

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

September 18, 1990

Council Chamber

Committee Members Present: Judy Wyers (Vice Chair), Roger Buchanan,
Tanya Collier and David Saucy

Committee Members Absent: Tom DeJardin (Chair)

Acting Chair Wyers called the regular meeting to order at 5:34 p.m.

1. Consideration of August 21, 1990 Minutes

Motion: Councilor Collier moved for approval of the minutes.

Vote: Councilors Buchanan, Collier, Saucy and Wyers voted aye.
Councilor DeJardin was absent. The vote was unanimous and the
minutes were approved.

3. Consideration of Resolution No. 90-1319, For the Purpose of
Recognizing Recycling Achievement in the Metro Region

Vickie Rocker, Director of Public Affairs, said the 1990 Recycling
Achievement recipients were: Ken Adams, individual recycling award;
Phil Lewis Elementary School, organization/school award; Hillsboro High
School, organization/school award; Smurfit Recycling, business
(recycling-related) award; Watermark Press, business (non-recycling
related) award; and Payless Drug Store, special projects award. Ms.
Rocker discussed the recycling techniques implemented by each recipient
and praised all the recipients for their good work.

Motion: Councilor Collier moved to recommend the full Council
adopt Resolution No. 90-1319.

Acting Chair Wyers asked what criteria was used to decide who would
receive the awards. Ms. Rocker said winners were nominated first and
briefly discussed criteria used to select recipients.

Vote: Councilors Buchanan, Collier, Saucy and Wyers voted aye.
Councilor DeJardin was absent. The vote was unanimous and the
motion passed.

2. Update on Solid Waste Issues

o Metro East Station

Bob Martin, Director of Solid Waste, discussed the status of Metro East
Station construction. He said the project had been difficult because of
disputes between Metro and Trans Industries related to compactor and
road issues. He said Metro and Trans Industries had reached tentative
agreement on those issues. He noted Metro had objected to the quality

of some construction aspects, including the pouring of a concrete floor. He said Metro had withheld \$78,000 in payments because the Department of Labor had received that amount in unpaid wage claims from Trans-Industries employees. He said, however, that the project was on schedule and Metro East would begin operations February 1991.

Councilor Collier offered assistance from the Council to Mr. Martin and said the Council could assist staff with construction and other difficulties. Councilor Saucy asked if staff had a contingency plan for disposal of solid waste if Metro East did not open on schedule. Mr. Martin said staff did. Acting Chair Wyers noted Councilor Van Bergen had asked questions on wetlands adjacent to the site and asked staff to report back on those wetlands in more detail. Acting Chair Wyers noted a wetland she saw near the site had since been filled. Mr. Martin said staff discussed construction around the wetlands with the Army Corps of Engineers.

o Recycling Issues Which May Be Raised During the Legislative Session

Mr. Martin discussed draft legislation. He said one draft bill attempted to define mixed waste composting as less desirable than other recycling technologies and noted composting was consistent with the state's definition of recycling. He said composting should not be exempted from materials recovery.

Mr. Martin discussed a second bill on incinerators and enforcement. Mr. Martin discussed a third bill on tipping fees and noted the metropolitan area should not pay/carry tipping fees for the whole state. Mr. Martin said a fourth bill would make Metro's Recycling Information Center (RIC) a statewide function, but said that effort could be duplicative. He noted Metro was currently building Household Hazardous Waste (HHW) stations and recommended Metro build additional stations at other sites in the future. He noted King County's mobile station was very successful and that Metro could implement a similar program.

Councilor Collier asked if it were possible to combine all the bills related to Metro solid waste issues into an omnibus bill. Mr. Martin said staff would consider that possibility. Acting Chair Wyers asked for a draft copy of all legislation as soon as it was available.

4. Consideration of Ordinance No. 90-362, For the Purpose of Creating Chapter 5.07, Adopting a Program to Provide Recycling Credits to Eligible Nonprofit Organizations and Amending Ordinance No. 90-340 Adopting the FY 1990-91 Metro Budget and Authorizing Funds for this Program (Public Hearing)

Don Carlson, Council Administrator, explained the ordinance would amend the current budget to allow funds to provide rate relief to charitable recycling agencies. Mr. Carlson reviewed his memorandum "Ordinance No.

90-362, Adopting a Program to Provide Recycling Credits for Eligible Non-Profit Organizations" dated September 18, 1990, and explained the ordinance allocated \$175,000 for rate relief.

Motion: Councilor Collier moved to recommend the Finance Committee consider and recommend Ordinance No. 90-362A September 19, 1990, for adoption to the full Metro Council.

Mr. Martin asked why language had been deleted from the ordinance. He expressed concern because staff felt the language necessary. He said staff did not recommend \$102,000 be cut from Metro South improvements. He said \$4 million was allocated to Metro South improvements overall and said it was difficult to know during construction improvements if a budget would go over, or under until projects were completed. He said \$16,000 was the maximum amount that could be cut from Metro South improvements. He said both he and Executive Officer Cusma believed the ordinance did not address solid waste or waste reduction issues. He said the ordinance would provide rate relief for purposes not related to Metro functions although the activities funded were commendable. He noted solid waste rate payers had been told rates would increase and did not think solid waste derived revenues should be used for non-solid waste purposes.

