

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF TRANSFERRING A) RESOLUTION NO. 00-2957
SOLID WASTE FACILITY FRANCHISE ISSUED)
TO WILLAMETTE RESOURCES, INC. TO) Introduced by Mike Burton,
WILLAMETTE RESOURCES, INC. AS A) Executive Officer
WHOLLY OWNED SUBSIDIARY OF ALLIED)
WASTE INDUSTRIES, INC.)

WHEREAS, Section 5.01.030 of the Metro Code requires a Metro franchise for any person to own and operate a solid waste processing facility, transfer station, or resource recovery facility; and

WHEREAS, Willamette Resources, Inc. was granted a franchise by the Metro Council on December 31, 1998; and

WHEREAS, Willamette Resources, Inc.'s parent company, Waste Control Systems, Inc. has been acquired by Allied Waste Industries, Inc.; and

WHEREAS, Section 5.01.090 of the Metro Code allows for the transfer of a franchise if an application has been filed in accordance with Section 5.01.060; and

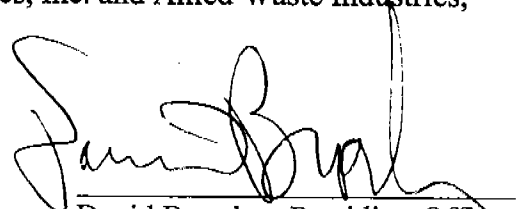
WHEREAS, Willamette Resources, Inc. has filed an application in accordance with section 5.01.060; and

WHEREAS, the applicant has met all the requirements set forth in Section 5.01.060; and

WHEREAS, section 5.01.090 specifies that the Council shall not unreasonably deny an application for transfer of a franchise; now therefore,


THE METRO COUNCIL RESOLVES AS FOLLOWS:

The Willamette Resources, Inc., Solid Waste Facility Franchise shall be transferred from Willamette Resources, Inc. to Willamette Resources, Inc. and Allied Waste Industries, Inc.



David Bragdon, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel

s:\share\krat\administ\sw_franch\ordin\writmsfr.doc
SK:bjl

EXECUTIVE SUMMARY
RESOLUTION 00-2957
TRANSFERRING A SOLID WASTE FACILITY FRANCHISE FROM
WRI TO WRI AND ITS NEW PARENT COMPANY, ALLIED WASTE INDUSTRIES

PROPOSED ACTION

- Transfer an existing direct-haul franchise from WRI alone to WRI as a subsidiary of its new parent company, Allied Waste Systems, Inc.
- The new franchise will replicate the authority granted by the existing franchise to process, perform materials recovery, and reload putrescible waste for direct-haul to the Columbia Ridge Landfill.

WHY NECESSARY

- Metro Code Section 5.01.090(c) requires that a new franchise application be submitted and approved in order for a franchise to be transferred. WRI submitted a completed Transfer of Ownership or Control form to Metro on May 4, 2000.
- Code requires the Metro Council to act on the application within 120 days after filing. Code further specifies that the Council shall not unreasonably deny an application for the transfer of a franchise.

DESCRIPTION

- The facility conducts materials recovery from dry commercial solid waste. The residual from recovery operations, along with municipal solid waste unsuitable for sorting, is reloaded into transfer trailers for direct-haul to the Columbia Ridge Landfill.

ISSUES/CONCERNS

- None.

BUDGET/FINANCIAL IMPACTS

- Since the existing franchise would be transferred without a change in authorizations, it is not expected to have a financial impact on Metro.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 00-2957, FOR THE PURPOSE OF TRANSFERRING A SOLID WASTE FACILITY FRANCHISE ISSUED TO WILLAMETTE RESOURCES, INC. TO WILLAMETTE RESOURCES, INC. AS A WHOLLY OWNED SUBSIDIARY OF ALLIED WASTE INDUSTRIES, INC.

Date June 7, 2000

Presented by: Terry Petersen

BRIEF DESCRIPTION OF RESOLUTION

Approval of Resolution 00-2957 will authorize the Executive Officer to transfer a franchise.

EXISTING LAW

Metro Code Section 5.01.045(c)(4) requires a Metro franchise for any person to own and operate a facility that delivers putrescible waste directly from the facility to Metro's contract operator for disposal. Metro Code Section 5.01.090(c) requires that a new franchise application, in accordance with Section 5.01.060, be submitted and approved in order for a franchise to be transferred. WRI submitted a completed Transfer of Ownership or Control form to Metro on May 4, 2000. Because no changes are being made beyond a change in ownership, the information presently on file is still valid and WRI was not required to re-submit a new Standard Application form. Metro Code Section 5.01.090 further specifies that the Council shall not unreasonably deny an application for the transfer of a franchise. If the Council does not act on such an application within 120 days, after the filing of a complete application, the application shall be deemed granted.

BACKGROUND

Since December, 1998, the applicant has been authorized by Metro franchise No. F-005-98 to process putrescible waste, perform materials recovery, and haul waste directly to Metro's contract disposal operator. WRI is a subsidiary of Waste Control Systems. On January 18, 2000, Allied Waste Industries, Inc. purchased 100 percent of the stock of Waste Control Systems, Inc.

BUDGET IMPACT

None

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 00-2957.