

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

December 4, 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: Richard Devlin and Jim Gardner

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

2. Intergovernmental Agreement with the City of Portland, "Providing Containers For Recycling at Multi-Family Residences in the City of Portland and Portions of Unincorporated Multnomah County"

Debbie Gorham, Waste Reduction Manager, and Pam Kambur, Associate Management Analyst, reviewed the Intergovernmental Agreement (IGA). Ms. Gorham explained the FY1990-91 Waste Reduction budget included \$252,000 for multi-family recycling container funds for local governments and that Portland's allocation, combined with unincorporated Multnomah County, totalled \$122,000. Staff explained the IGA could be executed upon Committee review and approval, but because it was a Type "A" contract under Metro Code Section 2.04.032(d), the full Council would also review the contract.

1. Resolution No. 90-1358A, For the Purpose of Recognizing and Giving Priority to the Washington County Local Government Solution and Establishing a Process to Complete the Plan as a Basis for Facility Procurement

Chair DeJardin noted Councilor Collier presented Resolution No. 91-1358A at the November 20 Committee meeting and that the Committee considered it and recommended it to the Washington County Technical Analysis Steering Committee (Steering Committee) for their consideration. He said Resolution No. 91-1358B was before the Committee for consideration.

Motion to Reconsider: Councilor Saucy moved to reconsider Resolution No. 91-1358A.

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

Councilor Devlin introduced Resolution No. 91-1358B. He said the resolution represented a balance between Resolution Nos. 90-1358 and 90-1358A.

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Councilor Devlin explained changes listed in Resolution No. 90-1358B from Resolution No. 90-1358 and Resolution No. 91-1358A. 1) He explained the resolution title was changed to state the resolution was for the purpose of recognizing and giving priority to the Washington County local government solution and to delete the reference to establishing procurement guidelines and a procurement process. 2) He noted Resolution No. 90-1358B would be introduced to the Council by the Solid Waste Committee. 3) He noted Resolution No. 90-1358B's fourth Whereas clause stated a local government solution had been developed in accordance with Resolution No. 89-1156, For the Purpose of Establishing Minimum Standards and a Process for Considering Local Government Solutions for the Regional Solid Waste Management Plan (adopted October 26, 1989) for Council consideration, rather than in accordance with the Regional Solid Waste Management Plan (RSWMP). Councilor Devlin explained the latter change indicated the Council would follow its adopted policy with regard to the local government solution, but recognized the RSWMP was subject to further Council consideration in conjunction with the technical analysis. 4) BE IT RESOLVED Section No. 1 stated the Council recognized and gave priority to Washington County's Solid Waste System Plan provided it was determined to be consistent with all RSWMP provisions, including the Washington County System Plan Chapter. Councilor Devlin said the language was revised to delete language that stated the Council recognized and gave priority to the Washington County Plan as being consistent with the RSWMP. 5) BE IT RESOLVED Section No. 2 provided that the Solid Waste Committee and the Steering Committee work with Washington County staff and the Steering Committee to complete the Washington County Chapter of the RSWMP. 6) Councilor Devlin noted Resolution No. 91-1358, BE IT RESOLVED Section No. 3 related to procurement guidelines, had been deleted. With regard to that language, Councilor Devlin explained it was redundant to include procurement guidelines in Resolution No. 90-1358B because Metro guidelines had been adopted in Resolution No. 89-1156 and because Washington County proposed guidelines included in the Washington County Plan proposal appended to Resolution No. 90-1158B as Exhibit A. 7) Councilor Devlin explained the renumbered BE IT RESOLVED Section No. 3 provided that the Council would approve the process and timeline listed in Exhibit B unless the Technical Analysis warranted modification. 8) Councilor Devlin explained the renumbered BE IT RESOLVED Section 5 was revised to delete the reference to the Metro Council's historic preference for a two transfer station system in Washington County.

Chair DeJardin opened a public hearing on Resolution No. 90-1158B.

