

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

October 18, 1988

Room 240 and Council Chamber

Committee Members Present: Gary Hansen (Chair), Jim Gardner (V. Chair), Sharron Kelley, Corky Kirkpatrick and Mike Ragsdale

Also Present: Executive Officer Rena Cusma and General Counsel Dan Cooper

INFORMAL MEETING: ROOM 240

Informal Staff Report on Recycling Survey

Chair Hansen called the meeting to order at 5:06 in Room 240. He said an informal staff report was scheduled before the formal meeting in the Council Chamber because the recycling survey merited special attention.

Pat Vernon, Analyst, gave the report. The 1987 recycling survey titled "Metro Survey of Recycling Markets," dated September 14, 1988, and submitted by Brennan & Associates was distributed previously. Ms. Vernon explained how figures were determined in the report and gave other report findings.

Councilor Kelley asked if the survey fulfilled Senate Bill 405 requirements. She asked if more concrete findings would be available in 1989. Ms. Vernon said the survey was interim in nature and there would be more complete data in 1989.

Chair Hansen said it was a promising program, but with little impact as yet. He asked if a recycling index of figures monitored and actual materials recovered could be developed and then correlated to the waste composition study.

Bob Martin, Acting Director of Solid Waste, said staff needed to continue the waste composition study. He said such data revealed more about status of regional solid waste.

Chair Hansen said it would be valuable to know if the market stayed constant or increased. He said staff should know why statistics did change.

Councilor Kirkpatrick asked if curbside pick-up was a better process than resource recovery in the end. She said complete information was needed on where people got materials marketed. Ms. Vernon said the providers of the study might not have information on specific groups.

Chair Hansen asked how total tons generated was determined. Ms. Vernon explained records were obtained from landfills. She said data on what

was disposed of and what was recycled were added together. Mr. Martin said the study did not account for waste not disposed of at landfills. He said there was also the question of waste generated in the region and disposed of elsewhere and said it was difficult to determine actual solid waste statistics for that reason also.

The Committee and staff discussed what systems other jurisdictions used and what types of data the Department of Environmental Quality (DEQ) tracked. Councilor Kelley asked if similar surveys could be obtained from other regions.

Councilor Ragsdale asked that the table distributed by staff, "Comparison of Metro Recycling Rates to Other City/County Recycling," be noted for the record.

Chair Hansen adjourned the informal staff meeting at 5:34 p.m.

FORMAL MEETING: COUNCIL CHAMBER

Chair Hansen called the formal meeting to order at 5:50 p.m. He announced Agenda Item No. 5 would be deferred to a later meeting.

1. Consideration of Minutes of September 20 and 29, 1988

Motion: Councilor Ragsdale moved for approval of the minutes.

Vote: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The vote was unanimous and the minutes were approved.

2. Consideration of Resolution No. 88-997, for the Purpose of Confirming the Appointment of Bob Martin, P.E., to the Position of Director of Solid Waste

Executive Officer Cusma introduced Mr. Martin for consideration as the new director of the Solid Waste Department. Councilor Kirkpatrick asked Mr. Martin's credentials before he began work at Metro as engineering manager. Executive Officer Cusma said Mr. Martin's background was checked thoroughly and previously he had been employed by the Alaska Department of Environmental Conservation which gave him an excellent recommendation.

Motion: Councilor Kelley, seconded by Councilor Kirkpatrick, moved to recommend the full Council adopt Resolution No. 88-997.

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

3. Consideration of Ordinance No. 88-266B, for the Purpose of Adopting the Regional Solid Waste Management Plan and Rescinding Prior Solid Waste Plans (Public Hearing)

Rich Carson, Director of Planning and Development, said before the Committee was Ordinance No. 89-266B. Attachment A was the Regional Solid Waste Management Plan, October 1988, for the Portland Metropolitan area. Attachment B was Findings. Attachment C was a list of ordinances and resolutions rescinded and replaced by the Management Plan. Mr. Carson briefed the Committee on criteria and goals used to create the Management Plan and explained why some programs were considered of more importance than others.

Becky Crockett, Senior Analyst, discussed policy issues which included rates, host fees and land-use issues. She discussed plan provisions for the east transfer station.

Chair Hansen opened the public hearing.

Jeanne Roy, Recycling Advocates, proposed changes for the Management Plan. She suggested under Section 1.1, in paragraph C, the word "acceptable" be deleted because the word made it seem as if all parties agreed on costs involved. She proposed under Section 1.3 that a sentence, "Material shall be returned to the marketplace in the highest form possible." Ms. Roy recommended retention of rate incentives.

Councilor Gardner noted the term "financial support" replaced "rate incentives." Ms. Crockett said the Policy Committee thought the latter term was more clear.

