

**APPROVED**

**Date** 11-1-94

MINUTES OF THE METRO COUNCIL SOLID WASTE COMMITTEE

October 18, 1994

Council Chamber

Committee Members Present: Ruth McFarland (Chair), Sandi Hansen, Susan McLain, Rod Monroe, Judy Wyers

Committee Members Absent: Roger Buchanan (Vice Chair)

Councilors Also Present: Jon Kvistad

1. Consideration of September 13, 1994 Solid Waste Committee Meeting Minutes

Motion: Councilor Wyers moved to approve the September 13, 1994 Solid Waste Committee meeting minutes as submitted.

Vote: Councilors Hansen, McLain, Monroe, Wyers and McFarland voted aye.

The vote was unanimous and the motion passed.

2. Solid Waste Updates

• General Staff Reports

Sam Chandler, Solid Waste Facilities Manager, presented the staff report, and said an event was scheduled to be held Sunday, October 23, 1994 at the Washington County Fairgrounds in Hillsboro to receive Household Hazardous Waste (H2W) with the expectation of serving up to 1,000 residents. He said an H2W event was held in the Boise neighborhood last weekend which was smaller, but successful. He said such smaller events would continue throughout the winter and spring as neighborhood associations seek the service out. He said the next major event planned following the Hillsboro event was to be held at Payless Corporate Headquarters parking lot at Wilsonville November 13, 1994 with approximately 9 to 12 other mobile collection events planned for other neighborhoods in the region including Forest Grove, Gresham, Banks and Beaverton planned for the future.

Mr. Chandler noted both the Hillsboro and Wilsonville events were advertised with Spanish language announcements in the community, both in the Spanish language newspaper and community churches frequented by the Hispanic community, and he said it was intended that a translator be available at the event itself.

In response to Councilor McLain, Mr. Chandler said seven such events had been held in the recent past, and he said the Division was building a framework for the continuation of mobile H2W collection events region wide. He said Marie Nelson, Waste Characterization Study Supervisor, and Terry Petersen, Planning and Technical Services Manager, were working on the scheduling details.

Councilor Monroe commented on a reduction in tonnage flows through August, 1994 as reported at the last Finance Committee meeting held October 12, 1994 and the subsequent projected shortfall in revenue in the amount of approximately a quarter of a million dollars. He asked if Mr. Martin knew whether September's figures showed a continuation of that downward trend.

Mr. Martin affirmed September's figures showed a similar general pattern, but he noted tonnage at Metro facilities had been fairly stable, and said that the decrease was not far removed from projections for purposes of budget, about 3%. He added the tonnage flow decreases to non-Metro facilities from which revenue was collected were, however, substantial. He said the excise tax shortfall accounted for the revenue shortfall to which Councilor Monroe alluded. Mr. Martin added he was not aware of September's figures for non-Metro facilities.

3. Resolution No. 94-1974, For the Purpose of Extending the Fuel Purchase Agreements with Devin and Stein Oil Companies Until May 31, 1995

James Watkins, Engineering and Analysis Manager, presented the staff report, and recalled in April, 1994, Metro began purchasing fuel for Jack Gray Transport, which alleviated Metro having to pay the federal excise tax, \$.24.4 per gallon, or an approximate savings to Metro of \$14.15 per load or over \$1,000 per day. He said the current purchase fuel agreement was with Devin Oil located in Arlington and Stein Oil, located locally. He said in April the same contract conditions that had been established by Jack Gray were assumed affording no disruption in price and/or service. Mr. Watkins had been hopeful to be able to bid the contract out competitively in November, 1994, but he noted staff time had not been available due to other necessary projects, such as the work on the documents for the rebids on the two transfer stations. He said it was a given that a very good price was being obtained in the current contract. He said Staff was still investigating procurement strategies and review prices. He said staff believed additional reset was necessary before a procurement approach, either a Request for Proposals (RFP) or a Request for Bids (RFB), was to be recommended, and said the proposed resolution would authorize the extension of current fuel purchase agreements until May, 1995.

