

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

July 27, 1988

Committee Members Present: Councilors Gary Hansen (Chair),  
Sharron Kelley (V. Chair), Larry  
Cooper, Tom DeJardin, Jim Gardner and  
Corky Kirkpatrick

Committee Members Absent: None

Chair Hansen called the meeting to order at 5:35 p.m.

1. Consideration of Ordinance No. 88-257, for the Purpose of  
Amending Metro Code Chapter 5.02 Relating to Solid Waste  
Disposal Charges, Regional Transfer Charges and User Fees

Chair Hansen announced that this meeting would be a work session on the ordinance. Staff would answer Councilors' questions and the Committee would reach a consensus regarding specific amendments it wished staff to prepare relating to various types of rate incentives. The Committee would review a final draft of the amended ordinance on August 2 and the Council would consider adoption of the ordinance on August 11.

Rate Incentives for Self-Haulers

Councilor Kirkpatrick explained because Ordinance No. 88-257 did not propose continuing a rate incentive for self-haulers of recyclable materials, she had requested Ray Barker, Council Analyst, to draft an amendment that would provide a reduction in disposal fees for residential self-haulers of recyclable materials. Mr. Barker's memo dated July 19, 1988, responded to her request.

Councilor Gardner said he supported a rate incentive if the materials disposal process could be streamlined. Councilors suggested various ways the public could bring in materials that would streamline the process. Rich Owings, Solid Waste Director, said although the Executive Officer's position was to not provide rate incentives to self-haulers, if the Council adopted a rate incentive policy, staff would develop a workable system to execute that policy.

Motion: Councilor Kirkpatrick moved to maintain the Council's current policy of providing rate incentives for self-haulers of recyclable materials and for staff to incorporate the following amendments to Ordinance No. 88-257:

St. Johns Landfill. Metro Code Section 5.02.020(b) be amended to read: "(b) [The minimum charge for commercial vehicles shall be for one ton of solid waste. The minimum charge for private vehicles shall be for two and one-half cubic yards of solid waste.] The [minimum] charge for [private] Residential Self-Haul trips shall be waived for any person delivering one-half cubic yard or more of acceptable recyclable materials. Such persons shall be charged [for the actual amount of waste delivered at the extra yardage rate] a \$4.75 per cubic yard rate not to exceed the flat fee."

CTRC. Metro Code Section 5.02.025(d) be amended to read: "(d) [The minimum charge for commercial vehicles shall be for one ton of solid waste. The minimum charge for private trips shall be two and one-half cubic yards of solid waste for pickup trucks, vans and trailers and two cubic yards for cars]. The charge for [private] Residential Self-Haul trips shall be waived for any person delivering one-half cubic yard or more of acceptable recyclable materials. Such persons shall be charged [for the actual amount of waste delivered at the extra yardage rate] a \$4.75 per cubic yard rate not to exceed the flat fee."

Vote: A vote on the motion resulted in all six Councilors present voting aye. The motion carried.

#### High-Grade Loads at Clackamas Transfer & Recycling Center (CTRC)

Councilor Kirkpatrick reported Mr. Barker had drafted amendment language at her request that would provide a reduction in a tip fee at CTRC for high-grade loads. However, she understood Solid Waste staff was concerned the rates suggested by Mr. Barker could compete with rates charged by other processors of high-grade loads. Because CTRC was not equipped to handle quantities of high-grade loads, staff wanted to encourage the public to bring those loads to other processing facilities. Mr. Owings explained if CTRC had to handle high-grade loads, he preferred they be 90 percent high-grade.

Discussion followed on the issue. Councilor Kirkpatrick said her objective was to keep high-grade materials out of the landfill and she did not want to discourage materials from going to processing centers. Mr. Owings supported rates that would make it cheaper to dispose loads at processing centers.

Motion: Councilor Kirkpatrick moved to instruct staff develop amendment language to support the philosophy of keeping high-grade loads from being disposed in landfills and at the same time, not discourage the public from taking high-grade loads to non-Metro processing centers.

