aye. Councilors Kelley and Wyers voted nay. The motion passed.

Fifth Motion to Amend: Councilor Kelley moved to amend Exhibit A, Evaluation Methodology, Vertical Integration, by changing weights stated in text and previous motions: Recycling--weight 3 to 5; and Ownership--weight 2 to 1. Under the same motion, Councilor Kelley moved to change the Performance Standards weight to 10; Technical to 20; Management 10; Cost 25; Performance 10; Qualifications 10; and Vertical Integration 25; and said staff could adjust the weight scores accordingly.

Vote on Fifth Motion to Amend: Councilors Buchanan, Kelley, Hansen and Wyers voted aye. Councilor Ragsdale voted nay. The motion passed.

Chair Hansen called a recess at 9:25 p.m. The meeting reconvened at 9:40 p.m.

COUNCIL SOLID WASTE COMMITTEE

May 9, 1989

Page 7

Sixth Motion to Amend: Councilor Hansen moved to amend Exhibit A, Evaluation Methodology, Qualifications, Management Capability (deletions bracketed and additions underlined): [Management involvement with neighboring community (]Evidence of [public] neighborhood acceptability and to change the weight from 4 to 5.

Vote on Sixth Motion to Amend: All Councilors present voted aye. The vote was unanimous and the motion passed.

Seventh Motion to Amend: Councilor Ragsdale moved to increase the financing plan and increase the weight to a 5.

Vote on Seventh Motion to Amend: All Councilors present voted aye. The vote was unanimous and the motion passed.

The Committee discussed the issues further. Chair Hansen announced a special Solid Waste Committee meeting would be scheduled Friday May 12, 1989, at 3:30 p.m. in the Council Chambers for final consideration of Resolution No. 89-1091.

Chair Hansen adjourned the meeting at 11:24 p.m.

Respectfully submitted,



Paulette Allen  
Committee Clerk  
A:\SWC89.129