Councilor Wyers requested that the Committee be involved in the discussion regarding the decision making process prior to release of procurement documents as to whether an RFP or an RFB was to be the recommended procurement strategy, and she asked that a report be brought to the Committee for the purposes of such discussion. Mr. Martin agreed to do so.

In response to Councilor Kvistad, Mr. Watkins said he anticipated bringing a document before the Committee in December, 1994. Mr. Martin commented the current deadline was November 30, 1994, and felt the extension period to May, 1995 would enable Staff to devote the necessary resources to the project.

Chair McFarland opened a public hearing.

John W. Pulliam, VP Market, Burns Bros. Inc., addressed the Committee, and indicated his company was against a bid extension of six months. In response to Councilor McLain, Mr. Pulliam said he would have fuel available in Arlington in keeping with the original schedule. He said the price could conceivably be lower which would represent savings to Metro over that period of time. He suggested the bid be let on schedule, and added his company was interested in bidding on the contract when the procurement documents were released.

Chair McFarland closed the public hearing.

**Motion:** Councilor Hansen moved to recommend Resolution No. 94-1974 to the full Council for adoption.

Councilor Kvistad asked if the matter had been before the Solid Waste Advisory Committee. Mr. Martin said it was the Department's intent in bringing the matter forward at this time to provide the earliest opportunity to work through the issues. He said it would not be possible to be ready to award a bid by November 30, 1994, even if the Department worked exclusively on this project. He said the satisfaction of the transporter was a factor as well. Councilor Kvistad indicated he was interested in seeing an expeditious completion of the project in order to determine the possibility of savings.

Councilor McLain noted the resolution title did not give the impression that an earlier date could be accomplished. Mr. Martin said the Department had the ability to terminate those agreements when in a position to replace them with the results of the bid. Councilor McLain suggested the resolution title be revised. Mr. Watkins noted the actual agreement provided for termination, and read the agreement language as follows: "Metro reserves the right to terminate this agreement at any time upon written notice to the contractor."

Councilor Monroe noted the language was permissive to the Executive, but that it did not restrict the Executive to that date.

Vote: Councilors Hansen, McLain, Monroe, Wyers and McFarland voted aye.

The vote was unanimous and the motion passed.

4. Report and Recommendations From the Evaluation Committee Relating To Local Government Annual Waste Reduction Programs

Mr. Martin briefly described the implementation of a regional waste reduction strategy which included a history of the Metro Challenge Grant program, commercial recycling strategies, and local jurisdictions participation in Metro strategy related to commercial recycling, and the additional appropriation of \$100,000 in the current year's Metro Challenge Grants. He noted waste reduction programs were worked on together by Metro Staff and the local jurisdictions on an annual basis through development of work plans, with Metro Challenge Grant funding available to those jurisdictions for implementation of their work plans as they were approved through the budgetary process. He said the region was now in the fifth and final year of a five year cycle of those work plans and that Metro had distributed up to this current fiscal year over \$2 million to local jurisdictions under the Metro Challenge Grant program and other programs, such as multi-family recycling, curbside containers and cleanups with the total amount inclusive approximately \$3.8 million. He said, of the final \$450,000 appropriated in the current fiscal year, \$350,000 addressed programs other than commercial recycling, and noted an additional \$100,000 was added for commercial recycling in the budget process.

Mr. Martin discussed some of the successes of the waste reduction programs, such as the high participation rate in the curbside recycling program as well as progress in yard debris recycling and Buy Recycled programs. He attributed such success in part to the participation of the local jurisdictions.