Councilor Gardner pointed out that any rate incentives should serve to create new loads of clean waste and not just re-direct the loads that would have already come in. Councilor Cooper thought source separation was the best way to accomplish that goal. At Chair Hansen's request, Merle Irvine, President of Wastech, Inc., described his processing operation and commented on the motion. He thought any change in the rate structure should serve to create new loads of clean waste. He cautioned the Committee against taking action that would weaken the rate structure.

Councilor DeJardin thought the fees as recommended by staff were high enough to stimulate the public to source separate.

Councilor Gardner thought the rate ordinance should reflect Metro's clear preference for recycling over landfilling. Recycling should be encouraged any way possible, he said. He supported the existing policy of waiving transfer charges and user fees for the CTRC.

Jim Cozetto, President of the Metropolitan Disposal Corporation (MDC), testified that Metro needed the flexibility to adjust its rates to respond to rapid changes in recyclable materials markets. He also discussed how MDC was working with large corporations and institutions to establish systems for source separating waste.

Restatement of Motion: Councilor Kirkpatrick restated her motion as follows: Staff should return with an amendment to the ordinance that would waive the user fee and regional transfer charge for high grade loads at CTRC.

Vote: A vote on the motion resulted in Councilors Hansen, DeJardin, Gardner and Kirkpatrick voting aye. Councilors Cooper and Kelley voted no. The motion carried.

#### Relief for Thrift Stores

Roosevelt Carter, Operations Manager, reported staff recommended no break in the rate structure for the thrift store industry. However, if the Council took action to create a rate incentive for the industry, he advised waiving 50 percent of the proposed disposal fee.

Councilor Gardner supported rate relief in recognition of the large amounts of materials the thrift store industry kept out of landfills either by recycling or reuse. He thought staff's 50 percent proposal too extreme, however, and suggested waiving the regional transfer charge and user fee. He explained a more generous rate differential would make it easy for the public to use the industry as a dumping service.

Councilor Kirkpatrick said Chair Hansen had suggested installing thrift store containers at Metro disposal sites which could be made a condition of waiving disposal fees for the industry.

Councilor Kelley cautioned if fees were waived for the thrift store industry, Metro would be approached by organizers of neighborhood collection drives and other groups to waive disposal fees. She questioned how the Council would define its criteria for granting waivers and how staff would administer these programs.

Councilor Cooper thought organizations should be encouraged to apply for One Percent for Recycling grants rather than be given rate reductions. He agreed with Councilor Kelley the criteria for granting rate reductions would be difficult to consistently administer.

Chair Hansen thought workable criteria could be developed. Councilor DeJardin agreed, saying similar programs had been successful in other areas. Councilor Kelley advised staff to investigate those programs before a Metro program was developed.

Motion: Councilor Gardner moved to instruct staff to draft an amendment that would waive the regional transfer charge and user fees for certain charitable organizations and for staff to develop careful criteria for identifying organizations eligible for rate relief.

Vote: A vote on the motion resulted in Councilors Hansen, DeJardin, Gardner and Kirkpatrick voting aye. Councilors Cooper and Kelley voted no. The motion carried.

The Committee recessed from 7:20 p.m. to 7:30 p.m.

#### Yard Debris

Mr. Carter reported staff recommended the Council exempt clean loads of yard debris from the regional transfer charge.

Councilor Kirkpatrick referred the Committee to a memo submitted by Jeanne Roy from Recycling Advocates dated July 27, 1988, which recommended rates for yard debris.

Richard Owings, Solid Waste Director, thought a \$10 break for loads disposed by self-haulers would accomplish the objective of providing an incentive to recycle while still not competing with private processors.

Motion: Councilor Kirkpatrick moved for staff to draft an amendment to the ordinance that would extend the policy of providing rate incentives for clean loads of yard debris.

Mr. Owings was concerned that policy would result in diverting material away from commercial processors. He wanted to encourage the public to go to processors since any yard debris brought into Metro facilities would eventually have to be transferred to commercial processors.

Vote: A vote on the motion resulted in Councilors Hansen and Kirkpatrick voting aye. Councilors Kelley, Cooper, DeJardin and Gardner voted no. The motion failed.