Steve Larrance, Washington County Commissioner, said the Regional Policy Committee worked very hard on the Management Plan. He said it was a positive experience for the region. He asked the Committee to pass the Management Plan as forwarded from the Policy Committee because it represented regional consensus.

Councilor Ragsdale asked Mr. Larrance his opinion of Section 16.2. Mr. Larrance said the policy called for each jurisdiction to site its own facilities unless they could not do so. Councilor Ragsdale expressed concern a jurisdiction would avoid that responsibility. He said language should be inserted that did not disallow facilities. Mr. Larrance concurred, but said it was difficult because Metro wished the language to be site specific.

Councilor Kirkpatrick said the Policy Committee's work was respected, but that the Metro Council was responsible for the final product, and did not want to rubber stamp the Management Plan.

Councilor Gardner asked if the Policy Committee discussed the mechanism for implementation of fees and where the affected area's fee would be used for enhancement and mitigation. Mr. Larrance said it had been determined the funds should be turned over to local areas to administrate.

William Jones, 8733 N. Tyndall Ave., Portland, asked if commercial haulers would be prevented from operating transfer stations. He said Metro bankrolled a landfill for two states to use. He said the State of Washington was grateful. He said language should be added to stipulate, "No mixing of Metro and interstate solid waste." He said host fees should go to all facilities. He said the Wastech facility was good.

Chair Hansen closed the public hearing.

Main Motion: Councilor Kelley moved to recommend the full Council adopt Ordinance No. 88-266B.

The following motions to amend apply to the October 1988 first draft document of the Solid Waste Management Plan.

First Motion to Amend: Councilor Ragsdale, seconded by Councilor Kelley, voted to incorporate the change to section 16.2 as noted in the October 6, 1988, letter to Presiding Officer Ragsdale from Rich Carson, Director of Planning and Development. The language reads (additions underlined and deletions bracketed:

16.2 "Each city and county shall provide appropriate zoning [for] to allow planned solid waste facilities or enter into intergovernmental agreements with others to assure such zoning. Whether by outright permitted use, conditional use or otherwise, appropriate zoning shall utilize only clear and objective standards that do not effectively prohibit solid waste facilities."

Vote on Second Motion to Amend: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The vote was unanimous and the motion passed.

Second Motion to Amend: Councilor Kirkpatrick moved, seconded by Council Gardner, to delete the word "acceptable" under section C of Section 1.1 of Solid Waste Management policies.

Vote on Second Motion to Amend: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The vote was unanimous and the motion passed.

Third Motion to Amend: Councilor Kirkpatrick moved to add a sentence to Section 1.3: "Materials shall be returned to marketplace in their highest form possible (as consistent in the state hierarchy in ORS 459.015)."

Vote on Third Motion to Amend: Councilors Gardner and Kirkpatrick voted aye. Councilors Kelley, Ragsdale and Hansen voted nay. The motion failed.

Fourth Motion to Amend: Councilor Gardner moved to delete the words, "It is recommended that this policy" from the first paragraph of the first paragraph on page IV-5-B-12 and substitute "A similar policy may be utilized for determining economic feasibility of past collection material recovery proposals for the Metro East Station. The increased systems cost for materials recovery may be greater than 120 percent of a landfill based system."

Vote on Fourth Motion to Amend: Councilors Gardner, Kirkpatrick, Ragsdale and Hansen voted aye. Councilor Kelley was absent. The vote was unanimous and the motion passed.

Fifth Motion to Amend: Councilor Gardner moved to delete the second sentence in Section 2 under Conclusions, "The cost of recovery should not exceed 120 percent of landfill system cost," on page IV-5-B-13 of Chapter 5.

Vote on Fifth Motion to Amend: Councilors Gardner, Kirkpatrick, Ragsdale and Hansen voted aye. Councilor Kelley was absent. The vote was unanimous and the motion passed.

Sixth Motion to Amend: Councilor Kirkpatrick moved to delete the final paragraph of Section 11.0, "In providing financial incentives for those who recycle, the cost of final disposal will increase. To the extent feasible, this increase cost should be paid by those who are not participating in recycling."

Vote on Sixth Motion to Amend: Councilors Gardner and Kirkpatrick voted aye. Councilors Hansen and Ragsdale voted nay. Councilor Kelley was absent. The motion failed.

Seventh Motion to Amend: Councilor Kirkpatrick moved to insert "case-by-case basis" language; payments up to 50 cents per ton, under Section 12.0 on page 13.

Vote on Seventh Motion to Amend: Councilors Gardner and Kirkpatrick voted aye. Councilors Kelley, Ragsdale and Hansen voted nay. The motion failed.