Mr. Martin addressed the issue of the \$100,000 added for the purpose of specific accomplishments in the area of commercial recycling, and he recalled the guidance given by Council in the budget process to achieve some real progress in that area. He said staff had given consideration to the direction given by Council as work plans from local jurisdictions were reviewed. He said the work plans placed emphasis on promotional and planning efforts without clear steps to be taken in order that greater amounts of waste be recycled from the commercial sector. Mr. Martin noted differences in residential recycling and construction/demolition debris and commercial recycling, including organization differences, rate issues, container variations, costs in collection. He noted Portland was still in the planning process as to how to regulate commercial recycling, which he said to date was unregulated. He felt these matters only served to add to the difficulty in coming to Metro with tangible things to be accomplished with the \$100,000 in appropriations for the current fiscal year. He credited the City of Milwaukie with a work plan that, for their share at \$1,200, demonstrated willingness to work aggressively and carefully on commercial recycling. He said it appeared that the City of Portland was working hard on the issue and needed Metro's help as well with financial as well as technical assistance to continue with their progress in the pursuit of a regulatory commercial recycling climate, which he noted was very important for Metro and the Portland area.

Mr. Martin discussed the work of the Evaluation Committee and recommended distributing the funds based on the programs received and supplement that with specific data and information from the local jurisdictions regarding specific problems, issues, costs, tonnages, etc. He said the future of the Metro Challenge Grants was a question as related to the local grant program and implementation of the future waste reduction plan when adopted. He felt waste reduction program funding in the future should be tied to actual implementation items specifically identified in the regional strategy. He felt the distinction should be rather than use the funding to help local governments implement their own local strategy, it was important to help local governments help Metro implement a regional strategy developed in concert with local jurisdictions programs.

David Kunz, Department of Environmental Quality, presented a report from the Evaluation Committee, of which two other members were present; i.e. John Houser and Jennifer Ness. He discussed the role of DEQ in providing perspective was with a view for updating the overall solid waste management plan. He noted various problems which he equated with opportunities. He noted the five year plan appeared to work for about four years, but the commercial component appeared to present problems. He noted problems involved included communication, system, planning, political, technical problems and presented a graphic demonstration outlining factors considered. Mr. Kunz outlined commercial plans and the DEQ position, which he noted included continuation of enforcement statutes on reaching 50% recycling goals by the year 2000 as well as enforcement of menu options as designated by Senate Bill 66. He noted DEQ was currently developing a policy statement implementing the Metro regional plan based on current problems in relation to statute policies. Chair McFarland commented on the methods to be utilized to measure success.

Councilor Monroe commented on problems with multi-family recycling. Mr. Kunz agreed multi-family recycling presented problems that were not easily solved. Councilor Monroe suggested the possibility of financial incentives or disincentives related to recycling goals for the business of multi-family housing management. Mr. Kunz felt design solutions that might make recycling more consciously part of the daily experience might be helpful.

Mr. Kunz reiterated concepts from Year 4 waste reduction program activities included the concept to develop a comprehensive commercial recycling plan with four criteria including 1) long term waste reduction recycling strategy designed to make a significant contribution to the regional objective of 50% recycling by year 2000; 2) timelines for implementation; and 3) coordinate with Metro and other local governments to design a system to measure and evaluate the effectiveness of the program; 4) identify the responsible parties and specify their roles in implementing the program. He said the plan had good education concepts but was lacking economics clarification as well as development of ways to measure success. He acknowledged the funding was important to the local governments, and said it was hoped that a memorandum of understanding could be developed including five items with the purpose of meeting the four criteria; 1) that local jurisdictions would assist Metro in verifying the number of businesses in their jurisdiction including the number of businesses subscribing to disposal and recycling service; 2) to present Metro with the number of businesses that increased in both disposal and recycling services at the end of the year; 3) to assist Metro in verifying the accuracy of existing business data, such as size, type, location and account holder information; 4) to provide Metro with current franchise agreements that made clear the amount assigned in the rate to commercial recycling, and additionally, if an amount was anticipated that was needed for further implementing the plan, what was that amount; 5) if there was no amount in the franchise rate for implementing commercial recycling, then provide Metro with specific information on how a funding mechanism for providing commercial recycling was to occur. Mr. Kunz said agreement from parties concerned regarding these items would provide a basis for a more collective regionalized system. Chair McFarland said such information would assist Metro in providing information to the state.

