



AGENDA -- REGULAR COUNCIL MEETING

Date: December 22, 1981
Day: Tuesday
Time: 7:30 PM
Place: Council Chamber

CALL TO ORDER

ROLL CALL

1. Introductions.
2. Written Communications.
3. Citizen Communications to Council on Non-Agenda Items.
4. Consent Agenda (Items 4.1 thru 4.6)
 - 4.1 A-95 Review
 - 4.2 Minutes of Meetings of November 24 and December 3, 1981.

Services Committee Recommendations:

- 4.3 Resolution No. 81-291, For the Purpose of Establishing the Solid Waste Rate Review Committee Bylaws.
- 4.4 Confirmation of Solid Waste Rate Review Member Appointment.

Coordinating Committee Recommendations:

- 4.5 Resolution No. 81-290, For the Purpose of Adopting a Pay Plan and Classifications for Zoo Seasonal Visitor Services Workers.
- 4.6 Resolution No. 81-292, A Resolution Relating to Retirement and Adopting a Defined Contribution Pension Plan.
5. Ordinances:
 - 5.1 Public Hearing on Ordinance No. 81-123, An Ordinance Relating to Personnel and Establishing Personnel Rules Relating to Zoo Visitor Services Employees and Outside Work. (First Reading) (7:35)*

5. Ordinances (cont'd):

- 5.2 Public Hearing on Ordinance No. 81-124, An Ordinance Relating to Rulemaking and Declaratory Rulings; Amending Ordinance No. 81-105; and Repealing Metro Code Chapters 5.01 and 5.03. (First Reading) (7:45)*
- 5.3 Public Hearing on Ordinance No. 81-125, An Ordinance Relating to Public Contract Review; and Repealing Metro Code Chapters 5.05 and 5.06; and Amending Metro Code Chapter 2.04. (First Reading) (7:55)*
- 5.4 Ordinance No. 81-122, For the Purpose of Establishing a New Rate for St. John's Landfill and Amending Code Section 4.06.010 and Ordinance No. 81-106. (Second Reading) (8:05)*

6. Other Items Requiring Council Action:

Services Committee Recommendations:

- 6.1 Confirmation of Recycling Support Fund Recommendations. (8:20)*
- 6.2 Approval of Metro Operations Contract with Portland Recycling Team. (8:35)*

Coordinating Committee Recommendation:

- 6.3 Approval of Two (2) Sole Source Contracts for Resource Recovery. (8:50)*

7. Reports:

- 7.1 Executive Officer's Report. (9:00)*
- 7.2 Committee Reports. (9:15)*

ADJOURN (9:30)*

*Times listed are approximate.



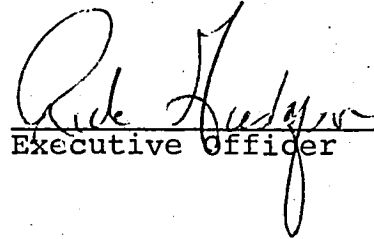
METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

A G E N D A -- REGULAR COUNCIL MEETING

Date: December 22, 1981
Day: Tuesday
Time: 7:30 PM
Place: Council Chamber

C O N S E N T A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet with the Consent List Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.


Executive Officer

- 4.1 A-95 Review
- 4.2 Minutes of Meetings of November 24 and December 3, 1981
- 4.3 Resolution No. 81-291, For the Purpose of Establishing the Solid Waste Rate Review Committee Bylaws.
- 4.4 Confirmation of Solid Waste Rate Review Committee Member Appointment.
- 4.5 Resolution No. 81-290, For the Purpose of Adopting a Pay Plan and Classifications for Zoo Seasonal Visitor Services Workers.
- 4.6 Resolution No. 81-292, A Resolution Relating to Retirement and Adopting a Defined Contribution Pension Plan.



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 22, 1981
To: Metro Council
From: Executive Officer
Regarding: A-95 Review Report

The following is a summary of staff responses regarding grants not directly related to Metro programs.

1. Project Title: Willamette Building (#8110-4)
Applicant: Portland Development Commission
Project Summary: A low cost loan (3 percent for 10 years) will be used to renovate the historic Willamette Building in Portland's Yamhill District.
Federal Funds Requested: \$300,000, Department of Housing and Urban Development
Staff Response: Favorable Action
2. Project Title: Indian Health Program (#8110-5)
Applicant: Urban Indian Council, Inc.
Project Summary: Funds will be used to provide comprehensive health care to the metropolitan area's Indian population and other users. Services include primary care, dental care, mental health care and a supplemental nutritional program.
Federal Funds Requested: \$302,694, Department of Health and Human Services
Staff Response: Favorable Action
3. Project Title: Garcia Health Center (#8111-1)
Applicant: Virginia Garcia Memorial Health Center
Project Summary: Funds will be used for a migrant health center which provides primary medical and health care services to migrant and seasonal farm workers in Washington County and surrounding areas.
Federal Funds Requested: \$275,000, Department of Health and Human Services
Staff Response: Favorable Action
4. Project Title: Fire Fighting Forces (#8111-2)
Applicant: Oregon State Department of Forestry
Project Summary: Funds will be used to organize, train and equip local fire fighting forces to prevent, control and suppress forest fires.
Federal Funds Requested: \$45,400, US Forest Service
Staff Response: Favorable Action

5. Project Title: Forestry Incentives (#8111-3)
Applicant: Oregon State Department of Forestry
Project Summary: Funds will be used to provide technical assistance to land owners to increase timber production.
Federal Funds Requested: \$36,800, US Forest Service
Staff Response: Favorable Action

6. Project Title: Agriculture Conservation (#8111-4)
Applicant: Oregon State Department of Forestry
Project Summary: Funds will be used for a technical assistance program for farmers and woodland owners. The program will be directed toward the solution of critical soil, water, energy, woodland and pollution abatement problems on farms and ranches.
Federal Funds Requested: \$96,000, US Forest Service
Staff Response: Favorable Action

MCH/srb
4785B/D2

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT
NOVEMBER 24, 1981

Councilors in Attendance

Presiding Officer Jack Deines
Vice Presiding Officer Betty Schedeen
Coun. Cindy Banzer
Coun. Craig Berkman
Coun. Ernie Bonner
Coun. Mike Burton
Coun. Bruce Etlinger
Coun. Marge Kafoury
Coun. Corky Kirkpatrick
Coun. Bob Oleson
Coun. Jane Rhodes
Coun. Charles Williamson

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Andy Cotugno
Philip Fell
Richard Hertzberg
Jill Hinckley
Mike Holstun
Warren Iliff
John LaRiviere
Sonnie Russill
Caryl Waters

The meeting was called to order by Presiding Officer Deines.

There were no introductions, written or citizen communications to Council.

4. Consent Agenda.

The consent agenda consisted of the following:

- 4.1 Minutes of Meetings - October 22 and November 5, 1981.
- 4.2 Resolution No. 81-287, For the Purpose of Recommending a Continuance of the City of Hillsboro's Request for Acknowledgement of Compliance with LCDC Goals.
- 4.3 Resolution No. 81-288, For the Purpose of Commenting on the Transportation Improvement Program and on the Determination of Air Quality Consistency for the Urban Areas of Clark County.
- 4.4 Approval of Contract for Design of Penguinarium Remodel.

Motion that the consent agenda be approved; carried unanimously.
(Kirkpatrick/Schedeen)

5.1 Public Hearing on Ordinance No. 81-121, For the Purpose of Amending the Regional Waste Treatment Management Plan and Submitting the Plan for Recertification.

John LaRiviere reviewed his recommendation with the Council.

Motion to adopt Ordinance No. 81-121. (Schedeen/Kafoury)

There was no one present who wished to speak during the public hearing.

Chairman Deines asked what impact the population projections had made.

John LaRiviere stated there was an overall increase of about five percent.

6.1 Executive Officer's Report.

Executive Officer Gustafson reported that there would be a special legislative session beginning on January 11, 1982.

6.2 Committee Reports.

Coun. Banzer reported there would be a special Services Committee meeting on December 1 to discuss an increase in the St. John's rates and the Solid Waste Full Implementation Program.

Coun. Bonner reminded all Councilors of the special joint meeting of the Development Committee and JPACT to review the first draft of the Regional Transportation Plan, December 2.

Coun. Burton stated there would be a special Coordinating Committee on December 2, just prior to the Development/JPACT meeting. He also stated that the Bi-State Task Force would meet on December 3, from 1:30 to 4:30.

Coun. Kirkpatrick reported that the Energy Task Force had been unsuccessful in obtaining additional grants, but would be working with the OSU Extension Division on joint programs.

Coun. Kafoury reported that the Futures Committee and at the most recent City Club meeting, Robert Theobald had mentioned considering sponsoring a seminar and asked for response from those interested. Approximately 100 people indicated interest in such a program.

Coun. Kirkpatrick stated that Neil Pierce, speaking at the League of Oregon Cities Convention, recognized Metro for its efficiency in government.

The meeting adjourned at 8:05 PM.

Respectfully submitted,



Sue Haynes, Clerk of the Council

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT
DECEMBER 3, 1981

Councilors in Attendance:

Presiding Officer Jack Deines
Coun. Cindy Banzer
Coun. Craig Berkman
Coun. Ernie Bonner
Coun. Mike Burton
Coun. Bruce Etlinger
Coun. Bob Oleson
Coun. Jane Rhodes
Coun. Charles Williamson

Councilors Absent:

Vice Presiding Officer Betty Schedeen
Coun. Marge Kafoury
Coun. Corky Kirkpatrick

In Attendance:

Executive Officer Rick Gustafson

Staff in Attendance:

Tim Cauller
Doug Drennen
Andy Jordan
Dan LaGrande
Sonnie Russill
Caryl Waters
Norm Wietting

Visitors in Attendance:

Beth Blunt, League of Women Voters
Don Carlson
Darlene Carlson

The meeting was called to order by Chairman Deines.

