

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

August 2, 1988

Council Chamber

Committee Members Present: Gary Hansen (Chair), Sharron Kelley and  
Corky Kirkpatrick

Committee Members Absent: Jim Gardner (V. Chair) and Mike Ragsdale

Other Councilors Present: Larry Cooper

Chair Hansen called the meeting to order at 5:46 p.m.

1. Consideration of Minutes of May 31, 1988

Motion: Councilor Kelley moved for approval of the minutes.

Vote: Councilors Kelley, Kirkpatrick and Hansen voted aye.  
Councilors Gardner and Ragsdale were absent. The vote  
was unanimous and the motion passed.

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

Ray Barker, Council Analyst, said staff had incorporated the language necessary to implement recommendations the Committee made at the July 27, 1988, meeting. Rich Owings, Director of Solid Waste noted the highlighted sections of the ordinance was language added or amended by staff. He said the memorandum dated August 2, 1988, "Dense Loads in the Rate Ordinance," further explained dense loads.

Councilor Kelley discussed groups who might or might not receive subsidies and discussed funding recycling programs. She said the ordinance language should be amended further to address those concerns. She said all aspects of the rate structure should have been discussed before any decisions had been made to fund or subsidize any groups. Councilor Kirkpatrick said it had been discussed who would or would not receive funds or subsidies. She said local jurisdictions could be consulted and amendments could be made.

Chair Hansen said it was necessary to set the rates at this time. He said amendments could be made. He said issues could be analyzed on an individual basis. He said Metro was under pressure to set the over-all rates. He said the thrifts had been the only group to testify before the Committee and ask for rate relief. He said if other groups had

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approached Metro, it would have been possible to institute rate relief for them as well. Chair Hansen said it was necessary forward Ordinance No. 88-257.

Councilor Kelley asked Chair Hansen and the Committee to work on equitable policies to address the issues she raised, as well as any others of importance. She did not believe the Committee received as much testimony as possible because the public did not realize the enormity of the rate increase proposed. Councilor Kelley asked for an addendum to the ordinance to stipulate the Committee would work on a policy that had equity and was prudent and sensible for the good of Metro.

Councilor Kirkpatrick pointed out some inconsistencies in Section 3 of the ordinance and asked Mr. Owings to rewrite it to state, "direct businesses and not subcontractors," as well as clarifying business services to disadvantaged business enterprises and/or persons.

Chair Hansen said the issues could be examined at a later date. He did not disagree with Councilor Kelley. He said the ordinance would not subsidize the agencies involved and noted thrifts removed large volumes of solid waste from the waste-stream. Councilor Kirkpatrick agreed with Chair Hansen and said the ordinance should be moved forward. Mr. Owings noted certain language changes and said the budget might need adjustment in the future.

Chair Hansen said the ordinance would need a unanimous vote by the full Council. He said the ordinance had to be forwarded at this meeting for the new rates to take effect November 1. He said a thrifts ordinance could become effective November 15 and a recycling credits ordinance could become effective December 1.

Councilor Kirkpatrick said legal counsel should be consulted on whether such action was possible. She asked if legal counsel had defined what constituted an emergency situation. Mr. Barker said the language was the same as that of the emergency ordinance in 1985. Councilor Kirkpatrick asked what criteria defined an emergency. Mr. Barker asked if she meant the Oregon Revised Statutes or the Metro Code. Mr. Owings said certain findings would need to be made before an emergency could be declared. Councilor Kirkpatrick said she would move to recommend the ordinance for adoption if the thrift store clause was rewritten.

Motion: Councilor Kirkpatrick moved to recommend Ordinance No. 88-257 to the full Council for adoption.

Councilor Cooper said he objected to some sections of the amended language and hoped for improvement.

Vote: Councilors Kelley, Kirkpatrick and Hansen voted aye. Councilors Gardner and Ragsdale were absent. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 88-958, for the Purpose of Authorizing Change Order No. 6 to the Contract with Browning-Ferris Industries to Apply Composted Yard Debris as Cover at the St. Johns Landfill

Jim Shoemake, Facilities Manager, answered questions listed in Mr. Barker's memorandum dated August 2, 1988, "Review of Council Solid Waste Committee Agenda Items for August 2, 1988." Mr. Shoemake discussed groundcover, germination and seeding.

William Michael Jones, 8733 Tyndall Avenue, Portland, objected to the use of sewer sludge in ground cover and asked if sewer sludge would be used in this case. Mr. Shoemake said no sewer sludge would be used. Mr. Shoemake said it would be cost-effective to have Browning-Ferris Industries responsible for the project and their bid was lower than the other vendor bids received.