John Houser, Council Analyst and member of the Evaluation Committee, addressed the Committee, and said he felt an outcome of the budget hearings was that the Council was desirous of having a greater level of accountability related to the distribution of Metro Challenge funds to the local government were expended. Mr. Houser said the plans were not clear on how assessment could be made regarding success of the programs at the local level. He said he believed if the local governments could bring forward the information as outlined by Mr. Kunz, it would be possible for staff and the Council to evaluate how well the commercial recycling programs had worked.

Jennifer Ness, Associate Solid Waste Planner, said the requests for additional data was for the purpose of achieving accurate information regarding the businesses from the local governments and the haulers who actually service the businesses.

In response to Chair McFarland, Mr. Houser said former Solid Waste Committee Chair Judy Wyers desired a form of Council representation on the Evaluation Committee and had subsequently volunteered himself as Council Solid Waste Committee Staff to serve as a member. He said he had served in that capacity ever since that time. Chair McFarland noted the membership was comprised of a Council Staff person, a Solid Waste Department

person, and a person with related interests; i.e., the DEQ representative, Mr. Kunz, who was not a Metro person. Chair McFarland suggested consideration be given for an additional prospect for membership. Mr. Martin commented that it would be advantageous to make such a decision at such a time when the nature and future of the Metro Challenge Grants program was determined. He commended the current group structure both in nature and in size. Chair McFarland suggested further discussion of the matter in the future.

Chair McFarland opened a public hearing.

Lee Barrett, City of Portland, addressed the Committee, and referred to a memorandum dated February 1, 1994 regarding alternatives for improving recycling in the commercial sector and a document entitled, "Year Five Waste Reduction Program Activities, City of Portland, Revised." These documents have been made part of the permanent meeting record. Mr. Barrett commented that when the City of Portland developed its plan for residential recycling, a specific plan was feasible and was executed. He said the City was in the process of developing further knowledge in order to make specific recommendations for the commercial program. He said it was not possible up to this time to be specific due the need for further information. He explained the City of Portland recognized the need to increase recycling in the commercial sector, and, he noted, with no regulation mechanism in place, a plan that was approvable by the City of Portland Council was needed. He said on two previous occasions their Solid Waste Staff had brought a plan before the Council which was subsequently not approved.

Mr. Barrett said a group of businesses formed a Commercial Recycling Workgroup which was now involved to help the City develop such a plan. Mr. Barrett discussed the work of the group and their conclusions to date. He said the work group agreed that the last idea listed, i.e. to increase education/promotional efforts was very important and must be an integral part of any plan. He said after discussion over a period of six months key choices were concluded that should be made by generators, noting the list of such choices in the Year Five document.

Mr. Barrett said Challenge Grant funds in the amount of approximately \$70,000 had been used to fund a cost of service study. He said the study would provide a picture of the current unregulated collection system in Portland and would also provide a comparative analysis of system costs for the ideas generated. He said Metro had assisted in great part in the developing of the information in the computer model, and specifically noted the assistance of Metro Solid Waste Department Staff, Scott Klag, Senior Solid Waste Planner, and Jeff Stone, Senior Management Analyst. Mr. Barrett said the model was delivered to the City about three weeks ago from their consultant and that an evaluation process was underway. He said the intention was to go back to the work group November 17, 1994, and he hoped to have a plan from that work group by the end of 1994. Mr. Barrett emphasized the importance of having the business community's support, and he noted that community was responsible for killing the two previous plans, and he said discussions with the haulers was also involved.

Mr. Barrett said following deliberations by the work group, a plan would be presented to the City of Portland Council.