There were no introductions, written or citizen communications to the Council.

4. Consent Agenda.

The consent agenda for this meeting consisted of the following:

4.1 Resolution No. 81-289, For the Purpose of Confirming the Appointment of the Deputy Executive Officer.

Motion that the Consent Agenda be approved; carried unanimously. (Rhodes/Berkman)

5.1 Public Hearing on Ordinance No. 81-122, For the Purpose of Establishing a New Rate for St. John's Landfill and Amending Code Section 4.06.010 and Ordinance No. 81-106. (1st Reading)

Motion that the ordinance be adopted. (Rhodes/Williamson)

Norm Wietting stated that in October, 1980, Metro entered into a contract with Genstar for the operation of the St. John's Landfill. The contract contains an escalation clause which stated the rates must be reviewed each October and adjusted according to the consumer price index. Mr. Wietting further explained the rate study from which the new rates were developed.

Coun. Burton suggested that since the rates must be adjusted again in October 1982, and in January, 1983, (when the transfer station becomes operational), perhaps the Council should consider adjusting to a higher rate now and eliminating one of the other increases in the next 12 months.

Coun. Berkman expressed his concern that sufficient contingency be built in to the rates.

Executive Officer Gustafson stated that a monthly profit and loss statement is prepared on landfills and if there are several months which show a loss, the staff would recommend that the Council increase the rates.

Coun. Williamson stated that Council should consider increasing the rates higher now so that the next increase, which is expected to be substantial, would be a little easier to accept.

General discussion.

There was no one present who wished to speak during the public hearing.

Further discussion of the increase in rates will occur at the

December 8th Services Committee meeting.

5.2 Ordinance No. 81-121, For the Purpose of Amending the Regional Waste Treatment Management Plan and Submitting the Plan for Recertification.

A vote on the previous motion (Schedeen/Kafoury) indicated that the adoption of the ordinance carried unanimously.

6.1 Executive Officer's Report.

Executive Officer Gustafson introduced Don Carlson, newly appointed Deputy Executive Officer.

Mr. Gustafson reported:

1. The Solid Waste staff had assisted the Lions' Club in finding a warehouse to store recycled telephone books until there is again a market for them.
2. The Council Retreat will be at the Aero Club on December 12. After discussion with the Council, it was determined that the Retreat would be from 9:00 AM until 3:00 PM, with an executive session at 1:00 PM to discuss the negotiations with Wheelabrator Frye for the Energy Recovery Facility.
3. He spent the day in Salem on 12/3 speaking with Legislators Myers and Heard regarding the environment and energy hearing on December 17 and they have agreed to entertain legislation to change the criteria for biomass plants from 25 MW to 80 MW.

6.2 Committee Reports.

Coun. Bonner reported that he has scheduled a meeting between the Development Committee and members of the Washington County Commission and Planning Commission on December 16, at 4:30 PM.

Coun. Banzer stated that the Services Committee reviewed the Solid Waste Full Implementation Program on Tuesday night.

Coun. Burton stated that Budget season is upon us and some budget items will be discussed at the Coordinating Committee meeting on the 14th. Coun. Burton also reported that the first meeting of the Bi-State Policy Advisory Committee had taken place and another is scheduled for January to prioritize items.

Coun. Oleson stated that the regional jail facility committee would meet on the 10th and they are now at the stage to decide upon a site.

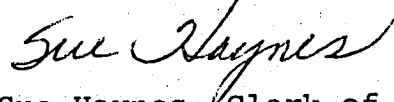
Coun. Etlinger stated that a meeting would be held on December 8 at the State Library to inform interested parties how to establish a special district. Coun. Burton stated that someone should advise those parties that a special district is not the best way to handle the situation.

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12/3/81

Coun. Williamson stated that some decisions would have to be made by JPACT on future funding options.

The meeting adjourned at 8:30 PM.

Respectfully submitted,



Sue Haynes, Clerk of the Council

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *WIG*
SUBJECT: Establishing the Solid Waste Rate Review Committee By-Laws

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the attached Resolution establishing the Solid Waste Rate Review Committee By-Laws.
- B. POLICY IMPACT: Adoption of this Resolution will establish the By-Laws of the Solid Waste Rate Review Committee which formalizes the operating procedures of the Committee.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: Subsection 18(1) of the Disposal Franchise Ordinance requires the Council to appoint a rate review committee to recommend solid waste disposal rates to the Council and the Executive Officer. The By-Laws outline the basic operating procedures of the committee such as meeting frequency, voting privileges, officers and their duties, etc.
- B. ALTERNATIVES CONSIDERED: An initial draft of the Solid Waste Rate Review Committee By-Laws was provided to all Councilors prior to the appointment of the Committee, for comment. The draft was also reviewed by the Rate Review Committee. The comments of responding Councilors and the Rate Review Committee have been incorporated into the attached By-Laws.
- C. CONCLUSION: Adopt the attached Resolution which establishes the By-Laws of the Solid Waste Rate Review Committee.

TA/srb
4670B/283
12/09/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO. 81-291
THE SOLID WASTE RATE REVIEW)
COMMITTEE BY-LAWS) Introduced by the Regional
Services Committee

WHEREAS, Metro has adopted Ordinance No. 81-111
establishing a solid waste disposal franchise system; and

WHEREAS, Subsection 18(1) of Ordinance No. 81-111 requires
the Council to appoint a rate review committee to recommend waste
disposal rates to the Council and Executive Officer; and

WHEREAS, By-laws are necessary to govern the operating
procedures of advisory committees to the Council; now, therefore,

BE IT RESOLVED,

That the Council establishes the attached By-laws to govern
the operating procedures of the Solid Waste Rate Review Committee.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

TA/srb
4670B/283
12/09/81

BY-LAWS
OF THE
SOLID WASTE RATE REVIEW COMMITTEE

Article I Name

This Committee, established by the Metropolitan Service District (Metro) Council, shall be known as the "Solid Waste Rate Review Committee." The Committee is established pursuant to Metro Ordinance No. 81-111.

Article II Purposes

- A. To gather and analyze information necessary to recommend rates to be charged by solid waste facilities franchised by Metro.
- B. To recommend to the Executive Officer and to the Council rates which are just, fair, reasonable and sufficient to provide proper service to the public.
- C. To recommend to the Executive Officer and to the Council any modification of the District's rate setting methodology which would improve the rate setting process in order to assure that rates are equitably determined.

Article III Rate Criteria

- A. In recommending rates, the Committee shall give due consideration to the following:
 - Operating and non-operating revenues.
 - Direct and indirect operating and non-operating expenses including franchise fees.
 - Nonfranchise profits.
 - Reasonable return on investment exclusive of any capital investment in the franchise or any sum paid for the value of the franchise or any other intangible value.
 - Any other factor deemed relevant by the Council.
- B. The Committee may recommend uniform rates for some or all solid waste facilities or may recommend different rates based upon the factors specified in this section.

Article IV Membership of the Committee

A. Membership shall include:

- One Certified Public Accountant with expertise in cost accounting and program auditing.
- One Certified Public Accountant with expertise in the solid waste industry or public utility regulation.
- One local government administrator with expertise in governmental financing, agency budgeting and/or rate regulation.
- Two members of the public.

When selecting public members, preference shall be given to persons with knowledge of economics, public utility regulation and solid waste disposal.

- B. No representative or affiliate of the solid waste industry and no employee of the District shall serve on the Rate Review Committee.

Article V Appointment and Tenure

- A. The members of the Rate Review Committee shall be recommended by the Executive Officer and shall be appointed by the Metro Council.
- B. Upon initial appointment one of the public accountants, the local government administrator and one public member shall serve two-year terms. The other public member and public accountant shall serve one-year terms. Thereafter all members shall serve two-year terms.
- C. Absence unexcused by the Committee Chairperson from three consecutively scheduled meetings shall constitute removal of the member from the Committee.

Article VI Voting Privileges

Each member of the Committee shall be entitled to one vote. The member must be present when the vote is taken.

Article VII Meetings

- A. The Director of Solid Waste Department shall call the Solid Waste Rate Review Committee into session upon a rate adjustment request from a franchisee pursuant to Subsection 19(5)(b) of the Disposal Franchise Ordinance, or upon request of the Council, Executive Officer or the Committee Chairperson.

- B. When the Committee is called into session it shall meet every two weeks, or establish an alternate schedule as determined by the Committee until such time as the Committee's recommendations on proposed rates are finalized and forwarded to the Executive Officer and to the Council. Meetings shall be held at Metro. The time of the meeting shall be scheduled to best accommodate the individual schedules of each Committee member.
- C. A majority of members constitute a quorum. The act of a majority of the members present at each meeting shall be the act of the Committee on all matters except on the final rate recommendation. The final rate recommendation must be approved by a majority of the total membership.
- D. All meetings shall be conducted in accordance with Roberts Rules of Order, Newly Revised unless otherwise provided herein.
- E. The Committee may establish other rules of procedure as deemed necessary for the conduct of business.

Article VIII Officers and Duties

The officers of the Committee shall be a Chairperson and Vice Chairperson and shall be elected by the members of the Committee.

The Chairperson shall preside at all meetings he/she attends and shall be responsible for the expeditious conduct of the Committee's business. The Vice Chairperson shall perform all duties of the Chairperson in his/her absence.

Article IX Administrative Support

Metro shall supply staff as necessary to record actions of the Committee and to handle Committee correspondence and public information concerning meeting times and places.

Article X Reporting Procedures

The Committee shall make its reports, findings and recommendations to the Executive Officer and Metro Council through its Chairperson.