Eighth Motion to Amend: Councilor Kirkpatrick moved to add a sentence to Section 12.1, page 13, to state "Mixed waste transferred from one facility to another shall not be assessed an additional 50 cents per ton."

Vote on Eighth Motion to Amend: Councilors Gardner, Kirkpatrick, and Hansen voted aye. Councilors Kelley and Ragsdale voted nay. The motion passed.

Ninth Motion to Amend: Councilor Ragsdale moved to amend Section 12.0 to state, "For any community" and delete, "Metro shall provide;" to change "host" to "host fee;" to delete "city or county," and substitute "for any community hosting a solid waste disposal site as defined by ORS 459.280;" delete "with" and insert "Metro shall provide a host fee fund to be used for the purpose of community enhancement." With the amendments and deletions, the paragraph would read in its entirety:

For any community hosting a solid waste disposal site as defined by ORS 459.280, Metro shall provide a host fee fund to be used for the purposes of community enhancement.

Under the same motion to amend, Councilor Ragsdale, in Section 12.1, moved to insert after the word "paid," the clause, "into the host fee fund on a per ton volume." Councilor Ragsdale also moved to amend Section 12.2 by deletion of "paid to a city or county," and substitute instead, "a host fee for privately owned." Under the same motion to amend, Councilor Ragsdale moved to amend 12.3 by deletion of the phrase "by the city or county receiving the host fee," and substitute "by Metro," to read, "A citizens community to be appointed by Metro..." Councilor Ragsdale also moved to delete the ORS 459.290 citation in Section 12.3 under the same motion to amend.

The Committee after consideration of the matter, decided to delete the last sentence of Section 12.3. On any other pertinent background material, Councilor Ragsdale left amendments to be made by staff.

Vote on Ninth Motion to Amend: Councilors Gardner, Kirkpatrick, Ragsdale and Hansen voted aye. Councilor Kelley voted nay. The motion passed.

Vote on the Main Motion as Amended: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The vote was unanimous and Ordinance No. 88-266B was approved as amended.

Councilor Ragsdale said he expected the Policy Committee would review the Management Plan further and discuss host fee issues. Mr. Carson

said he would advise the Policy Committee of the amendments and they could address those changes at the full Council.

4. Consideration of Resolution No. 88-1001, for the Purpose of Authorizing a Request for Proposals to Prepare an Analysis for a Publicly Owned East Transfer and Recycling Center

The Committee and staff discussed waste reduction concepts which would be analyzed in this study and also the cost of the consulting work.

Councilor Ragsdale said an incremental pricing strategy should be presented to the Committee. He said it should be clear the study developed the conclusion the best option would be either public or private and that Metro had the option to terminate the consulting contract at any time. He said Metro should not be committed to payment for information deemed unnecessary.

Mr. Martin said he hoped to compare private bids received with conclusions determined by the consultant.

Councilor Kirkpatrick noted the word "is" was missing from the sentence after the fourth "Whereas" in Resolution No. 88-1001.

Councilor Gardner said the consulting study would assist Metro with the decision to spend millions of dollars and would help shape the regional transfer station system for years. He noted all the comments received which urged the Council to consider a privately-owned transfer station option also said Metro should be aware of the publicly-owned options as well. He said up to \$100,000 for a consulting study was a large amount, but would create a savings in the end.

Chair Hansen said at the next meeting the appropriate level of funding could be discussed. He said the proposal could be streamlined and issued two weeks in advance.

Motion: Councilor Kirkpatrick moved to recommend the full Council adopt Resolution No. 88-1001.

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

5. 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 (Public Hearing)

Removed from agenda by the Chair.

6. Consideration of Ordinance No. 88-267A, for the Purpose of Revising Metro Code Section 5.04.040 Relating to the Membership of the Recycling Advisory Committee (Public Hearing)

At the October 4, 1988, Council Solid Waste Committee meeting, the Committee recommended amendments related to the membership of the One Percent Recycling Advisory Committee.

Chair Hansen opened the public hearing. No members of the public appeared to testify.

Motion: Councilor Gardner moved to recommend the full Council adopt Ordinance No. 88-267A.

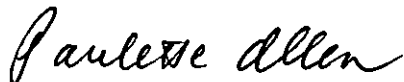
Vote: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The vote was unanimous and the motion passed.

Motion: Councilor Ragsdale moved to draft a resolution to introduce the two new appointees to the Recycling Advisory Committee and that the resolution, as well as Ordinance No. 88-267A, be placed on the Council Consent Agenda.

Vote: Councilors Gardner, Kirkpatrick, Ragsdale, and Hansen voted aye. Councilor Kelley voted nay. The motion passed.

Chair Hansen adjourned the meeting at 9:55 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC88.292