Councilor McLain asked Mr. Barrett if there were any potential problems with the four items of information Metro was suggesting be requested as outlined by Mr. Kunz: 1) the number of businesses; 2) garbage service and recycling service, and increase in both, 3) size, type and location verification of the businesses, and 4) assignment of the rate. Mr. Barrett responded that information gathered in the modeling included a generator survey, and noted there were differences between generators and business. He illustrated a strip mall with 5 or 6 business occupants would be considered one generator as would be the U.S. Bank Tower building with perhaps 80 different businesses. He said the definition of business would need to be addressed, as the garbage hauler served one container which could be tied to either a single business or several businesses. He said the survey included over 1,900 of over 20,000 generators, and he said 34% recycled through the hauler and that 49% with 20 employees or less recycled one or two items. Mr. Barrett emphasized the information was generator based, however.

Kathy Kiwala, City of Lake Oswego, addressed the Committee, and referred to a document entitled, "Year Five Annual Waste Reduction Program, The City of Lake Oswego, FY 1994-95, and their "Comprehensive Commercial Recycling Plan FY 1994-95." These documents have been made part of the permanent meeting record. Ms. Kiwala felt unclear as to why this matter was before this Committee at this time, and said communication in the review process could be improved which would enhance cooperation. She emphasized the Five Year Plan was, by its nature, less specific, and noted the yearly plans were more specific. Ms. Kiwala noted the plan submitted included the current status of the program. She said the City was working a rewriting of their franchise ordinance, and said the City intended to work with Metro to develop data. Ms. Kiwala said the City reviewed recommendations from the Committee and that some of those were included in the plan. She said measurement would perhaps not be as finely detailed as desired.

Chair McFarland asked Ms. Kiwala for suggestions in improving communication, and she emphasized Metro's role of responsibility and accountability to the state mandates. Ms. Kiwala indicated she would be available for further discussion regarding that matter.

Ms. Kiwala discussed local government accountability, and said jurisdictions submitted annual reports to their Councils, to Metro and to DEQ. She said local management goals involved continuation of regional waste reduction program planning and implementation and regional coordination with reporting of results to Metro as well as work with other local governments and Metro in achieving compliance with state legislation. She asked Metro to let the local governments know if the plans were approved so that the work could continue.

Chair McFarland acknowledged it was necessary for Metro to be definitive regarding expectations.

Councilor McLain noted it was not a matter of judgment of a particular jurisdiction so much as it was Metro's responsibility to be able to demonstrate that funding granted was being utilized according to state criteria mandated to Metro. Councilor McLain commented that the meeting at hand was an attempt to improve lines of communication.

Susan Ziolko, Clackamas County, addressed the Committee, and referred to a document entitled, "Clackamas County Recycling Partnership Waste Reduction Plan, Year Five FY 94-95". This document has been made part of the permanent meeting record. Ms. Ziolko understood a comprehensive commercial was to be put into place in Year Five, not pilot projects. She felt getting the criteria for the commercial plan at the end of June was difficult, and she said it would have been helpful to have the criteria by which the plan would be judged by twelve months ago. She said Clackamas County required franchised haulers to provide recycling service of all principal recyclable materials to all commercial customers for at least the past three years. Ms. Ziolko said although a collection system was in place, promotion was necessary to assure businesses were informed. She emphasized the funding represented by 22% at risk of loss in the Metro Challenge funds was a prerequisite to achieve amount of work involved in training businesses. She advocated for giving the opportunity for the local jurisdictions to put their programs in place to see what worked and if something didn't work, require changes next year. Ms. Ziolko noted there could be some problems with achieving data, but felt confident a baseline could be accomplished.

Councilor McLain reflected on the differences between previous needs that were more flexible, and apparent needs now for more specific information.

Jennifer Ness, Associate Solid Waste Planner, indicated criteria mailed in June, 1994, was based on the Year Four Annual Waste Reduction Plan, commercial portion, and said all of the information sent in the criteria was contained in the Year Four activity list.

Holly Halvorson, Washington County Solid Waste & Recycling, addressed the Committee, and referred to a document entitled, "Washington County Cooperative Recycling Program, Year Five, Annual Waste Reduction Program, Fiscal Year 1994-1995," and her memorandum FAX'd to the Council Office October 18, 1994 dated October 19, 1994. These documents have been made part of the permanent meeting record. She recommended regarding improving communication that at some point local governments should have been involved in the

evaluation process either in preparation of the instrument used or in the actual process, noting it might have been helpful to sit down with representatives from the various local governments at the stage of initial evaluation to clarify issues. Ms. Halvorson said a work plan for data gathering had been developed and said that work plan would be provided if the Council would wish to review it.