Article XI Amendments

These By-laws may be amended or repealed only by the Metro Council.

TA/srb
3748B/238

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *all*
SUBJECT: Solid Waste Rate Review Committee Member Appointment

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Confirm the candidate recommended by the Regional Services Committee to fill the vacant Certified Public Accountant position of the Solid Waste Rate Review Committee.
- B. POLICY IMPACT: Confirmation of the fifth member of the Solid Waste Rate Review Committee fills the final position on the Committee. Establishment of the Committee is required by Subsection 18 (1) of the Disposal Franchise Ordinance.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: On October 22, 1981, the Council confirmed all five Solid Waste Rate Review Committee members. Ruth Handlin, however, declined her appointment to one of the Certified Public Account positions to avoid a potential conflict of interest created by the fact that she recently obtained a position with Metro's auditing firm, Coopers and Lybrand.

The Regional Services Committee recommends the appointment of Robert M. Wynhausen to the vacant Certified Public Accountant position. Mr. Wynhausen is a Certified Public Accountant with Suran and Company, a Portland area accounting firm. Mr. Wynhausen has expertise in cost accounting, auditing and tax preparation. He would bring a high level of skill and practical knowlege to the Committee.

- B. ALTERNATIVES CONSIDERED: Alternative candidates for the vacant Certified Public Accountant position were unable to serve on the Committee at this time.
- C. CONCLUSION: The Regional Services Committee recommends confirmation of Robert Wynhausen to the vacant Certified Public Accountant position of the Solid Waste Rate Review Committee.

TA/le
4532B/283
12/10/81

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *ELG*
SUBJECT: Adopting a Pay Plan and Classifications for Zoo Seasonal Visitor Services Workers

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of Resolution providing for adoption of the Pay Plan and Classifications for non-union Zoo Visitor Services seasonal workers formerly covered by a Collective Bargaining Agreement with Service Workers International Union, Local 49.
- B. POLICY IMPACT: Pay Plan adjustments and classifications require Council approval. The proposal provides for adoption of the attached Pay Plan and Classifications for Zoo Visitor Services seasonal workers as of January 1, 1982.

The consequence of going from a labor contract to the Personnel Rules allow pay increases to be based on merit rather than seniority.

- C. BUDGET IMPACT: Funds to cover the package increase are within the Zoo budget. It is anticipated that during the mid-year budget adjustment a request for transfer of approximately \$25,000 from Zoo Contingency will be made to cover this package.

II. ANALYSIS:

- A. BACKGROUND: The seasonal Visitor Services workers were formerly covered by a labor contract which included six classifications and six rates of pay. Employees decertified from the Union. Timing of the decertification did not allow preparation of a salary schedule and Classification Plan for consideration at the September 24, 1981, Council meeting when the other cost of living adjustments were adopted. A Pay and Classification Plan has been developed which reduces the number of classifications from six to three and provides for a seven-step Pay Plan. The Pay and Classification Plan provides flexibility for management to appoint at classifications and rates of pay consistent with the skill level of the applicants. It also provides equitable pay rates for long time seasonal employees who have returned every year for the past 15 to 20 years. The new pay schedule reflects a pay increase of eight percent consistent with the cost of living adjustment awarded to other Metro employees and is considered adequate enough to

allow for the elimination of a 3¢ per hour laundry allowance previously paid under the labor contract.

- B. ALTERNATIVES CONSIDERED: Other salary adjustments were considered, but the attached Pay Plan is consistent with FY 82 wages in other comparable institutions.
- C. CONCLUSION: Approval of the attached Resolution.

SW/srb/4537B/283
12/03/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A) RESOLUTION NO. 81-290
PAY PLAN AND CLASSIFICATIONS)
FOR ZOO SEASONAL VISITOR) Introduced by the Council
SERVICES WORKERS) Coordinating Committee

WHEREAS, Ordinance No. 81-116 (Personnel Rules) of the District requires the maintenance of a Compensation and Classification Plan for non-union Metro Regular, Temporary and Seasonal employees; and

WHEREAS, The Seasonal Visitor Services employees pay rates and classifications have not been included in the Metro Pay and Classification Plans; now, therefore

BE IT RESOLVED,

1. That the Council approves addition of the attached amendment to the Metro Pay Plan and Classification Plan effective January 1, 1982, for all seasonal Zoo Visitor Services employees formerly covered by a Collective Bargaining Agreement with the S.E.I.U., Local 49.

2. That the Executive Officer is authorized to take all steps necessary and appropriate to carry out the purposes of this Resolution. Funds to cover the costs of the provisions of this Resolution will be transferred from Contingency to Personal Services within the Zoo fund during the mid-year budget adjustment.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

SEASONAL VISITOR SERVICES WORKERS

<u>Code</u>	<u>Classification</u>	<u>Salary Range</u>	<u>Beg. Rate</u>	<u>After 12 Mo. 480 hrs</u>	<u>After 24 Mo. 480 hrs</u>	<u>After 36 Mo. 480 hrs</u>	<u>After 48 Mo. 480 hrs</u>	<u>After 60 Mo. 480 hrs</u>	<u>After 72 Mo. 480 hrs</u>
001	V.S. Workers 1	49	3.45	3.80	4.15	4.50	4.85	5.20	5.55
002	V.S. Workers 2	49	3.80	4.15	4.50	4.85	5.20	5.55	5.90
003	V.S. Workers 3	49	4.15	4.50	4.85	5.20	5.55	5.90	6.25

7158A/96

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *RU*
SUBJECT: Retirement and Adopting a Defined Contribution Pension Plan

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of Resolution adopting a previously approved six percent employer-paid pension plan for all Metro employees (except employees in PERS) in lieu of a six percent cost of living salary adjustment.
- B. POLICY IMPACT: Retirement benefits, plans and designation of an Administrator require Council approval. Staff has researched several plans, reviewed over 20 proposals and selected Western Retirement Trust, administered by Employee Benefit Service Corporation. The plan is a qualified plan under IRS Regulations and has guaranteed principal and interest (tied to short-term investments). Approval of the Resolution will allow Metro to implement this negotiated benefit approved by the Council September 24, 1981.
- C. BUDGET IMPACT: Allocation of funds to cover the cost of the six percent Metro Defined Contribution Plan was approved by the Metro Council on September 24, 1981.

II. ANALYSIS:

- A. BACKGROUND: The administration's goals for FY 82 salary increases were: 1) to effect a pension plan "pick up" or increases for all regular employees, both union and non-union, 2) to terminate the old MSD pension plan and bring all regular employees under the newer Metro plan (except PERS employees), and 3) grant a COLA for the difference between the pension benefit increase and eight percent. In order to effect the pension "pick up" a new funding agent was sought for the six percent employer-paid contribution. Criteria was developed for the plan and requests for proposals were distributed by Metro's Broker of Record, Bill Lovejoy of Alexander and Alexander. An evaluation was made of the over 20 plans submitted by insurance companies and pension administrators. A selection was made from the group of plans presented which most fully met the criteria. Criteria included: qualifications by IRS as meeting 401 regulations, guaranteed principal and interest, service which provided frequent and easily understood reports and fast turnaround in processing terminations and retirement claims, modest administrative expenses, ease of administration which would allow Metro to drop the plan or the administrator

without termination penalties. Western Retirement Trust administered through Employee Benefit Service Corporation with investments by the Bank of California met all of Metro's criteria.

- B. ALTERNATIVES CONSIDERED: Over 20 other plans were reviewed and rejected because of costs, lack of guarantees on interest, penalties for early withdrawal, complicated participant statements and distance between the administering agency and Metro which causes undue delays in processing terminations and retirements.
- C. CONCLUSION: Approve the attached Resolution adopting a Defined Contribution Pension Plan and appointing Metro's Executive Officer as Administrator.

AJ/gl
4753B/287
12/04/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

A RESOLUTION RELATING TO)
RETIREMENT AND ADOPTING A)
DEFINED CONTRIBUTION PENSION PLAN)

RESOLUTION NO. 81-292
Submitted by the Council
Coordinating Committee

WHEREAS, The Council has previously approved a new six percent employer-paid pension plan for all Metro employees (except employees in PERS) in lieu of a six percent cost of living salary adjustment; and

WHEREAS, Staff has reviewed several such plans and has recommended a plan consistent with the Council's previous action; now, therefore,

BE IT RESOLVED,

1. That a six percent employer-paid defined contribution plan, as outlined in the attached Plan Description, is hereby adopted and shall be effective as of December 1, 1981.
2. That the Bank of California shall be the trustee of the plan funds.
3. That plan asset reporting shall be provided quarterly by Employee Benefit Service Corporation.
4. That the Metro Executive Officer be and hereby is authorized and directed to execute in the name and on behalf of Metro such agreement or agreements as may be necessary for the initiation and continuity of the plan.
5. That such sums of money as may be necessary according to the said agreement or agreements to provide benefits and to meet

the expenses incurred in the administration of the plan, shall, from time to time, be paid out of Metro funds to the order of Employee Benefit Service Corporation.

6. That the Metro Executive Officer be and hereby is authorized, directed and designated as administrator under said agreement to administer the plan and the funds entrusted to it under said agreement for such plan.

7. That the Executive Officer be and hereby is authorized and directed to execute in the name of and on behalf of Metro any amendments to the adoption agreement attached to the plan, to meet the requirements of Section 401(a) of the Internal Revenue Code of 1954, as amended.

8. That the Executive Officer be and hereby is authorized to approve a master plan document consistent with the Plan Description attached hereto.

AJ/srb
4723B/283
12/04/81

PLAN DESCRIPTION

SIX PERCENT DEFINED CONTRIBUTION PLAN FOR EMPLOYEES OF
THE METROPOLITAN SERVICE DISTRICT (Metro)

EFFECTIVE DATE: December 1, 1981

ELIGIBILITY: All full-time regular employees of Metro are covered on the first day of employment.