Nancy Roche, Cornell Meadows Homeowners Association president, submitted written testimony filed with the record of this meeting. Ms. Roche testified about that association's concerns regarding rationale for private ownership; the need for an open bidding process; location of the proposed sites; possible rate impacts; and recycling concerns.

Councilor Wyers thanked Ms. Roche for her testimony and said the Committee had not heard from rate payers about proposed higher rates. Councilor Collier asked Bob Martin, Director of Solid Waste, about possible rate impacts. Mr. Martin said recycling costs had to be borne by users of the system and said homeowners were blaming higher costs especially in Clackamas County which had instituted a weekly universal curbside collection system. Councilor Collier asked about possible hauler rebates. Mr. Martin said benefits to haulers was the reduction of loads weighed on the scales. Councilor Devlin appreciated testimony given on the rates, but said current discussion of rates was all speculation at this time because rate impacts were as yet unknown.

Dale Johnson, 15959 NW Blue Ridge Drive, Beaverton, advocated private facility ownership and believed monopolies were standard in the solid waste industry. He said government should only provide could not be provided for by the private sector more cheaply. He expressed support for Resolution No. 90-1158B and said it was preferable to Resolution No. 90-1158A. He asked the Committee to review current tonnage numbers and said a Wilsonville transfer station might not be necessary based on corrected tonnage numbers. He said Wilsonville encouraged private enterprise, and noted Metro had ultimate control because it set the rates. He said the Forest Grove Transfer Station (FGTS) could handle waste from South Beaverton and Metro South Station could handle waste from other venues.

Councilor Collier agreed with Councilor Devlin that discussion on the rates at this time was speculative, but asked Mr. Johnson if he would be willing to pay higher rates. Mr. Johnson said he expected rate increases anyway and stated Metro was a regional government and should not recognize county lines for regional services. Councilor Gardner and Mr. Johnson discussed possible higher costs if Washington County selected a higher cost system. Mr. Johnson said if there was a dramatic difference in costs between Metro's and Washington County's options, he would agree with Metro, but said government forecasts were rarely accurate and again expressed his preference for private enterprise.

Commissioner Steve Larrance, Washington County Board of Commissioners, said the Steering Committee voted unanimously to approve Resolution No. 90-1158 and said there was still support for that resolution, but the Steering Committee was willing to consider Resolution No. 90-1158B. On behalf of the Steering Committee, he expressed their acceptance of Resolution No. 90-1158B because it kept the Washington County Plan intact. He noted approximately 60 elected officials from 10 Washington County cities supported the Steering Committee plan without one dissension. He noted proof of that support was mailed to the Council the previous week and said the Washington County Plan was technically efficient and politically acceptable at the local level. Commissioner Larrance welcomed positive dialogue and again expressed support for Resolution No. 91-1358B.

Councilor Collier said Metro and Washington County had different perspectives on the issues. She said there was a distinct possibility the Washington County local option would be more expensive than an option proposed by Metro. She said Washington County should not construe differences of opinion as lack of support and said it was the Council's job to make decisions based on findings resulting from the Technical Analysis. She noted the Committee had heard from local officials but not citizens about costs. Commissioner Larrance asked how speculation at this point was useful. Councilor Collier said speculation at this juncture informed citizens about possible higher costs. Councilor Wyers recalled higher costs were raised at the October 20 informational meeting. Councilor Devlin said it was important to realize that rates had to be increased to build a new component of the system.

Shirley Huffman, Mayor of the City of Hillsboro, said the City of Hillsboro was willing to accept Resolution No. 90-1158B, but said it was difficult to accept deletion of language on procurement guidelines. She said Hillsboro did accept the resolution because of language included on "full partners."

Liz Newton, City of Tigard community relations coordinator, said she had been involved in the planning process for the past 18 months and said Resolution No. 90-1158B was acceptable because it forwarded the Washington County Plan to the Metro Council. She said it was understood the Technical Analysis and complete information was needed before decisions could be made and said it was important to note Washington County cities were in full agreement on the issues. She said it was important for the process to continue to move forward.

