

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

October 16, 1990

Council Chamber

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

Committee Members Absent: None

Other Councilors Present: Jim Gardner and David Knowles

Chair DeJardin called the regular meeting to order at 5:31 p.m.

1. Consideration of September 18 and October 2 Minutes

Motion: Councilor Collier moved for approval of the minutes.

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

2. Ordinance No. 90-331A, For the Purpose of Adding Chapter 5.06 to the Metro Code to Provide for a Composter Community Enhancement Program and Creating a Composter Community Enhancement Committee (Public Hearing)

Councilor Wyers explained the Solid Waste Committee (SWC) last considered Ordinance No. 90-331 on February 26 at Trinity Lutheran Church and heard testimony on the issues from citizens and neighborhood groups. She said because of differences of opinion between the parties involved, Presiding Officer Collier appointed a task force in July consisting of Councilor Jim Gardner and herself. She said the task force spoke with the parties affected and then drafted a revised ordinance to effect compromise. Councilor Wyers complimented the Composter Community Enhancement Advisory Committee on the ordinance they created and said their hard work was appreciated.

Councilor Gardner said the task force did not review areas of consensus reached by the Advisory Committee. He said an issue of concern was committee membership numbers and composition. The task force recommended committee numbers increase from seven to ten members. He said of the ten, eight would be appointed by the Executive Officer and confirmed by the Council. He said the appointments would come from nominations submitted by involved neighborhood associations. He said involved neighborhood associations were those included within the enhancement boundary. He said the committee would have seven representatives from the neighborhood associations which included three from the Cully Association of Neighbors and one each from Concordia, Beaumont-Wilshire, Rose City Park and Madison North Neighborhood Associations. He said Cully was allotted three representatives because

the composter facility was sited in the Cully area and Columbia Boulevard ran through Cully. He said committee members would be appointed for two-year terms and their appointments would not take effect until the facility opened. He said candidates for the business representative would be nominated by business associations and appointed by the Executive Officer. He noted some areas did not have active business associations. He said the Metro Councilors from Districts 10 and 11 would serve on the committee. He noted the enhancement area was split between Districts 10 and 11 and the facility itself was almost on the line between the two districts. He said because of divisive feeling in the past, a quorum of at least six of the ten members would be required to decide funding issues.

Councilor Wyers said the amended ordinance also recommended Metro perform a traffic study to make sure the boundaries were correctly drawn two years after the facility became operational. She said the task force believed the boundaries were correct and said they were based on existing Metro traffic studies. She said it would take at least a year to determine the facility's full impact after operations began. Councilor Wyers noted housekeeping changes recommended by the Solid Waste Director. She said she would amend the ordinance with the housekeeping changes at this meeting. Councilor Wyers said it was important all neighborhood associations that believed they were affected should receive proper representation.

Councilor Buchanan asked if the task force considered population demographics when they determined committee composition. Councilor Gardner said they looked at the facility location and the heaviest traffic routes, and said it was clear that Cully would be most impacted, and was why they received three committee seats. Councilor Wyers noted Metro legislation stated impact could be both "real and perceived." Councilor Buchanan asked if population numbers were considered. Councilor Gardner said the committee was advisory in nature and did not have to be strictly representative per population statistics. Councilor Buchanan asked if the task force was aware Cully represented at least half the population of the entire enhancement area. Councilor Gardner said the task force knew that.

Chair DeJardin opened the public hearing.

George Walker, Rose City Park Neighborhood Association chairman, distributed his letter dated October 16, 1990, which asked that the permanent committee have eight representatives from the neighborhood associations; Cully have two representatives instead of three; to include one representative from the Alameda Neighborhood Association; and to renumber the provisions under Section 5.06.040. He said Rose City Park agreed eight members should come from neighborhood associations and agreed with Section 5.06.040 subparagraph language (2), (3), (4) and (5).

Allison Stoll, Alameda Neighborhood Association, said limiting representatives to within the enhancement community would limit those who were willing and able to serve on the permanent committee. She believed Alameda should be given a representative seat. Councilor David Knowles asked if the Alameda board took a position on Ordinance No. 90-331A. Ms. Stoll said they agreed with the bulk of the ordinance but believed Alameda should be included for representation.