EMPLOYER CONTRIBUTION: The employer contribution shall be six percent of compensation.

VOLUNTARY EMPLOYEE
IRA CONTRIBUTION: Each employee shall be allowed to contribute on a voluntary basis to an IRA.

VESTING: Each employee is 100 percent vested at all time in all accounts.

DEATH, TERMINATION,
RETIREMENT: The account balance(s) are payable in the event of death, termination or retirement.

AJ/gl
4723B/283



METRO

METROPOLITAN SERVICE DISTRICT

527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 15, 1981
To: Metro Council
From: Coordinating Committee
Regarding: Ordinance No. 81-123 (Personnel)

The Coordinating Committee proposes the following amendment to Section 3 of Ordinance No. 81-123:

"b. Employees shall report any existing or intended outside work to their department head."

Subsection (b) becomes subsection (c).

This amendment is necessary to insure that department heads are informed of outside work so that they may carry out their responsibility of preventing that work which is inconsistent with the provisions of Section 3 of the Ordinance.

CC:AJ:sh

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *qu*
SUBJECT: Amendment of Personnel Rules

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Committee approval of attached Ordinance No. 81-123
- B. POLICY IMPACT: The requested action will finalize the two unresolved issues remaining when the Personnel Ordinance was adopted October 23, 1981. The issues are:

Seasonal Employment. The Seasonal Employment Program for Visitor Services at the Zoo provides guidelines and a clear policy for managing this program which was formerly covered by a labor contract.

Outside Work. The proposed section provides direction to employees in distinguishing between appropriate and inappropriate outside work.

- C. BUDGET IMPACT: None. The seasonal employment program provides no additional benefits to what had been provided in the labor contract. The outside work policy has no budgetary impact.

II. ANALYSIS:

- A. BACKGROUND: When the Personnel Rules were adopted October 23, 1981, two unresolved issues remained; outside work and the seasonal employment program for Zoo Visitors Service Workers. The Zoo Visitors Service Workers filed a decertification petition with the State Employment Relations Board and the election resulted in a vote for no representation. The timing of this action did not allow time for amendment to the Rules before final reading October 23 to include this group. Since that time rules have been developed for the operation of this program.

The Employees Association met and discussed several alternatives to the outside work language originally proposed. They reached an agreement on the Oregon State Bar Association language which is consistent with the purpose of the language originally proposed.

- B. ALTERNATIVES CONSIDERED: (1) Establishing no new Ordinance. This alternative was rejected because it is clear that the new Ordinance is needed since the areas covered are not addressed elsewhere in the Personnel Rules.
- C. CONCLUSION: Approve the attached Ordinance.

SW/srb
4493B/283
12/04/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO PERSONNEL) ORDINANCE NO. 81-123
AND ESTABLISHING PERSONNEL RULES)
RELATING TO ZOO VISITOR SERVICES)
EMPLOYEES AND OUTSIDE WORK)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Purpose

a. The purpose of this ordinance is to establish personnel rules pertaining to the conditions of employment of seasonal Zoo Visitor Services employees and to non-Metro employment of Metro employees.

b. These rules shall be codified as part of the Personnel Rules adopted by Ordinance No. 81-116.

Section 2. Employment Program for Zoo Visitor Services Employees

a. Definitions:

- 1) Seasonal Visitor Services Employee: Employees who are employed on a seasonal basis in the Visitor Services Department of the Washington Park Zoo, and whose period of employment is limited to a maximum of six (6) months from date of hire unless extended pursuant to this section.
- 2) Permanent Visitor Services Employee: Employees who are employed on a regular or permanent basis in the Visitor Services Department of the Washington Park Zoo.

b. Application of Personnel Rules:

- 1) This section applies to Seasonal Visitor Services employees, and does not apply to Permanent Visitor Services employees.
- 2) Permanent Visitor Services employees shall be subject to the provisions of Metro Personnel Rules (Ordinance No. 81-116) and all other personnel regulations applicable to permanent employees generally.
- 3) Seasonal Visitor Services employees shall be subject to this section and to all other personnel regulations not inconsistent with this section.

c. Recruitment and Appointment:

- 1) Notwithstanding Ordinance No. 81-116, section 8(d), promotional recruitment to fill Seasonal Visitor Services vacancies is not required.
- 2) Recruitment to fill vacancies shall include public posting of such vacancies for at least seven (7) calendar days at the Zoo and at the Metro Personnel Office, and may include any other forms of announcement appropriate to attract qualified applicants and to comply with affirmative action goals.
- 3) An open competitive list shall be established by the Zoo annually as the result of open recruitment and oral interview. Appointments during the season will be made from this list. The duration of the list will be one year, unless it is exhausted before that

time. Recommendation on appointments to fill vacant positions will be made by the Director of the Zoo from the list of qualified candidates. When an emergency exists such that it would not be prudent or practical to use such list, the Zoo may recommend an appointment from another source. The Executive Officer is the appointing authority for all positions.

d. Status of Seasonal Employees: Seasonal employment will terminate at the end of each season or sooner depending upon the needs of the Zoo. No commitments will be made by Metro to retain employees beyond the season or period for which appointment was made. The term of employment in any case may not exceed six (6) months or 1,040 hours without approval of the Executive Officer who may grant up to a six (6) month extension; provided, however, that hours worked shall not exceed 2,080 over a twelve (12) month period. Continuation of employment beyond said period may only occur upon appointment to a regular position authorized under the currently adopted budget or upon reemployment for a subsequent season.

e. Benefits:

- 1) Benefits required by law such as Workers' Compensation and Social Security will be paid for all seasonal employees. No additional benefits will be paid to seasonal employees.
- 2) Section 35 (Holidays) of Ordinance No. 81-116 shall not apply to Seasonal Visitor Services employees, and designated holidays shall be considered as normal workdays.

f. Performance Evaluation: If employment extends beyond six (6) months, a six (6) month personnel evaluation is required. The purpose of such evaluation is to assure that the seasonal status of the employee is being maintained and to evaluate the work performed. An evaluation of performance is required before any merit wage adjustment may be granted.

g. Promotion:

- 1) Eligibility for promotion to Visitor Services Worker 2 and 3 classifications shall be established by the supervisor upon determination that an applicant or employee has acquired or possess the knowledge, skill and ability required for the position and that vacant positions classified as Visitor Services Worker 2 and 3 exist.
- 2) A seasonal employee working forty (40) hours per week employed for three consecutive months will be allowed to compete for regular positions on a preferred basis along with regular employees if they have gone through a competitive process for the seasonal position currently held. If hired into a regular position, time employed in a previous full-time seasonal position may be counted toward the accumulation of vacation and personal holiday time if there has been no break in service.

h. Wage Rates:

- 1) Visitor Services employees will be paid at a rate in the Pay Plan approved by the Council.

- 2) Wages shall be established on the basis of individual qualifications and work assignment. It will be the general practice to appoint new seasonal employees at the beginning step of the Visitor Services Worker 1 salary range. Exceptions approved by the Executive Officer may be made allowing hiring above the beginning step. Quality of work and total hours of previous work experience with the Zoo will be considered in determining the wage rate or step for previous employees reemployed at the Zoo in subsequent seasons.
- 3) Eligibility for an initial wage increase shall be based on completion of 480 hours of satisfactory service in one calendar year at the beginning step, and upon recommendation by the Director, with a performance evaluation submitted to the Personnel Division. Eligibility for additional increases requires completion of 480 hours satisfactory service at the preceeding step in one calendar year and a recommendation of the Department Director with a performance evaluation submitted to the Personnel Division.
- 4) Section 32 of Ordinance No. 81-116 (Salary Administration Guidelines) shall not apply to Seasonal Visitor Services employees.

i. Reporting and Hours of Work:

- 1) Because the number of Seasonal Visitor Services employees needed at a given time depends upon weather conditions, such employees may be relieved from duty prior to the end of a scheduled workday or may be directed to not report for duty on a scheduled workday. The Director of the Zoo shall establish appropriate procedures for regulating reporting during inclement weather.
- 2) Work schedules will be posted, and will be subject to subsection (1) above. No employee will be called to work for less than three (3) hours in one day.

j. Rest and Meal Period:

- 1) A rest period of 15 minutes with pay will be provided during each work period of four hours.
- 2) A non-paid lunch period of one-half hour (30 minutes) shall be provided. Whenever possible, such meal period shall be scheduled in the middle of the shift.

Section 3. Outside Work

a. Employees shall refrain from engaging in any compensated activities or outside employment (moonlighting) which may:

- 1) Interfere with or adversely affect the performance of said employee's job requirements as a Metro employee;
- 2) Subject Metro to adverse criticism; or
- 3) Constitute an apparent or real conflict of interest due to the nature, conditions, competition or some other aspect of the activity.

b. It shall be the responsibility of each department head to ensure that employees in said Department refrain from engaging in any activities which may constitute a potential conflict of interest, detract from the efficiency of the employee or otherwise cause criticism of or embarrassment to Metro.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/srb
4512B/283

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *RLG*
SUBJECT: Repeal of Rules

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of two (2) ordinances repealing public contract rules and rules relating to rulemaking and declaratory rulings.
- B. POLICY IMPACT: None. Ordinances are housekeeping in nature.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: Original Metro legislation applied the State Administrative Procedures Act (APA) to the agency and gave Metro rulemaking and declaratory ruling authority. Recent legislation repealed Metro's rulemaking and declaratory ruling authority and took Metro out from under the APA. Consequently, all of Metro's existing rules are now obsolete and must be repealed or replaced with ordinances.