#### Post-Collection Recycling Incentives

Councilor Kirkpatrick noted that Jeanne Roy of Recycling Advocates had recommended specific amendment language in its memo to the Committee dated July 27, 1988. Mr. Owings said he had not analyzed Recycling Advocates' recommendations, but he was concerned about the proposed sliding scale concept. Staff recommended a policy that would encourage more mixed loads being brought in. The rate incentives were already in place for high-grade loads, he said. Councilor Cooper supported Mr. Owings position.

Motion: Councilor Kirkpatrick moved, for discussion purposes, to support an amendment to the ordinance that would provide rate incentives as recommended by Recycling Advocates in its memo to the Committee dated July 27, 1988.

After discussion, Chair Hansen determined there was Committee consensus for staff to develop amendment language that would create rate incentives for haulers of mixed loads of waste. Cardboard loads would be excluded from rate incentive consideration.

Withdrawal of Motion: Councilor Kirkpatrick withdrew her previous motion.

#### Executive Order Regarding Financial Relief to Haulers

Mr. Owings announced the Executive Officer's intent to issue an order outlining procedures to give hauling companies relief from

temporary cash flow problems created by Metro rate increases. He said under the worst case, the policy could potentially expose Metro to about \$10 million in liability. The policy could also decrease the St. Johns Reserve Fund but other funds were available to offset those decreases, he explained.

Resolution Supporting City of Portland's Consideration of a Minimum Disposal Rates

Chair Hansen announced the City of Portland would soon consider adopting of a policy to establish minimum disposal rates that could be charged by solid waste haulers. He had asked Ray Barker to prepare a resolution in support of that policy. The Committee could review the resolution at its next meeting, he explained.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Kelley, to support staff drafting a resolution in support of the City of Portland establishing a minimum hauling rate.

Vote: A vote on the motion resulted in all six Councilors present voting aye. Councilor Van Bergen was absent. The motion carried.

Adoption of Ordinance No. 88-257 Under Emergency Conditions

Mr. Owings referred to Mr. Barker's memo regarding whether the ordinance needed to be adopted under the Council's emergency procedures. He explained that rates could be implemented on November 15 as suggested by Mr. Barker but waiting that long would require a rate adjustment to offset lost revenue.

Chair Hansen asked Mr. Owings to poll the Council after its August 2 meeting regarding support for the ordinance. Since adoption of the ordinance under emergency conditions would require unanimous Council approval, he suggested as an option amending out of the ordinance any program for which unanimous approval did not exist. Controversial programs could be adopted later by separate ordinance, he suggested.

Landfill Closure Costs

Discussion continued about the cost of closing the St. Johns Landfill and its effect on solid waste rates. Mr. Owings reported that closure cost estimates would not be known until engineering testing was completed -- probably not until FY 1990-91.

Councilor Kelley thought it important to explain to the full Council that Ordinance No. 88-257 included a "ramping" policy of steadily increasing disposal rates to offset expensive landfill closure costs.

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Some Committee members were concerned about the effect of dramatic disposal cost increases (50 percent) on institutions with fixed budgets and on industries (i.e. construction and demolition) with special disposal needs.

Councilor Kirkpatrick noted Metro had issued a press release which left the impression the region's disposal rates were low compared with other areas. The Councilor strongly disagreed with that assumption and thought Metro owed the public factual and clear information. The facts would clearly indicate that recycling was the alternative, she explained. Councilor Kelley added that haulers would use Metro's rate increase as an opportunity to raise their rates and unless the public was informed, they could be left with the impression that both increases were caused by Metro.

Mr. Owings said the Public Affairs Department was aware of these issues and was planning a program to inform to the public. Chair Hansen requested Mr. Barker ask Vickie Rocker, Public Affairs Director, to report to the Committee on August 2 concerning Metro's program to inform the public about upcoming solid waste rate increases.

There was no other business and the meeting adjourned at 8:45 p.m.

Respectfully submitted,

A. Marie Nelson  
Clerk of the Council

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