Arnold Cogan, Cogan, Sharpe, Cogan, said he represented Riedel Environmental Technology (RET), the owner and operator of the composter facility. He said Riedel had maintained close contact with Cully and other neighborhoods for three years. He introduced Charles Bird, Riedel Waste Disposal Systems, Inc. manager for business development. He appreciated the work done by Councilors Buchanan, Gardner, Knowles and Wyers. He expressed support for the ordinance before the committee and stated for the record the boundaries should be kept intact. He supported a traffic study in two years to determine whether the boundaries were correct. He said Riedel, Metro and the City of Portland had proved that the traffic caused by the facility would be no more significant than existing traffic. He suggested the committee number be seven, nine or eleven members. He said odd numbers would prevent tie votes. He said the two Metro Councilors should alternate as committee chair each year. Councilor Gardner asked Mr. Cogan if he knew the ordinance required a minimum of six aye votes for the committee to take action. Mr. Cogan said he did.

Patrick Jones, Alameda Neighborhood Association and Central Northeast Neighbors vice chair, said revised Ordinance No. 90-331A was improved from the previous ordinance but that Alameda was not acknowledged as an impacted area. He said Alameda was one block inside the impacted area and wanted to be recognized as at least potentially impacted. He said a new traffic study scheduled two years from now was appropriate. He said two major streets went through Alameda and the traffic from those streets could impact Alameda as much as Cully or Rose City Park would be. He noted the facility itself was located in an industrial neighborhood. He referred to the resolution adopted by Central Northeast Neighbors at their September 1990 board meeting which stated neighborhood associations represent all members who live, work and own property within their neighborhood associations' geographic boundaries. He said it did not make sense to impose geographical limitations which prevented competent, willing citizens from serving their communities.

Ed Washington, Concordia Neighborhood Association member and past member of Composter Community Enhancement Advisory Committee; Gordon Hunter, Cully Neighborhood Association president; and Si Stanich, Cully Neighborhood Association member; gave a presentation.

Mr. Hunter said the composter facility was in the heart of the Cully area and traffic would come from the highway and onto Columbia Boulevard to travel through the area. He said because Cully was highly industrial, it was one of the few places such a facility could be sited. He said citizens felt allowing the facility to be sited would help to enhance the rest of the community. Mr. Hunter said he did not know of negative or environmental impacts. He noted Killingsworth Fast Disposal (KFD) landfill caused heavy traffic impact but had never paid to the community mitigation or enhancement fees. He said since the facility was clearly inside Cully and would affect it much more than the other neighborhoods, Cully should have proportionate representation. He said Cully would be happy to work with other neighborhood associations on their concerns. He said no other neighborhood association was completely inside the enhancement boundary.

Mr. Stanich said Section 5.06.030 should not require six aye votes for action but be changed to require aye votes from a majority of the quorum present at the meeting. He did not understand why business representatives should alternate between north and south from appointment to appointment. He supported the present boundaries as they stood.

Chair DeJardin said Metro would never tell the permanent enhancement committee how they should function and said he knew the Cully community had many needs.

Councilor Buchanan asked the speakers if they knew what percentage Cully's population represented within the enhancement area compared to other involved neighborhood associations. Mr. Hunter said Cully citizens represented 61 to 62 percent of the enhancement area. He noted the area north of Portland Highway had almost no population. He said approximately 10,000 people resided in Cully.

Councilor Collier thanked Mr. Hunter, Mr. Stanich, and Mr. Washington for their work on the ordinance and on the community's behalf.

Sean Walters, Madison North Neighborhood Association acting chair, testified in favor of the ordinance and neighborhood association participation.

Tena Christensen, Cully Neighborhood Association member and past member of Composter Community Enhancement Advisory Committee, noted Cully citizens had a lower income on the average and Cully was not hooked up to a sewer system. She said Cully had many needs. She concurred with the testimony given by Mr. Hunter, Mr. Stanich and Mr. Washington.

Chair DeJardin closed the public hearing.

Chair DeJardin called a recess at 6:51 p.m.

The meeting reconvened at 6:59 p.m.

Main Motion as Amended: Councilor Wyers moved to recommend Ordinance No. 90-331A to the full Council for adoption with the following amendments (additions underlined and deletions bracketed) incorporated:

Page 1, First Whereas: WHEREAS, the Council of the Metropolitan Service District adopted policy on December 8, 1988 (Ordinance No. 88-273) that provides that the Metropolitan Service District shall apportion an [amount of service or user charges] enhancement fee (\$.50 per ton) collected [for] on solid waste [disposal] delivered at each disposal site within the District and dedicate and use the monies obtained for enhancement of the area in and around the [disposal] site from which the fees have been collected;

Page 2, Section 5.06.010 Policy and Purpose:

(a) It is the policy of the District to apportion an [amount of service or user charges collected for] enhancement fee of \$.50 per ton on solid waste [disposal at] delivered to each disposal site within the District and dedicate and use the monies obtained for enhancement of the area in and around the disposal site from which the fees have been collected.