Motion: Councilor Kelley moved to recommend Resolution No. 88-958 to the full Council for adoption.

Vote: Councilors Kelley, Kirkpatrick and Hansen voted aye. Councilors Gardner and Ragsdale were absent. The vote was unanimous and the motion passed.

4. Consideration of Resolution No. 88-963, for the Purpose of Authorizing a Contract with Rick Stang to Haul Scrap Tires from Metro Facilities to Waste Recovery, Inc.

Mr. Shoemake said the Contracts Officer said not all the disadvantaged business enterprises in Metro's file had been contacted. Mr. Shoemake said the bids were reissued, bids were received and the price received from Rick Stang was the best bid.

Motion: Councilor Kirkpatrick moved to recommend the full Council adopt Resolution No. 88-963.

Vote: Councilors Kelley, Kirkpatrick and Hansen voted aye. Councilors Gardner and Ragsdale were absent. The vote was unanimous and the motion passed.

5. Report on the Request for Proposals for the Curbside Container Pilot Program

Pat Vernon, Analyst, explained Metro was required by ORS 459.305(5) (b) to implement a residential curbside recycling container pilot project

by July 1, 1989, if solid waste generated within the region's boundaries was sent to a regional disposal site. Ms. Vernon said staff issued a Request for Proposals (RFP) for a curbside recycling container project on July 25, 1988. Ms. Vernon explained the purpose of the project and discussed recycling containers in three test areas, one in each county. Councilor Kirkpatrick asked if it would be feasible for the proposer to handle all three counties, although she encouraged the project. Mr. Owings said staff hoped for a joint venture proposal. Ms. Vernon said she had discussed the issue with local officials. Mr. Owings said the issue might need further study at the Proposer's Conference.

6. Briefing on the Request for Bids for Transportation to the Arlington Landfill

Bob Martin, Engineering Manager, gave an update on the status of transportation bids to the Arlington Landfill. He discussed vendor bonding. He said potential vendors did not object to bonding, but that letters of credit might be easier for some of the vendors to obtain. He said Metro advertised bids for two months. He said protections for Metro included performance bonds, retainage of five percent, and a back-up system in case of interruption in transportation modes. Mr. Martin said additional protection was provided in liquidated damages and secured interest in equipment. Mr. Martin said solid waste would be hauled from Clackamas Transfer and Recycling Center at the beginning of 1990 and from the East Transfer Station at the beginning of 1991.

William Michael Jones said he was disappointed that the planning process had not been thorough enough. He discussed viable tonnage transportation costs. He said Metro had the responsibility for regional planning which meant not selection of the cheapest options, but the best. He expressed concern that only one bidder would be found acceptable for transportation bids. Mr. Jones recommended five-year optional timelines.

Mr. Martin said a distinction should be made between transportation contracts and transfer stations. He strongly disagreed with the contention that only one bidder would be found acceptable.

Chair Hansen said Metro had set a procurement policy to obtain a landfill and was now about to select the best transportation bid. He said Metro had worked to develop a regional solid waste system and policy plan to achieve regional consensus.

7. Briefing on the Solid Waste Department Work Plan for FY 1988-89

Deferred to August 16 meeting.

8. Briefing on Public Information Efforts Relating to Solid Waste Rate Increases

Bob Applegate, Community Relations, told the Committee a mass-distribution mailing had been drafted to go out to the public in October. He said the mailing would tell the public they were buying an environmentally sound landfill for the higher disposal rates. He said the mailing would also explain Metro's authority in setting solid waste rates.

Councilor Kirkpatrick felt the October mailing date might be too far into the future to explain the higher rates to the public. She noted other jurisdictions were not anticipating the higher rates in November. Mr. Applegate said the press had been briefed, information packets had been mailed, and also mailers to commercial haulers, and mayors of local jurisdictions had been contacted. He said staff did not want to send the mass-mailing too early because the public might not pay attention to it. He told Councilor Kirkpatrick information on cost-effective methods to alleviate the 153 percent increase could be included in the mailing as well. Chair Hansen said haulers should issue information and said staff should work with the hauling industry. Mr. Applegate agreed.

9. Consideration of Ordinance No. 88-260, for the Purpose of Amending Metro Code Chapter 5.01, Disposal Site Franchising, to Set Requirements for a Transfer Station Franchise

Deferred to August 16 meeting.

Chair Hansen adjourned the meeting at 7:16 p.m.

Respectfully submitted,



Paulette Allen, Clerk  
SWC88.215