Tom Barthell, City of Wilsonville, said Wilsonville liked to think of itself as a regional neighbor with a preference for private options and expressed support for Resolution No. 90-1158B.

Councilor Gardner asked Mr. Barthell if he was aware all facilities would be privately operated, although Metro would determine ownership. Mr. Barthell said he was aware of facility ownership options.

Bob Petersen, Washington County Haulers Association president, expressed his support for Resolution No. 90-1158B.

Estle Harlan, Tri-County Association, said there were six solid waste associations in the Metro area which wholeheartedly supported Resolution No. 90-1158B and the Washington County Plan. She asked Metro to make comparisons on two privately owned station options to two publicly owned station options.

Clifford Clark, Mayor of the City of Forest Grove, expressed support for Resolution No. 90-1158B. Mayor Clark noted he testified previously against a mega station and said local support would disappear if there were not strict tonnage limitations.

Councilor Collier said neither the Solid Waste Committee nor the Council had ever expressed a preference for a mega station. Regarding strict tonnage limitations, she asked whether Metro should build a third transfer station if Mr. Luneke's testimony given at the November 20 Solid Waste Committee was correct and Metro's tonnage figures were not correct. Mayor Clark said the FGTS could expand, but said he could not answer the question since it was a hypothetical one. Councilor Collier and Mayor Clark discussed the issues further. Mayor Clark said long lines at Metro South enhanced the argument for a facility in Wilsonville.

Emily Kroen, City of Tualatin, spoke on behalf of the Steering Committee and expressed strong support for Resolution No. 90-1158. She expressed strong commitment to the Washington County Plan and said with regard to the proposed third facility that if tonnage figures were incorrect, there would still be a 20 year horizon for the transfer of solid waste and said the Washington County Plan did address that contingency.

Chair DeJardin asked if anyone else wished to testify. No other persons appeared to testify and the public hearing was closed.

Motion to Rescind Approval: Councilor Collier moved to rescind Committee approval of Resolution No. 91-1358A and substitute Resolution No. 91-1358B for original Resolution No. 91-1358.

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

Main Motion: Councilor Collier moved to recommend Resolution No. 90-1358B to the full Council for adoption.

Councilor Wyers stated for the record her objection to the use of the word "priority" and reserved her right to vote nay on the resolution at the Council level if it would cause too much of a rate impact for Washington County rate payers.

Councilor Collier said she did not intend to force any options on Washington County they did not want but expressed uneasiness on committing exactly to a plan written before full costs were known. She said the Metro Council was responsible for developing a cost-effective regional solid waste disposal system. She said discussion at this meeting illustrated the balancing act between all the involved entities. She said the Committee would agree on the resolution based on assurances from Commissioner Larrance and Mayor Huffman that local citizens were

willing to pay a higher cost differential but said when the final Plan was up for consideration, the Solid Waste Committee and the Council would want input from local citizens. Councilor Collier thanked everyone present for their testimony and efforts on the issues and said she looked forward to the next phase and building the regional solid waste system's final component.

Councilor Buchanan said he would vote for the resolution with enthusiasm and noted he served on the Steering Committee and commended Washington County and the Council on the compromise they had reached.

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

Chair DeJardin called a recess at 6:50 p.m.

The Committee reconvened at 6:59 p.m.

3. Program Activities for Year Two of the Annual Waste Reduction Program for Local Government

Ms. Gorham updated the Committee on Program Activities for Year Two of the Annual Waste Reduction Program for Local Government. She explained intergovernmental agreements (IGAs) would be assembled and an IGA for \$300,000 with the City of Portland was ready. She said staff wanted to give the Committee a preview of the Year Two program activities and to that effect would submit a resolution for Committee consideration December 18 which would list 10 items for Committee review. She said staff worked with waste shed coordinators hired for the 27 governments involved and staff would meet with them to coordinate the ten programs for Year Two. She said the entire region had undertaken to meet recommended levels for the year 2000.