Acting Chair Wyers opened the public hearing.

Cheri Gallison, assistant to the coalition of three charitable recycling agencies, said charitable recycling agencies believed they were part of the solution because the three agencies re-used and recycled 10,000 tons of merchandise which prolonged the landfill's life. Ms. Gallison noted other cities offered charitable recycling agencies free disposal and the coalition recommended the ordinance for adoption.

Tim Hornbecker, St. Vincent de Paul, concurred with Ms. Gallison's testimony and reiterated her comments on re-using and reducing solid waste. He said St. Vincent de Paul had to pay people to pick up tires and noted St. Vincent de Paul would determine whether to institute a tire shredding program. He said the agency received higher amounts of upholstered sofas and chairs when disposal rates increased and said the agency would determine whether to shred them to reduce landfilling. He said St. Vincent de Paul hoped to work with Metro and noted the agency also "recycled" lives through their employment program.

Captain James K. Rodal, Salvation Army, concurred with the testimony given at this meeting. He noted the Salvation Army recycled large volumes of material and applauded Metro's efforts to provide rate relief to charitable recycling agencies and asked that Metro continue in the same direction.

Captain Mary Lynn Rodal, Salvation Army, said she was available for questions if necessary.

Andrew H. Winfree, Salvation Army Board attorney, said he was available for questions if necessary.

Councilor Collier asked if everyone had reviewed Ordinance No. 90-362A. Councilor Wyers asked if anyone objected to Section 5.07.030(j): "No portion of the District funds authorized by this program will benefit any religious function of any religious organization."

Mr. Winfree explained the Salvation Army operated an adult rehabilitation program by providing the indigent with jobs. Captain Mary Lynn Rodal explained the program operated by the Salvation Army in the City of Eugene and noted Eugene granted disposal credits.

Councilor Collier asked if (j) replaced language deleted in Section 5.07.010. She said (j) language appeared to be clearer than the deleted language. Mr. Carlson explained General Counsel provided (j) language to clarify the separation of church and state in this funding process.

Acting Chair Wyers asked if any other persons present wished to testify. No one present appeared to testify and the public hearing was closed.

Mr. Martin asked who recommended the language be deleted. Mr. Carlson said General Counsel met with all four coalition members. It was determined that Goodwill Industries, St. Vincent de Paul and the Salvation Army met secular criteria, but that Deseret Industries did not, and was not eligible for rate relief. Mr. Carlson said General Counsel met with the four charitable recycling agencies and said the three agencies represented at this meeting met with separation of church and state criteria and the fourth, Deseret Industries, did not. Councilor Wyers said the language was redundant. Mr. Carlson said General Counsel believed the language dealt mostly with criteria, particularly who was eligible, and recommended the language be moved to the criteria section. Mr. Carlson suggested amendment language. The Committee briefly discussed language.

Motion to Amend: Councilor Collier moved to amend Ordinance No. 90-362A, Section 5.07.030(c) per staff's recommended language: "The organization submits an annual report to the Oregon Department of Justice Charitable Trust Section and provide assistance to needy citizens of the region in need of assistance and rehabilitation."

Vote on Motion to Amend: Councilors Buchanan, Collier, Saucy and Wyers voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion to amend passed.

Vote on Main Motion as Amended: Councilors Buchanan, Collier, Saucy and Wyers voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

The Committee instructed staff to have the ordinance read "Presented by Councilor Tom DeJardin and the Solid Waste Committee." The Committee briefly discussed financing issues, but agreed the Finance Committee would determine the pertinent financing details September 19. In response to staff's concerns, Councilor Saucy said he saw no difference between the action directed by the ordinance and sending speakers to schools to discuss recycling. He said recycling could be achieved on many different levels. He said the charitable recycling agencies had already proven their activities got results.

Acting Chair Wyers called a recess at 6:58 p.m.

The meeting reconvened at 7:04 p.m.

5. Consideration of Resolution No. 90-1320, For the Purpose of Authorizing an Intergovernmental Agreement with Clackamas County to Provide Litter Collection Services

Sam Chandler, Solid Waste Facilities Manager, gave staff's report. He explained Metro entered into an intergovernmental agreement (IGA) November 1987 with the Clackamas County Department of Transportation and Development to collect litter from road sides in the surrounding Metro South Station area. He said the IGA was for a two-year contract period and had expired October 31, 1989.

