

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING AN)	ORDINANCE NO. 19-1434
INCREASED TONNAGE ALLOCATION AND)	
AUTHORIZING THE CHIEF OPERATING)	Introduced by Chief Operating Officer Martha
OFFICER TO ISSUE AN AMENDED SOLID)	Bennett in concurrence with Council
WASTE FACILITY FRANCHISE FOR GSS)	President Lynn Peterson
TRANSFER, LLC)	

WHEREAS, Metro Code Section 5.01.150 states that a Metro Solid Waste Facility Franchise is required for any person owning or controlling a facility that operates a transfer station; and

WHEREAS, GSS Transfer, LLC (“GSS Transfer”) operates a transfer station and holds Metro Solid Waste Facility Franchise Number F-019-16B, which sets an annual tonnage authorization for the franchisee; and

WHEREAS, Metro Council adopted a transfer system configuration policy via Resolution No. 16-4716 that directed Metro staff to establish a predictable and transparent framework for tonnage allocations; and

WHEREAS, Metro Council adopted Resolution No. 18-1426 to establish a framework for allocating the region’s putrescible waste tonnage to privately-owned transfer stations beginning in 2020; and

WHEREAS, Metro Code Section 5.01.230(a)(3) states that a franchisee is required to submit an application to Metro when seeking to modify conditions of its franchise; and

WHEREAS, on November 28, 2018, GSS Transfer applied for a change of authorization to its franchise seeking to increase its tonnage allocation; and

WHEREAS, GSS Transfer does not propose to alter any other activities that already occur at its transfer station site; and

WHEREAS, the Chief Operating Officer recommends amending the franchise to increase the tonnage authorization up to 49,000 tons of putrescible waste for calendar year 2019; and

WHEREAS, beginning in 2020, Metro will allocate the region’s putrescible waste tonnage to privately-owned transfer stations in accordance with Metro’s tonnage allocation methodology;

WHEREAS, beginning in 2020, Metro will require at least 40 percent of the region’s putrescible waste tonnage to flow to publicly-owned transfer stations; and

WHEREAS, the Metro Council finds that the terms, conditions, and limitations contained in Exhibit A to this Ordinance are appropriate; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The increased tonnage allocation for GSS Transfer is approved subject to the terms, conditions, and limitations contained in Exhibit A.

2. The Chief Operating Officer is authorized to issue to GSS Transfer an amended solid waste facility franchise substantially similar to the one attached as Exhibit A.

ADOPTED by the Metro Council this ____ day of April 2019.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Sara Farrokhzadian, Recording Secretary

Nathan A. S. Sykes, Metro Attorney