Councilor Wyers asked how Metro could achieve more recycling in the commercial sector. Ms. Gorham said Program No. 2 was the best lever Metro had to ramp up recycling in conjunction with the Waste Audit Program. She said discussion would be held with Metro's local business partners. She said Program No. 2 would best achieve Metro's desired goals in that field. Councilor Wyers asked how franchising could cause more recycling. Ms. Gorham said Metro did not make franchise agreements, but had made agreements with waste sheds that the hauling industry would create a standard and a charge for hauling and recycling. Councilor Wyers asked what assurance Metro had that the haulers would do that. Ms. Gorham said the haulers had agreed to do so. Councilor Wyers asked staff's rationale for waste audits. Ms. Gorham said staff was very interested in government helping the commercial sector to achieve their desired recycling levels. She noted during Year Two, hospitals would be trained on in-house recycling and a short video would show how

local businesses could implement their own recycling programs. She said the haulers were cooperative and realized the trend was moving away from garbage pick-up to providing more comprehensive services. Councilor Buchanan commended staff on their efforts in this area.

Jeanne Roy, Recycling Advocates, submitted written testimony filed with this meeting's record, which asked that the standard "Require that recycling service be offered to commercial customers for at least two of the principal recyclable materials" be added to Program No. 2. Recycling Advocates was not sure whether Program No. 5 for dispersement of the commercial waste audit services, was a good idea. They asked if haulers or recyclers would take over audit services. Recycling Advocates asked also if dispersing waste audit services fit with the Department of Environmental Quality's (DEQ) waste reduction order: "If initial audits are effective at reducing wastes generated by certain classes of businesses or institutions, Metro shall conduct an inventory of business in those classes and shall offer audits and consulting services to those businesses..."

4. KPMG Peat Marwick Recommendations for Improvement of Controls and Procedures for Flow of Solid Waste Tonnage Information and Revenue

Mr. Martin distributed his memorandum, filed with the record of this meeting, to Executive Officer Cusma dated December 3, 1990, "Item No. 4 on the December 4, 1990 Agenda for the Council Solid Waste Committee." The memo addressed KPMG Peat Marwick's letter dated August 21, 1990 to Mr. Martin. Mr. Martin detailed in-house methods implemented in response to KPMG Peat Marwick's recommendations and comments.

Roosevelt Carter, Budget & Finance Manager, discussed accounting procedures and said tonnages received in transfer facilities were used for statistical and projection purposes for budget and revenue purposes. Mr. Carter discussed various fees charged for varying loads and the computer system used to enter that data.

Councilor Wyers asked if Karla Forsythe, Council Analyst, had an opportunity to review staff's response to KPMG Peat Marwick's letter. Councilor Wyers said it appeared staff had already implemented what KPMG Marwick recommended. Mr. Martin said staff would show the auditors what they had done to-date. Councilor Wyers concurred with that plan, requested staff meet with Ms. Forsythe, and that staff update the Committee again at its next meeting. She said if those actions were taken, it was not necessary to review staff's response to KPMG Peat Marwick point by point at this meeting.

5. Solid Waste Department Staff Updates

Mr. Martin gave tonnage reports for St. Johns Landfill; updated the Committee on construction of the Riedel Composter facility; and

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distributed his memo to Councilor Wyers dated November 30, 1990, "Yard Debris at the St. Johns Landfill." Councilor Wyers and Mr. Martin discussed the memo and Metro's agreement with Farmers Plant Aid to haul yard debris.

George Ward, consultant, proposed staff consider a soil mitigation project he had developed for use at St. Johns Landfill. The Committee directed staff to work with Mr. Ward on his proposal.

Chair DeJardin adjourned the meeting at 8:12 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC90.338