Since Metro now lacks APA authority, our existing procedural rules governing rulemaking and declaratory rulings should be repealed since they are no longer useful. Our rules governing contract procedures should be preserved, but converted to ordinances.

Metro also has contested case rules which are being revised for adoption as an ordinance at a later date.

- B. ALTERNATIVES CONSIDERED: To retain the old APA rules would be useless and confusing. To retain the contract rules as rules would raise the issue of Metro's authority to enforce rules.
- C. CONCLUSION: Approval of attached ordinances.

AJ:sh

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO)	ORDINANCE NO. 81-124
RULEMAKING AND DECLARATORY)	
RULINGS; AMENDING ORDINANCE)	Submitted by the Council
NO. 81-105; AND REPEALING)	Coordinating Committee
METRO CODE CHAPTERS 5.01 AND 5.03.)	

The Council of the Metropolitan Service District hereby ordains:

Section 1. Metro Code Chapter 5.01 (Rule No. 79-2), relating to rulemaking procedures, is hereby repealed.

Section 2. Metro Code Chapter 5.03 (Rule No. 79-4), relating to declaratory ruling procedures, is hereby repealed.

Section 3. Section 3 (Administrative Interpretation of the Urban Growth Boundary (UGB)) of Ordinance No. 81-105, is hereby amended to read as follows:

"(a) When the UGB map and the legal description of the UGB are found to be inconsistent; the Executive Officer is hereby authorized to determine and interpret whether the map or the legal description correctly establishes the UGB location as adopted and to correct the map or description if necessary. In determining where the adopted UGB is located, the Executive Officer shall review the record to determine legislative intent and shall seek a legal opinion from the District General Counsel. The map location should be preferred over the legal description in absence of clear evidence to the contrary.

"(b) A city, county or special district whose municipal or planning area boundary includes the property, or a property owner who would be included or excluded from the urban area depending on whether the map or legal description controls, may request that the Executive Officer render an interpretation under this section. If the request is submitted in writing, the Executive Officer shall make the requested interpretation within 60 days after the request is submitted.

"(c) Within ten days of rendering the interpretation, the Executive Officer shall provide a written notice and explanation of his decision to each city or county whose municipal or planning area boundaries include the area affected, owners of property in the area affected, and the Council.

"(d) Any party eligible to request an interpretation under subsection (b) may [petition] appeal to the Council [under subsection (e) of this section] for a determination of where the UGB is located if that party disagrees with the Executive Officer's interpretation or if the Executive Officer fails to render an interpretation requested under subsection (b). Such appeal must be filed with the District within 20 days of receipt of the Executive Officer's interpretation or within 80 days after submission of the request for interpretation to the Executive Officer, whichever is later.

"[(e) Petitions for a Council determination of the location of the UGB under this ruling shall be treated as a petition for declaratory ruling. Petitions shall be submitted and decided in accordance with Code chapter 5.03 and not as a petition for locational adjustment under Sections 4 through 16 of this ordinance.]

ADOPTED this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/srb
4631B/283

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO PUBLIC)	ORDINANCE NO. 81-125
CONTRACT REVIEW ; AND REPEALING)	
METRO CODE CHAPTERS 5.05 AND 5.06;)	Submitted by the Council
AND AMENDING METRO CODE)	Coordinating Committee
CHAPTER 2.04)	

The Council of the Metropolitan Service District hereby ordains:

Section 1. Sections 2 and 3 of this Ordinance shall be included in Metro Code Chapter 2.04 (Public Contract Review).

Section 2. Contract Review Board Meetings.

(a) The meetings of the Metropolitan Service District Contract Review Board shall normally, but need not, be conducted at the same time as, and as a part of, the regular meetings of the Metropolitan Service District Council.

(b) The rules of procedure adopted by the Metropolitan Service District Council for its proceedings shall also govern proceedings of the Metropolitan Service District Contract Review Board unless they conflict with rules adopted by the Board.

(c) Subsections (a) and (b) of this Ordinance supersede the rules adopted by the Public Contract Review Board at OAR Chapter 127, Divisions 80 and 90.

Section 3. Exemption of Contracts from Competitive Bidding.

(a) The Metro Contract Review Board finds that the exemption of certain contracts where the amount is less than \$10,000 from competitive bidding requirements may be allowed without encouraging favoritism or substantially diminishing competition for public contracts and that exemption of such contracts from competitive bidding procedures will result in substantial cost savings.

(b) The District may, in its discretion, let contracts for the purchase of goods, materials and supplies without competitive bidding if the District has determined that the awarding of the contract without competitive bidding will result in cost savings and the following conditions are complied with:

- (1) The amount of the contract does not exceed \$10,000; is for a single project; and is not a component of or related to any other project.
- (2) When the amount of the contract does not exceed \$500, the District should, where feasible, obtain competitive quotes.
- (3) When the amount of the contract is more than \$500, but less than \$10,000, the District must obtain a minimum of three (3) competitive quotes. The District shall keep a written record of the source and amount of the quotes received. If three (3) quotes are not available, a lesser number will suffice provided that a written record is made of the effort to obtain the quotes.
- (4) No contractor may be awarded in the aggregate, within the fiscal year, contracts in excess of \$30,000 without competitive bidding. In computing the aggregate under this subsection, awards under \$500 shall not be included.

(c) The District may in its discretion let public contracts, not to exceed \$25,000 for road, highway, or parking lot maintenance without competitive bidding if the District obtains a minimum of

three (3) competitive quotes. The District shall keep a written record of the source and amount of the quotes received. If three (3) quotes are not available, a lesser number will suffice provided a written record of the effort to obtain the quotes is made.

(d) Subsections (b) and (c) above supersede the rule adopted by the Oregon Public Contract Review Board at OAR 127-10-020.

Section 4. CRB Procedure Amended

Metro Code Section 2.04.003 (Ordinance No. 79-76, §3) is hereby amended to read as follows:

"The Metro Contract Review Board may adopt rules relating to the award of District contracts. Such rules shall prevail when in conflict with the rules of the Oregon State Contract Review Board at OAR Chapter 127. Such rules of the Metro Contract Review Board shall be adopted by ordinance.

Section 5. Repealer

Metro Code Section 2.04.004 (Ordinance No. 79-76, §4) and Metro Code Chapter 5.05 (Rule No. CRB 79-1) and 5.06 (Rule No. 79-2) are hereby repealed.

ADOPTED this _____ day of _____, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/srb
4632B/283

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer 216
SUBJECT: Establishing Disposal Charges to be Collected at the
St. Johns Landfill

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend adoption of Ordinance No. 81-122 for the purpose of establishing disposal charges to be collected at the St. Johns Landfill. The proposed rate for commercial solid waste will increase seven percent from \$9.73 per ton to \$10.41 per ton and the proposed rate for special waste (City of Portland sewage sludge) will remain at \$9.73 per ton. The proposed rate will increase from \$3.60 to \$4.00 for cars, \$4.50 to \$5.00 for pickup trucks, \$1.76 to \$2.00 for extra yards above the minimums and no increases for tires. These rates include the Metro User Fee.
- B. POLICY IMPACT: Adoption of this Ordinance will establish new disposal rates at the St. Johns Landfill beginning January 1, 1982. The new disposal rates reflect all cost associated with operating the St. Johns Landfill except about \$700,000 remaining in the final cover fund and the cost of the 55-acre expansion which will be paid by all waste generators within Metro, through Metro's User Fee.
- C. BUDGET IMPACT: Adoption of this Ordinance will provide sufficient monies to operate the St. Johns Landfill and is consistent with the adopted 1981-82 budget. Sufficient revenue will be collected through the user fee to meet all debt service associated with the expansion of the site.

II. ANALYSIS:

- A. BACKGROUND: For the past year, Metro has maintained and operated the St. Johns Landfill. A rate analysis performed in 1980, indicated that if Metro expanded and operated the landfill the rate would be \$10.70 per ton.

As a result, Metro assumed control of the operation at St. Johns Landfill June 1, 1980. In order to continue operating the landfill and to provide sufficient time to prepare specifications for obtaining a long-term contractor, it was necessary to obtain the services of an Interim Contractor for the period June 1 to October 1, 1980.

Based on rates charged at St. Johns, when Metro assumed control, an increase in rates was required. In September, 1980, the Metro Council adopted Ordinance No. 80-100 increasing the rates effective October 1, 1980, and changed the method of charging for commercial solid waste to a weight basis effective April 1, 1981.

Concurrent with the October 1, 1980 increase Easley and Brassy/Genstar Conservation Systems - A Joint Venture (Genstar) commenced a five-year contract for the operation of the landfill. Based on an escalation clause in that contract all items increase in price annually. The projected increase for the first year is estimated to be about nine percent.

The increase in contract items as well as administrative cost, Gatehouse operations and other contract obligation are increasing faster than the projected seven percent increase in rates but the increases are partially offset because as volume increases at St. Johns Landfill the per ton rate paid to Genstar to operate the landfill decreases.

The anticipated increase in volume will result from several major changes in the Metro area solid waste system. These include a projected rate increase at Rossman's Landfill in Oregon City to \$13.50 per ton on January 1, 1982, closure of Rossman's Landfill in mid to late 1982, an increase in the digested sewage sludge from the City of Portland and the opening of the Clackamas Transfer & Recycling Center (CTRC).

- B. ALTERNATIVES CONSIDERED: Several alternatives were considered regarding both the amount of the increase and the effective date.

The first alternative is to delay an increase in the rates at St. Johns Landfill. Under this scenario it is anticipated that an even larger portion of the waste currently using the Rossman's Landfill would shift to St. Johns and other sites in or near the Metro area. This would put a greater burden on the expected lives of the other landfills while increasing the life at Rossman's. This would delay the implementation of Phase III methane gas collection system to be installed at Rossman's to control the odors in the surrounding area. It is anticipated that about 65 percent of any shift in waste away from Rossman's would go to St. Johns. If the quantities did not increase the future rate would have to be higher to recover any loss in revenues.

