

ORDINANCE NO. 20

An ordinance approving an agreement between the Metropolitan Service District (MSD) and Columbia Region Association of Governments (CRAG) for MSD to contract for special services from CRAG to accomplish MSD programs; authorizing the Chairman to sign the Agreement after review by legal counsel; and declaring an emergency.

PUBLIC HEARING

September 13, 1974 Emergency Ordinance

ADOPTED ON SEPTEMBER 13, 1974

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APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-202

DATE 9-13-74

BY John M. Wood  
CLERK OF THE BOARD

ORDINANCE NO. 20

THE METROPOLITAN SERVICE DISTRICT ORDAINS:


SECTION 1. The Board approves the Agreement between the Metropolitan Service District and the Columbia Region Association of Governments. A copy of this Agreement is attached hereto and made a part of this Ordinance.

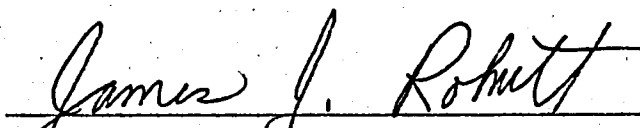
SECTION 2. The Board authorizes the Chairman to sign after review by Legal Counsel the attached Agreement.

SECTION 3. The Board directs the Chairman to carry the approved Agreement to the CRAG Executive Board for approval at their next regular or special meeting.

SECTION 4. Immediate passage of this Ordinance being necessary for the orderly continuance of the Solid Waste Management Program, an emergency is declared to exist, and this Ordinance takes effect upon passage.

Dated: 9/12/74

  
Robert Schumacher, Chairman  
MSD Board of Directors

  
James Robnett, Vice Chairman  
MSD Board of Directors

AGREEMENT FOR SERVICES  
BETWEEN  
THE METROPOLITAN SERVICE DISTRICT  
THE COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

Effective November 4, 1974

WHEREAS, the Metropolitan Service District (MSD) has in the past purchased services from the Columbia Region Association of Governments (CRAG) and desire to continue purchasing such services for a limited time in the future; and

WHEREAS, the MSD is an independent municipal corporation organized by a vote of the people of the Portland metropolitan area pursuant to ORS Ch. 268; and

WHEREAS, it is the intent of the MSD to become self-sufficient in the types of services it has purchased from CRAG in the past; and

WHEREAS, CRAG is willing to continue providing such services for a limited time in the future and desire to aid MSD to become self-sufficient;


NOW THEREFORE BE IT RESOLVED, that MSD and CRAG agree that:

1. MSD shall continue to purchase and CRAG shall supply the following items and services at the prices listed;
  - a. Postage - at cost to CRAG;
  - b. Duplicating services - at cost to CRAG;
  - c. Transportation - 15 cents per mile by automobile, otherwise at cost to CRAG;
  - d. Employee fringe benefit package for MSD employees - at cost to CRAG;
  - e. Payroll accounting - at cost to CRAG;
  - f. General accounting - at cost to CRAG;


2. Pursuant to 1(f) above, CRAG shall maintain separate books of accounts for MSD of a form and content that shall satisfy the needs and requirements of MSD, CRAG, the State of Oregon, and the Multnomah County Tax Supervising and Conservation Commission. MSD funds shall be kept separate from and not co-mingled with CRAG funds. All checks written on the MSD account must be signed by both the Executive Director of CRAG or his designated representative. The accounting department of CRAG shall prepare a monthly status report on the MSD budget and cash flow, which shall be forwarded to the Executive Director of CRAG and the Program Manager of the MSD. MSD shall reimburse CRAG monthly for costs incurred which were not paid from the MSD account.
3. For accounting services provided under 1(d), 1(e), and 1(f) and 2 above, CRAG may include in its statement of actual costs to the MSD an amount reasonably calculated to cover administrative overhead.
4. During the term of this agreement, the MSD will review the possibility of establishing its own payroll accounting and general accounting systems. MSD may during the term of this agreement establish its own payroll accounting and general accounting systems and terminate the rights and obligations of both parties to this agreement under 1(e), 1(f), and 2 above by giving at least 15 days notice to CRAG of its intention to do so.
5. CRAG shall purchase supplies and equipment for use by the MSD upon concurrence of the MSD Program Manager or his designated representative.
6. In the event any dispute arises under this agreement that cannot be resolved to the satisfaction of CRAG or the MSD, the Executive Director of CRAG and the Program Manager of the MSD shall each appoint one person to serve

- as an arbitrator of the dispute. The two persons so chosen shall choose a third arbitrator. The three arbitrators so chosen shall meet and by vote of at least two arbitrators make recommendations to the parties, which recommendations shall be binding on the parties.
7. The employee fringe benefit package referred to in 1(d) above shall contain all those fringe benefits of the same kind and extent received by CRAG employees, to the extent such benefits legally can be made available to MSD employees. Upon termination of provision by CRAG to any MSD employee of that employee's fringe benefit package, whether under this agreement or after termination of the employee's employment or otherwise, Connecticut General shall pay that employee the same termination benefits he would have received as if he had terminated his employment with CRAG. For purposes of this agreement, an MSD employee is considered to have earned rights to CRAG termination benefits from the date of his employment with CRAG or the MSD, whichever occurs first.
  8. This agreement shall continue in force and effect until June 30, 1975, and shall continue in force and effect thereafter until terminated by either party giving notice to the other party at least 30 days prior to such determination.

Adopted by the Board of Directors of the Metropolitan Service District on this 25 day of October, 1974.

  
Robert Schumacher, Chairman

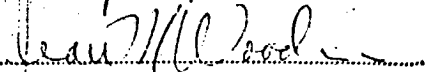
Adopted by the Board of Directors of the Columbia Region Association of Governments on this 24 day of October, 1974.

  
Larry Rice, Executive Director

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-234

DATE 10/25/74

BY   
CLERK OF THE BOARD