Councilor Collier asked why the expired contract was not renewed. Mr. Chandler explained personnel transitions, and the lack of a contract tickler file until recently, led to a oversight on the contract expiration date. He said staff realized the contract had expired when Clackamas County requested a renewed contract for higher funding. He said staff had discovered other expired contracts and would bring them forward as soon as possible. Councilor Collier asked how Metro had paid Clackamas County in the past year. Mr. Chandler said Clackamas County was paid from the same line item used when the contract was active. Councilor Collier asked how staff could have the line item without an active contract. Mr. Chandler said the line item and payments continued because the services contracted for were still active. Mr. Martin noted staff budgeted for the contract for FY 1989-90. The Committee told staff to bring forward all expired contracts for review as quickly as possible. The Committee told staff to develop a system which tied payments to expiration dates. Mr. Martin said staff was currently developing such a system and also that a specific staff person had been assigned to supervise contract expiration dates.

Motion: Councilor Collier moved to recommend the full Council adopt Resolution No. 90-1320.

Vote: Councilors Buchanan, Collier, Saucy and Wyers voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

6. Discussion and Update on Technical Analysis of the Washington County Solid Waste System

Rich Carson, Director of Planning & Development, said the technical information printed in the agenda packet gave preliminary cost estimates for transportation to material recovery facilities; the preliminary unit haul cost for collection; assumptions for conducting the analysis of potential financing options; the description of the facility cost model the consultants would use to cost out various systems for the county; an analysis of the feasibility of transporting waste in Washington County to Metro East; information requested by Washington County haulers; and a letter from himself to Shirley Hoffman, Mayor of the City of Hillsboro, on the status of the Hillsboro Reload facility.

He said the Washington County Solid Waste Systems Design Steering Committee (Steering Committee) reviewed all of the above information September 10. He said Steering Committee staff would perform further analysis on facilities and their role in the solid waste system, and also on self-haul as to whether all facilities had to provide self-haul service. He said Terry Moore of ECO/Northwest (ECO/NW) was available to answer any questions the Committee might have.

Councilor Collier asked Mr. Carson what staff developed with regard to vertical integration and public versus private ownership issues. She asked if the information given by staff at this meeting contributed to decisions on those issues. Mr. Carson said the information did lead to decision-making on those issues. Councilor Collier asked how far into the process staff was. Mr. Carson said staff worked with Council staff in addressing issues raised about the Concept Plan and how the Regional Solid Waste Management Plan (RSWMP) addressed those issues/questions. He said staff would draft issue/policy papers for the Council/Steering Committee workshop October 20 and send them out prior to that meeting.

Councilor Collier thanked staff for all the information and minutes she had been sent. She asked how much more information was necessary before major policy issues could be addressed.

Becky Crockett, Solid Waste Planning Supervisor, said Mr. Moore would attempt to have preliminary draft information on the complete technical analysis ready October 10. She said Metro staff would incorporate that draft information into the policy discussion papers and then send them

to the Solid Waste Committee and the Steering Committee before the October 20 workshop.

Councilor Collier asked if the policy discussion papers resolved issues such as vertical integration. Mr. Carson said policy discussion papers provided information on the issues but did not resolve whether the facility(s) should be public or private. He said the Council had to determine public versus private and vertical integration issues. The Committee and staff discussed the list of policies distributed at the Council retreat September 8, 1990. Ms. Forsythe said in addition to those policies, there were further policies listed in Washington County's Concept Plan. She said she would perform analysis of those issues for the Council to supplement information provided by staff. Councilor Wyers asked if the Steering Committee would receive the same list of policies distributed at the Council retreat.

Councilor Saucy asked if the policy issues defined for the October 20 workshop would facilitate the siting of a transfer station in Washington County. Mr. Carson said the current process would end at the end of December 1990. He said staff proposed the technical analysis be performed and the October 20 workshop would study it. He said by year's end, the Council via resolution could adopt a set of principles which stated Metro's position on what the Washington County solid waste system would look like. He said staff would complete the RSWMP chapter, technical analysis, and then begin the procurement process. Councilor Saucy asked if siting a transfer station in Washington County was different from siting one elsewhere and noted Metro had sited two facilities already. He said siting issues appeared to present the most conflict. Councilor Collier noted Washington County objected to the 209th/TV Highway site in July 1986 and Metro, in conjunction with Washington County, began the planning process on a site that would be acceptable to both governments.

Councilor Collier asked staff if the functional plan process guaranteed that Washington County was responsible for zoning aspects so that Metro would not deal with land use issues. Mr. Carson said the RSWMP stated all jurisdictions had to provide zoning for solid waste facilities, whether they were permitted or conditional use, but that clear and objective standards had to be used. He said staff was completing a model zoning ordinance to present at the end of the year to give jurisdictions guidelines on how to implement facilities.

The Committee and staff briefly discussed logistical details for the October 20 workshop.

7. Update on the Status of Negotiations with the Department of
Environmental Quality Regarding the Regional Yard Debris Plan

The Committee and staff briefly discussed the Regional Yard Debris Plan (RYDP). Acting Chair Wyers requested staff return to the next regularly scheduled Solid Waste meeting October 2 for a more extensive update.

Acting Chair Wyers adjourned the meeting at 7:39 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC90.261