The second alternative is to implement a uniform rate, which is currently anticipated to coincide with the opening of the CTRC, immediately. This would have to be accomplished through the Metro User Fee, as Metro does not have authority over the base rate at Rossman's Landfill.

The Metro Code allows for inert material to be disposed free of charge if it will be used in the operation of the site. Since other types of non-inert materials are used in the operation, the no-charge policy was extended to include these materials. The proposed rates reflect this policy as it pertains to the use of dried digested sewage sludge as a final cover. The projected rate of \$9.73 for the City of Portland's sludge includes all cost to Metro to accept and dry the material from about a 16 percent solids content to about 50 percent. The difference between \$10.41 per ton for commercial solid waste and the \$9.73 for City of Portland's sludge is the anticipated savings to Metro in not having to purchase about 13,500 cubic yards of topsoil as final cover.

- C. RATE IMPACT: The proposed rate will result in an increase of about .04¢/Month in a residential customer's garbage bill for one can weekly service. The seven percent increase in disposal rates is significantly less than the rate of inflation.

For those who deliver waste to the landfill in cars, the rate will be \$4.00 per load up from the existing \$3.60 per load. Rates for pick-up truck loads will increase from \$4.50 to \$5.00 per load. This increase is about 11 percent and more accurately reflects the cost of the public receiving station.

- D. CONCLUSION: It is recommended that rates be adjusted, effective January 1, 1982, to reflect all operational cost associated with the operation of the St. Johns Landfill. The Regional Services Committee and the Solid Waste Policy Alternatives Committee have reviewed the proposed rate adjustments at St. Johns and both have unanimously recommended that the adjustments become effective January 1, 1982.

TC/gl
4485B/283
12/11/81

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING)
A NEW RATE FOR ST. JOHNS)
LANDFILL AND AMENDING CODE)
SECTION 4.06.010 AND ORDINANCE)
NO. 81-106)

ORDINANCE NO. 81-122

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1:

Metro Code Section 4.06.010 as amended by Ordinance Nos. 80-96, 80-100 and 81-106 is hereby amended to read:

"A base disposal rate of \$9.08 per ton of solid waste delivered is established for disposal at the St. Johns Landfill. Said rate is in addition to user fees collected at the St. Johns Landfill pursuant to Code Section 4.03.020. The minimum charge for commercial vehicles shall be one ton. The following disposal charges shall be collected by the Metropolitan Service District from all persons disposing of solid waste at the St. Johns Landfill:

VEHICLE CATEGORY	BASE RATE		METRO FEE		TOTAL RATE	
	\$/TON	\$/CY	\$/TON	\$/CY	\$/TON	\$/CY
COMMERCIAL						
Compacted	<u>\$9.08</u>	<u>\$2.68</u>	\$1.33	\$0.34	<u>\$10.41</u>	<u>\$3.02</u>
Uncompacted	<u>9.08</u>	<u>1.14</u>	1.33	0.20	<u>10.41</u>	<u>1.34</u>
City of Portland Sewage Sludge	8.40	6.55	1.33	0.20	9.73	6.75
PRIVATE						
Cars ¹	<u>3.55</u>		0.45		<u>4.00</u>	
Station Wagons ¹	<u>3.55</u>		0.45		<u>4.00</u>	
Vans ²	<u>4.55</u>		0.45		<u>5.00</u>	
Pick-ups ²	<u>4.55</u>		0.45		<u>5.00</u>	
Trailers ²	<u>4.55</u>		0.45		<u>5.00</u>	

¹Based on minimum load of two cubic yards.

²For the first two and one-half cubic yards, each additional cubic yard is \$2.00.

VEHICLE CATEGORY	BASE RATE	METRO FEE	TOTAL RATE
TIRES**			
Passenger (up to 10 ply)	\$0.55		\$0.55
Passenger Tire (tire on rim)	1.25		1.25
Tire Tubes	0.55		0.55
Truck Tires (20" diameter to 48" diameter or greater than 10 ply)	1.75		1.75
Small Solids	1.75		1.75
Truck Tire (tire on rim)	7.00		7.00
Dual	7.00		7.00
Tractor	7.00		7.00
Grader	7.00		7.00
Duplex	7.00		7.00
Large Solids	7.00		7.00

**Cost per tire listed"

Section 2:

Ordinance No. 81-106 Section 2, (uncodified) is amended to read:

The rate established by section 1 of this ordinance shall be collected on the basis of cubic yardage delivered at times when weighing equipment is inoperable.

Section 3:

The rate increase established by Section 1 above is needed to charge users for the additional payments Metro has been obligated to pay Genstar, Inc. under its contract to operate the St. Johns Landfill. Metro's obligation to pay under that contract increased on October 1, 1981 pursuant to a price adjustment clause in the contract and the landfill users should pay this increased cost. Because each month's delay in the effective date of the new rates

will result in a revenue loss to Metro, an emergency is hereby declared to exist and the new rates established by Section 1 of this Ordinance shall be effective January 1, 1982.

Presiding Officer

ATTEST:

Clerk of the Council

TC/gl
4481B/283

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer *RLL*
SUBJECT: Recycling Support Fund Recommendations

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of the funding recommendations made by the Recycling Support Fund (RSF) Evaluation Committee and Executive Management (please refer to attachments for detailed information on the recommendations).
- B. POLICY IMPACT: Approval of these recommendations will allow Metro to proceed with the distribution of the \$75,000 Recycling Support Fund (RSF) as part of the first phase of the Waste Reduction Plan approved by the Council.
- C. BUDGET IMPACT: Adequate funds are available in the adopted FY 1981 budget for implementation and administration of the RSF.

II. ANALYSIS:

- A. BACKGROUND: In 1981, a sum of \$75,000 was designated by the Council to be used for improving the efficiency and expanding the operations of recycling organizations in the region. After the new Waste Reduction Coordinator was hired in April, 1981, procedures were developed for receiving proposals under the \$75,000 RSF. After the Council approved these procedures, a deadline of October 16 was established for submittal of proposals. Fifty (50) proposals requesting approximately \$600,000 were received. A seven-member Evaluation Committee reviewed the proposals and passed their funding recommendations on to Executive Management. The recommendations are contained in the attachments to this management summary.
- B. ALTERNATIVES CONSIDERED: The alternative considered was to release part of the \$75,000 RSF and carry the remainder over to another point in the future. The alternative was rejected because of the desire to get maximum impact out of the total amount of money allocated by the Council for the RSF.
- C. CONCLUSION: Approve the RSF recommendations as detailed in the attachments.

RH:srb
4669B/283
11/25/81

ATTACHMENT A
PROPOSALS RECEIVED AND EVALUATED
Through the
\$75,000 RECYCLING SUPPORT FUND

<u>CATEGORY</u>	<u>PROPOSER</u>	<u>AMOUNT REQUESTED</u>	<u>AMOUNT RECOMMENDED</u>	
A. Education/ Promotion	1. Western Environmental Trade Assoc.	\$12,250/23,140	-0-	
	2. Assoc. of Oregon Recyclers	\$5,479.00	\$3,521.10	
	3. Assoc. of Oregon Recyclers	\$1,002.00	-0-	
	SUBTOTAL		\$3,521.10	
B. Market Expansion/ Development	4. West Coast Polymers	\$15,000/25,000	\$7,500.00	
	5. West Coast Fibre Supply	\$20,707.65	\$7,242.65	
	6. Pacific Rim Exchange	\$7,580/8,650	-0-	
	7. Reuseable Paper Fibers	\$2,085.50	\$2,085.50	
	8. A&B Paper Co.	\$25,000.00	-0-	
	9. Smith & Hill Systems Ltd.	\$15,000.00	-0-	
	10. Plastic to Plastic Recycling	\$8,000.00	-0-	
		SUBTOTAL		\$16,828.15
	C. Drop-off Centers/ Depots/ and Monthly Projects	11. Mult. Co. Community Action Agency-Gresham Senior Center	\$2,500.00	-0-
		12. Redland School PTA-Redland Recycling Center	\$3,370.00	-0-
13. Millers Sanitary Service-Beaverton Recycling Center		\$1,000.00	\$1,000.00	
14. National Paper Salvage		\$10,000.00	-0-	
15. Pilgrim Lutheran Church		\$897.50/2,500	\$312.50	
16. Peace Mennonite Church		\$1,500/4,500	\$1,500.00	
17. Skid Road/Burnside Community Council		\$10,585.00	\$5,000.00	
18. McFarlane's Bark		\$22,385.00	\$4,500.00	
19. City of West Linn		\$25,000.00	-0-	
20. SE Dropbox Service		\$29,500.00	-0-	
21. St. Stephens Home & School Assoc.		\$3,800.00	-0-	
22. Portland Recycling		\$4,583.50	-0-	
23. City of Gladstone		\$2,350.00	\$2,350.00	
24. Sunflower Recycling		\$8,100/12,000	\$11,000.00	
25. Sunflower Recycling		\$3,500.00	-0-	
26. Clackamas Community College Environmental Learning Center		\$5,084.00	\$5,084.00	
		SUBTOTAL		\$30,746.50
D. Curbside Collection	27. West Beaverton Sanitary	\$5,000.00	\$5,000.00	
	28. Muriel Barry	\$8,522.00	-0-	
	29. Egger Garbage Service	\$6,850/12,050	-0-	
	30. Rockwood Community Group	\$20,912.00	-0-	
	31. Michael Whitmore & Assoc.	\$18,104.00	-0-	
	32. Mt. Hood Recycling	\$7,400/25,000	-0-	
	33. John Trout Sanitary Service	\$9,450.00	-0-	
	34. Cloudburst Recycling	\$20,000.00	\$10,000.00	
	35. Heiberg Garbage Service	\$7,354.75/ \$10,994/75	-0-	
	36. Oregon City Garbage Co.	\$25,116/40,582	-0-	
	37. DeMatteo Sanitary Service	\$4,225.00	-0-	
	38. Ron Amato Sanitary Service	\$600.00	-0-	
	39. Rossman Sanitary Service	\$4,408.50	\$2,204.25	
	40. L.L. Schnell, Inc.	\$33,500.00	\$2,900.00	
	41. Mary's Recycling	\$13,900/19,520	-0-	
	42. Adam Hahn Sanitary Service	\$600/11,525	-0-	
	43. Arrow Sanitary Service	\$1,340/3,625	-0-	
44. Louis Turcol Sanitary Service	\$3,960.00	-0-		
45. Ralph Wooten Sanitary Service	\$600/7,725	-0-		
46. August Parno Sanitary Service	\$600.00	-0-		
47. SE Recycling Service Corp.	\$3,800/34,000	\$3,800.00		
	SUBTOTAL		\$23,904.25	
E. Misc.	48. James W. Dodson	\$1,500/3,700	-0-	
	49. Sunflower Recycling	\$575.00	-0-	
	50. Charles Sax	\$5,500.00	-0-	
	SUBTOTAL		-0-	
	TOTAL		\$75,000.00	