Motion to Amend: Councilor Buchanan moved to amend Ordinance No. 90-331A with six amendments as follows:

Amendment No. 1: Change Section 5.06.030 to permit expenditure of funds after a positive vote of the majority of a quorum of the committee, with six members constituting a quorum (rather than a majority vote of the full committee).

Amendment No. 2: Change Section 5.06.040 (introductory paragraph) to increase total committee membership to 11.

Amendment No. 3: Change Section 5.06.040(a) to increase the number of members appointed by the Executive Officer to nine.

Amendment No. 4: Change Section 5.06.040(a)(1) to increase the number of members appointed from Cully to four.

Amendment No. 5: Change Section 5.06.040(7) to allow appointment of the business representative from any portion of the program area; delete provision for alternating members from north and south of Prescott Street.

Amendment No. 6: Change Section 5.06.040(b) to require the position of committee chair to alternate annually between the two Metro Councilors serving on the committee.

Councilor Collier recommended the Committee vote on each amendment individually rather than one whole motion. Councilor Buchanan concurred with Councilor Collier.

The Committee discussed Amendment No. 1. Councilor Buchanan said he feared the requirement of six aye votes would create conflict. Chair DeJardin said a simple majority of the committee might not represent the majority of the entire committee.

Withdrawal of Amendment No. 1: Councilor Buchanan withdrew Amendment No. 1 for Committee consideration.

The Committee discussed Amendment No. 5. Councilor Collier asked why the business association representative would alternate between the north and south sides of the enhancement area. Councilor Gardner said that provision ensured the business appointment was not dominated by representatives from one sub area. Councilor Wyers said the language ensured all of the business community would be represented. Chair DeJardin noted businesses donated to neighborhood causes and were neighborhood assets.

Vote On Amendment No. 5: Councilors Buchanan, Collier and DeJardin voted aye. Councilors Saucy and Wyers voted nay. The amendment passed.

Motion to Consider Amendment Nos. 2, 3 and 4: Councilor Buchanan moved that the Committee consider Amendments No. 2, 3 and 4 collectively.

Councilor Collier stated her opposition to the amendments. She said the traffic study called for would assess traffic impact in two years and that committee membership could be analyzed in two years as well. Councilor Wyers said three representatives from Cully were adequate. Councilor Buchanan noted Cully represented a large geographic area compared to other impacted areas. Councilor Gardner said neighborhood associations were referred to throughout the process for organizational purposes but that committee seats were not meant to be specific to neighborhood associations.

Vote on Amendment Nos. 2, 3 and 4: Councilors Buchanan and DeJardin voted aye. Councilors Collier, Saucy and Wyers voted nay. The amendments failed to pass.

Motion to Consider Amendment No. 6: Councilor Buchanan moved that the Committee consider Amendment No. 6.

Councilor Buchanan noted Senator Frank Roberts, past member of the Composter Community Enhancement Advisory Committee, believed District 10 should serve as permanent chair of the committee. Chair DeJardin noted he served on his district's enhancement committee for Metro South Station as a member only. He did not think it necessary that Metro Councilors be appointed chairs of the committees they served upon. Councilor Saucy saw no reason to adopt the amendment and said different committee members had different interests. Councilor Collier said designating alternating chairs would set public policy on this issue at this time. She preferred the Presiding Officer appoint the committee chair to ensure equitable committee workloads for all 12 Councilors.

Vote on Amendment No. 6: Councilor Buchanan voted aye. Councilors Collier, DeJardin, Saucy and Wyers voted nay. The amendment failed.

Vote on Main Motion as Amended: Councilors Buchanan, Collier, DeJardin, Saucy and Wyers voted aye. The vote was unanimous and Ordinance No. 90-331A was recommended to the full Council for adoption as amended.

3. Update on Status of Educational Brochure; Explanation of Costs and Environmental Impacts for New Parents Regarding Alternatives for Diapering Their Children per Resolution No. 90-1232A

Vickie Rucker, Director of Public Affairs, updated the Committee on the status of the diaper brochure, discussed issues related to disposable diaper disposal, and other governmental entities' actions on similar issues. Councilor Wyers said she asked staff provide an update at this meeting because staff's preliminary report on disposable diapers did not appear directed towards the production of an educational brochure on disposable diapers slanted towards reduction of volume in the landfill. She said diapering choices must be included in the brochure as well as consequences to the landfill if the volume of disposable diapers was not reduced. She noted different diapering techniques meant differences in cost which must be included in the brochure also.