Councilor McLain commented on the need for greater specificity, and said she believed it was possible to improve communication in the future with an interview process such as suggested by Ms. Halvorson.

Lynda Kotta, City of Gresham, addressed the Committee, and discussed recycling goals in the City of Gresham. She noted issues in residential and multi-family were being recognized that had not before been known, and said dialogue with businesses was underway to discuss designs for better programs for residential and multi-family. Ms. Kotta discussed cost and marketing issues. Ms. Kotta said there were no programs in the nation that fit what they were doing, and urged better communication at the local and regional level.

Chair McFarland stressed the fact that the state required information from Metro, and that it followed that Metro required the information from the local governments as well.

Councilor McLain felt it was important that a worksheet be included in the work plans to demonstrate how the goals would be met financially. Ms. Kotta stressed the need to emphasize the objectives and felt wary of being too task oriented with the possibility of needing additional staff to do reporting, thus adding cost to administration.

Jeanne Roy, Recycling Advocates, addressed the Committee, and said Metro's plan defined Metro's role as that of setting performance standards, not to provide funding for technical assistance. She said the Metro plan said Metro must have a way to assure that the local governments met the performance standards, and she said the Metro Challenge Grants were to provide an incentive for local governments to meet those performance standards. Ms. Roy said the Evaluation Committee determined that the plans that came in did not meet the criteria, and she agreed the additional \$100,000 was not to be disbursed until clear criteria were met. She recommended the Committee direct Staff to develop that clear criteria and bring them forward. Ms. Roy suggested the five criteria outlined by Mr. Kunz be made part of the criteria, and she understood turning in the plan was part of the Year Four program, and that implementing the program was a performance standard for Year Five. In response to Ms. Roy, Chair McFarland confirmed that her understanding was correct. Ms. Roy suggested an ordinance be passed by the local government that fully covered the cost of a commercial recycling system with incentives for commercial customers to participate.

Ms. Roy said deadlines were important as well as clear criteria, and urged the Committee in its work for greater communication assure that the process involved the public.

JoAnn Herrigel, City of Milwaukie, addressed the Committee, and discussed the ways a waste reduction program coordinator at the local level went to a business and discussed ways to improve their waste reduction efforts. She talked about the need for greater communication, and distributed to the Committee a memorandum dated August 3, 1994 with attachments. This document has been made part of the permanent meeting record. She indicated the jurisdiction needed the 22% that their share of the \$100,000 represented to implement their programs.

Councilor McLain asked what plans were afoot to deal with the jurisdictions receiving the \$100,000.

Mr. Houser addressed the Committee, and said formal action would be necessary to deal with the matter. He said the Evaluation Committee would like to meet with the local jurisdictions further and make further recommendation. He agreed with Chair McFarland that more information had come to light at this session, and felt that information would be helpful.

Mr. Martin suggested the \$100,000 be awarded apportionately to each and every jurisdiction that would supplement the requests for additional information.

Council Solid Waste Committee

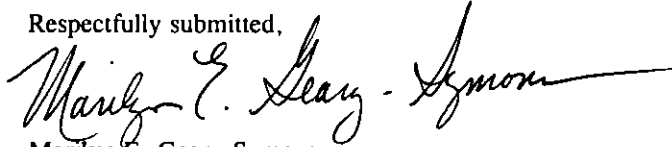
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Chair McFarland asked that the matter be continued for further discussion at a later date with further input from the Evaluation Committee.

There being no further business, the meeting adjourned at 6:34 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marilyn E. Geary-Symons". The signature is written in black ink and is positioned above the typed name.

Marilyn E. Geary-Symons  
Committee Recorder

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