ATTACHMENT B

PROPOSALS RECOMMENDED FOR FUNDING

<u>CATEGORY</u>	<u>PROPOSER</u>	<u>AMOUNT RECOMMENDED</u>
A. Education/ Promotion	1. Association of Oregon Recyclers	\$ 3,521.10
	Subtotal	\$ 3,521.10
B. Market Expansion/ Development	2. West Coast Polymers	\$ 7,500.00
	3. West Coast Fibre Supply	7,242.65
	4. Reuseable Paper Fibers	2,085.50
	Subtotal	\$ 16,828.15
C. Drop-off Centers/Depots/ and Monthly Projects	5. Millers Sanitary Service Beaverton Recycling Center	\$ 1,000.00
	6. Pilgrim Lutheran Church	312.50
	7. Peace Mennonite Church	1,500.00
	8. Skid Road/Burnside Community Council	5,000.00
	9. McFarlane's Bark	4,500.00
	10. City of Gladstone	2,350.00
	11. Sunflower Recycling	11,000.00
	12. Clackamas Community College Environmental Learning Center	5,084.00
	Subtotal	\$ 30,746.50
D. Curbside Collection	13. West Beaverton Sanitary	\$ 5,000.00
	14. Cloudburst Recycling	10,000.00
	15. Rossman Sanitary Service	2,204.25
	16. L.L. Schnell, Inc.	2,900.00
	17. S.E. Recycling Service Corp.	3,800.00
	Subtotal	\$ 23,904.25
	TOTAL	<u>\$ 75,000.00</u>



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: November 20, 1981
 To: Regional Services Committee
 From: Executive Management
 Regarding: Recycling Support Fund (RSF) Proposal Evaluations

The seven member Evaluation Committee has met and reviewed the proposals received under Metro's RSF. Executive Management has reviewed these evaluations. The following pages detail our unanimous recommendations on the seventeen (17) proposals which were accepted for funding. Information is provided on:

1. Which proposals should be funded;
2. The funding level for each proposal; and
3. Any special considerations or conditions stipulated by the committee and management.

Category A: Education/Promotion Funding Level

- | | | | |
|----|----|--|-------------|
| 1. | a. | Proposer: <u>Association of Oregon Recyclers</u> | \$ 3,521.10 |
| | b. | Project: Develop and distribute a recycling education kit for public school teachers. | |
| | c. | Conditions: Limit the scope of the project to selected schools in the region and grade levels K-3 or K-8; emphasize use of the kit by teachers and organizing school recycling programs. | |

Category A: Subtotal: (\$3,521.10)

Category B: Market Expansion/Development Funding Level

- | | | | |
|----|----|--|------------|
| 2. | a. | Proposer: <u>Reuseable Paper Fibers, Cornelius</u> | \$2,085.50 |
|----|----|--|------------|

Memorandum
 Regional Services Committee
 November 20, 1981
 Page 2

(Category B: Market Expansion/Development

Funding Level) cont.

- b. Project: Purchase bins to use in processing, storing, and transporting materials at existing recycling center/market.
- c. Conditions:
3. a. Proposer: West Coast Fiber Supply, Beaverton \$7,242.65
- b. Project: Purchase of baler to expand and improve operations.
- c. Conditions: Use of the baler must produce greater diversity of materials recycled and higher operational efficiency.
4. a. Proposer: West Coast Polymers, Portland \$7,500.00
- b. Project: Contribute one-half of the total amount of money (\$15,000) needed to purchase either a shredder or dryer for use in processing/recycling plastics from residential sources.
- c. Conditions: Company must supply matching funds to purchase the piece of equipment it desires; equipment must be used for recycling consumer/residential plastics; a promotion/education effort must accompany the expansion to recycling residential plastics.

Category B: Subtotal: (\$16,828.15)

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 Regional Services Committee
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Category C: <u>Drop-Off Centers/Depots and Monthly Projects</u>		<u>Funding Level</u>
5. a.	Proposer: <u>Miller's Sanitary Service, Beaverton</u>	\$1,000.00
b.	Project: Directional and instructional signs for multi-material drop-off center in Beaverton.	
c.	Conditions: City approval of signs is needed; wording and location of signs must be specified.	
6. a.	Proposer: <u>Pilgrim Lutheran Church, SE Portland</u>	\$ 312.50
b.	Project: Safety items, glass crusher and signs for monthly recycling project.	
c.	Conditions:	
7. a.	Proposer: <u>Peace Mennonite Church, NE Portland</u>	\$1,500.00
b.	Project: Site improvements at existing recycling center.	
c.	Conditions:	
8. a.	Proposer: <u>Skid Road - Burnside Community Council</u>	\$5,000.00
b.	Project: Renovation of site for expansion of recycling activities; storage equipment for recyclables.	
c.	Conditions: Funding must produce greater efficiency and organization in recycling operation; larger quantities of diverse materials must be collected and marketed.	

(Category C: Drop-Off Centers/Depots and Monthly Projects

Funding Level) cont.

9. a. Proposer: McFarlane's Bark Co.,
Clackamas \$4,500.00
- b. Project: Construction of fence at processing center for yard debris.
- c. Conditions: McFarlane's must supply the remaining sum of money required to construct the fence.
10. a. Proposer: City of Gladstone \$2,350.00
- b. Project: Expansion and improvement of oil recycling depot.
- c. Conditions: Any changes in the original workscope must be approved by Metro.
11. a. Proposer: Sunflower Recycling,
SE Portland \$11,000.00
- b. Project: Site improvements (paving, curb-cut, fencing, signs) and equipment (rotating head attachment for forklift, bins, drop-box) for multi-material drop-off/processing center.
- c. Conditions: A time-line must be established for completion of all improvements; regular reports on material volumes must be submitted to Metro; site aesthetics and cleanliness should improve markedly; use of the facility on a cooperative basis with other recyclers must be explored.

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 Regional Services Committee
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(Category C: Drop-Off Centers/Depots and Monthly
 Projects

Funding Level) Cont.

12. a. Proposer: Clackamas Community College
 Environmental Learning
 Center, Oregon City \$5,084.00
- b. Project: Establishment of a multi-
 material recycling depot
 and education center at
 the College's Environmental
 Learning Center
- c. Conditions:
- Category C: Subtotal: (\$30,746.50)

Category D: Curbside Collection

13. a. Proposer: Cloudburst Recycling,
 NE, NW Portland \$10,000.00
- b. Project: Collection vehicle and ro-
 tating head forklift to
 use in pick-up, handling
 and storage of materials
 gathered from existing
 curbside program.
- c. Conditions: Metro agrees to provide partial
 funding toward the purchase of
 a multi-material collection
 vehicle and rotating head fork-
 lift on the assumption that
 the remaining work and money
 to make the truck and forklift
 operational are provided by
 Cloudburst. Metro and Cloud-
 burst must agree on a timeframe
 within which to complete these
 tasks. If Cloudburst does not

Memorandum
 Regional Services Committee
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(Category D: Curbside Collection

Funding Level) cont.

13. (Cloudburst Recycling) continued

- c. Conditions: agree to this arrangement, then full funding for either the truck or forklift, depending on Cloudburst's choice, will be provided by Metro. In either case, a good faith effort must be made by Cloudburst to cooperate with other haulers in providing curb-side recycling service. Cloudburst must provide Metro with regular materials volume reports to indicate the effect of the equipment purchases on the effectiveness and efficiency of their program.

14. a. Proposer: Rossman Sanitary Service,
Lake Oswego \$2,204.25

- b. Project: Purchase of one 30 cu.yd. drop box for storage of newspaper picked up from on-going curbside collection program.

c. Conditions:

15. a. Proposer: L.L. Schnell, Inc.,
Clackamas County \$2,900.00

- b. Project: Trailer for use in curbside pick-up of recyclables.

c. Conditions: Attempts should be made to share this piece of equipment with other haulers doing curbside collection recycling.

Memorandum
 Regional Services Committee
 November 20, 1981
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(Category D: Curbside Collection

Funding Level) cont.