Councilor Collier noted the FY 1990-91 budget note for the brochure and said the brochure had to be produced FY90-91. Ms. Rucker said staff was waiting for completed research. Councilor Collier said incomplete research should not impact production of the brochure. She referred to the draft brochure outline distributed at this meeting and asked why disposable diapers were mentioned first and why recyclability and disposable diaper half-life was not mentioned. Councilor Collier concurred with Councilor Wyers' comments also. She said if the costs of disposable diapers were compared with cloth diapers in the brochure, citizens could make their own decisions on diapering choices. Councilor Collier requested staff report on the brochure's status soon. Chair

DeJardin noted disposable diapers were made out of recyclable materials and a Seattle business recycled disposable diapers. Ms. Rocker said the brochure could be produced within a month, but noted Metro had been criticized in the past for listing costs because costs were subject to change. Councilor Wyers said a range of cost estimates could be given as opposed to specific costs.

4. Consideration of Resolution No. 90-1314, For the Purpose of Approving an Intergovernmental Agreement to Assume Custody of Certain Public Monies and Ownership of the St. Johns Landfill and Certain Adjacent Land from the City of Portland

Bob Martin, Director of Solid Waste, gave staff's report. He noted the staff report listed ownership of 776 acres would be transferred from the City of Portland to Metro and said that figure was incorrect. He said the City would retain 119 acres and transfer ownership of 657 acres.

Sue Keele, City of Portland, said the resolution would consolidate authority, clarify responsibility under state regulatory agencies, recognize Metro staff had the technical staff to monitor the closure, and fulfill City goals for the Peninsula area. She said the resolution would preserve wetlands, facilitate parks and recreational area development and the financial plan for Smith and Bybee Lakes. She said Mr. Martin was modest when he appraised Metro's role and complimented him, Dennis O'Neil, Jim Watkins and Executive Officer Cusma for their hard work and efforts on this issue. She said this resolution set a standard for cooperative efforts between the City and Metro.

Jim Watkins, Engineering & Analysis Manager, concluded staff's report.

Main Motion: Councilor Wyers moved to recommend the full Council adopt Resolution No. 90-1314, with adoption contingent upon submittal of final correct numbers by staff on acreage.

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

5. Update on Development of Washington County Solid Waste System: Distribution of Notebook; Brief Review of Policy Issue Summaries; Introduction of Steve Schell, Workshop Facilitator

Becky Crockett, Solid Waste Planning Supervisor, noted the workshop notebooks had been distributed to the Council earlier and discussed the workshop's agenda and objectives. Councilor Collier requested staff describe at the workshop the context in which related policies had been dealt with in the past. Ms. Crockett said staff planned a wall graphic at the workshop for that purpose.

Planning & Development staff introduced Steve Schell, workshop facilitator, who explained he would serve as a neutral facilitator and look for areas of consensus between Washington County and Metro. He said he would try to leave the workshop with written conclusions or statements for the 11 topics and a firm understanding of goals. Mr. Schell said the workshop had been structured so difficult issues would be dealt with first. Councilor Wyers asked if Solid Waste staff would participate. Mr. Schell said Mr. Martin would attend the workshop. Ms. Crockett noted the 11 policy papers were written in conjunction with Solid Waste staff. She noted Terry Moore of ECO/Northwest had relied more on Solid Waste staff for information than on Planning & Development staff.

6. Update on Performance for Litter Collection at Metro South Station

Ray Barker, Assistant Facilities Manager, gave staff's report. The Committee and staff discussed the contract briefly.

7. Consideration of Issuance of a Request for Proposals (RFP) for a Management Information System for the Metro Solid Waste Department

Judith Mandt, Assistant to the Director of Solid Waste, gave staff's report. She said staff knew that the Council wanted the system developed for the Solid Waste Department to lead to, and be compatible with, an agency-wide system. She said the RFP took a comprehensive approach and other departments had reviewed and been involved in the RFPs development. She said staff had also contacted the Port of Portland, Portland Development Commission, Tri-Met, Bonneville Power Administration and the City of Portland Archives. She said Metro staff from the Solid Waste, Accounting, Data Processing, Planning & Development, Contracts Administration, Transportation and Personnel Departments served on the RFPs internal task force.

She said the RFP had four parts and the proposer would be asked to evaluate and inventory the present system, assess needs through consultation with staff, and design the system dealing with all current components. She said an operations manual would be produced to develop controlled methods for use within the department and staff training. She said the RFP would be multi-year because it would span from early December to the middle of May. She said the RFP was advertised in a national publication for availability in late October and that Karla Forsythe, Council Analyst, helped review the RFP.

Councilor Saucy said he would vote nay to release the RFP. He knew the RFP had been approved during the FY 1990-91 Budget process, but said Metro was extremely to seek help outside the agency. He noted Metro had functioned as a governmental agency for 12 years and expressed dismay Metro did not have a viable information system in place which led to the issuance of the RFP. He asked if there was qualified internal personnel