16. a. Proposer: West Beaverton Sanitary Service, Beaverton \$5,000.00
- b. Project: Purchase/construct a multi-material collection vehicle.
- c. Conditions: This proposal involves establishment of a curbside collection program in Beaverton. Specific program details must be provided, such as: type of truck and when it will be ready for use; collection routes and frequency; materials to be collected; responsibility for promotion; and other elements to be detailed when a contract is written.
17. a. Proposer: SE Recycling Service Corporation, SE Portland \$3,800.00
- b. Project: Storage equipment to use for materials collected at drop-off center and from curbside collection routes
- c. Conditions: Regular volume reports should be submitted to Metro as is presently done.

Category D: Subtotal: (\$24,054.25)

GRAND TOTAL: \$75,000.00

Memorandum
Regional Services Committee
November 20, 1981
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In conclusion, staff, management and the evaluation committee believe that, given the types of proposals received, the RSF has been distributed equitably throughout the Metro region among a diversity of recycling enterprises.

RH:pp

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: CURBSIDE COLLECTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
West Beaverton Sanitary	Beaverton	Purchase & construct truck for curbside recycling	\$5,000		X	X		X	
Muriel Barry	Beaverton, Cedar Hills, Cedar Mill, Hillsboro, Tigard, Lake Oswego	Purchase of new pickup truck for commercial newspaper & cardboard collection route	\$8,522		X			news cdbd	
Egger Garbage Service	Portland	Equipment & materials for establishing office paper & cardboard pickup programs in schools & businesses; promotion/education for these programs; proposed at two levels	A= \$12,050 B= \$6,850		X	X		news cdbd ofc paper	
Rockwood Community Group	Rockwood/Gresham area	Purchase equipment i.e., shredder, van, chainsaw & cover expenses for community collection program	\$20,912	X				yd debris news CPO glass cdbd tin furniture	

Attachment D

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

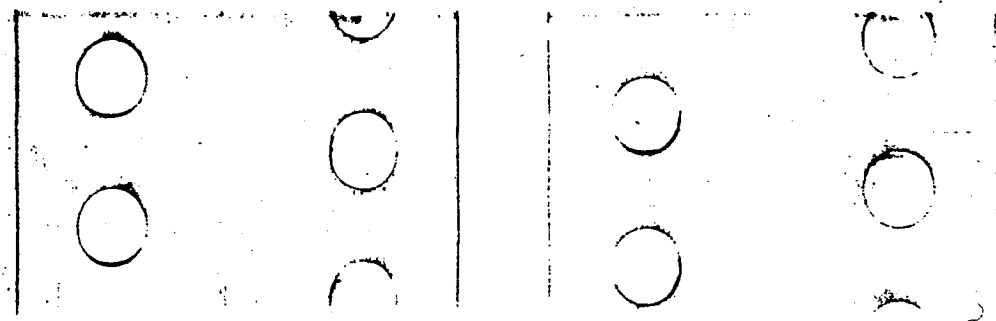
CATEGORY: CURBSIDE COLLECTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Oregon City Garbage Co.	Oregon City	Equipment and materials to set up curbside collection of multi-materials in the Oregon City area	A= \$40,582 B= \$25,116		X	X		news glass tin	
DeMatteo Sanitary	Milwaukie	Paper racks for trucks and a dropbox	\$4,225		X	X			news
Ron Amato Sanitary Service	S.E. Portland	2 paper racks for truck	\$600		X	X			news
Rossman Sanitary Service	Lake Oswego	2-30 yard drop boxes for storage of tin and newspaper	\$4,408.50		X	X		glass tin news alum	
L.L. Schnell Inc.	Clackamas Co. N.E. Portland	Construction of a drop-off center in N.E., equipment for curbside collection in Clackamas, and promotion for both	\$33,500		X	X		glass tin news cddb oil kraft	
Mary's Recycling (Women's business enterprise)	Mult. Co., S.E. Portland, City of Clackamas	Equipment to expand collection from small, commercial businesses	A= \$19,520 B= \$13,900		X			cddb glass news	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: CURBSIDE COLLECTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Michael Whitmore & Associates	N.W. Portland	Wages for curbside collection demonstration project; promotion expenses, recycling bags and truck purchase & fabrication for public awareness and education.	\$18,104	X				X	
Mt. Hood Recycling	Region-Wide	Partial payment of collection vehicle (a); partial payment on truck and maintenance, and promotion campaign (b)	(a)=\$25,000 (b)=\$7,400		X			news cddb ofc paper	
John Trout Sanitary Service et al	Portions of Wash. & Mult. Co.	Equipment for use in curbside collection programs conducted by several haulers	\$9,450		X	X		news glass tin alum	
Cloudburst Recycling	NE, SW, NW Portland	Equipment and improvements to collect, handle & store materials gathered from existing curbside pickup programs (a); establishment of recycling drop-off center/storage yard in NE Portland (b)	(a) = \$20,000 (appx) (b) = \$20,000 (appx)		X	X		X	
Heiberg Garbage Service	S.E. Portland	Equipment to establish a multi-material curbside collection program in portions of S.E. Portland	A = \$10,994.75 B = \$7,354.75		X	X		news glass tin metal	



SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: CURBSIDE COLLECTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Adam Hahn Sanitary Service	Oregon City	Purchase newspaper racks for garbage truck(a) and/or 3 drop boxes for storage of glass, tin & newspaper(b) from curbside collection route	a)= \$600 b)= \$11,525		X	X		news cddb glass tin	
Arrow Sanitary Service	Gresham	Purchase garbage can stickers and racks for garbage truck (a); one dropbox for storage of newspapers (b) from curbside collection	a)= \$1,340 b)= \$3,625		X	X		news	
Louis TurcOl Sanitary Service	S.E. Portland	Garbage can stickers, newspaper rack, and dropbox for storage of news from curbside collection	\$3,960		X	X		news	
Ralph Wooten Sanitary Service	S.W. Portland	2 paper racks for garbage truck (a) 2 dropboxes for glass & newspaper storage (b) from curbside collection service	a)= \$600 b)= \$7,725		X	X		news glass	
August Parno Sanitary Service	Gresham	Two newspaper racks for newspapers collected curbside	\$600		X	X		news	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: CURBSIDE COLLECTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
S.E. Recycling Service, Corp.	S.E. Neighborhoods	Purchase specially designed truck for curbside collection of recyclables (a); purchase 5 dumpsters to update & increase present equipment	(a) = \$34,000 (b) = \$3,800		X	X		tin glass news alum	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: DROP-OFF CENTERS/DEPOTS & MONTHLY PROJECTS

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Mult. Co. Community Action Agency - Gresham Senior Center	Gresham	Dropbox for collection and storage of newspaper	\$2,500	X			X		news
Redland School PTA-Redland Recycling Center	Redland - east of Oregon City (slightly out of Metro region)	Improvements for existing recycling center, ie., concrete floor, signs and fencing	\$3,370	X				glass tin news	
Millers Sanitary Service - Beaverton Recycling Center	Beaverton	Directional & instructional signs for recycling drop-off center	\$1,000		X	X		glass tin news cdbd oil alum scp/mag	
National Paper Salvage	S.E. 127 & Division	Paving, fencing, and landscaping for existing recycling center	\$10,000		X			news glass alum	
Pilgrim Lutheran Church	S.E. 92nd & Cora	Split dropbox for newspaper & cardboard(a), safety items, glass crusher, mechanical sweeper & signs for monthly recycling project (b)	7a) = \$2500 (b) = \$897.50	X				glass tin news cdbd	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: DROP-OFF CENTERS/DEPOTS & MONTHLY PROJECTS

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
S.E. Dropbox Service	S.E. Portland	Trailer, dropbox, and forklift for use in transporting recyclables to markets from monthly projects	\$29,500		X	X		X	
St. Stephens Home & School Association	S.E. Portland	Dropbox & sign for newspaper drives	\$3,800	X					news
Portland Recycling	Lake Oswego High School	2 dropboxes for newspaper & cardboard at existing drop-off center	\$4,583.50	X				news cddb	
City of Gladstone	Gladstone	Expansion & improvement of oil recycling depot	\$2,350	X			X		oil
Sunflower Recycling #1	S.E. Portland	Improvements on existing drop-off and storage center at 3 levels	A= \$12,000 B= \$11,000 C= \$8,100	X		X		tin,glass alum cddb news scp/mag oil metal	
Sunflower Recycling #3	S.E. Portland	Rotating head attachment for forklift (included in proposal #1; do not consider if #1 is accepted)	\$3,500	X		X		same as above	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: DROP-OFF CENTERS/DEPOTS & MONTHLY PROJECTS

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Peace Mennonite Church	19626 N.E. Glisan	Purchase of truck (a) and improvements (b) for existing recycling center	(a) = \$4,500 (b) = \$1,500	X				glass tin alum news cbbd	
Skid Road - Burnside Community Council	Downtown Portland	Renovate basement to house expanded recycling project, purchase truck, fund various pieces of equipment and costs of printing promotion materials for project involving the Burnside community	\$10,585	X				glass tin news cbbd alum	
McFarlane's Bark Inc.	Clackamas, Southern Metro region	Improve present drop off & processing site for all yard type waste with road improvements, fencing & relocation of grinders	\$22,385		X				yard debris
City of West Linn	West Linn	Fund television equipment for use in education program; site preparation & development costs; 6 dropboxes & loading equipment	\$25,000	X			X	X yard debris	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: MARKET EXPANSION/DEVELOPMENT

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
West Coast Polymers	Region-Wide	Equipment (grinder ^(a) , shredder ^(b) , dryer ^(c)) for expanding existing plastics recycling from commercial/industrial sources to consumer/residential ones	(a) = \$25,000 (b) = \$15,000 (c) = \$15,000		X				various types of consumer plastics
West Coast Fibre Supply	Beaverton	Purchase baler, forklift, signs to expand operation to glass, cardboard, and metals	\$20,707.65		X			news CPO	
Pacific Rim Exchange	Oregon City & surrounding area	Construction of unloading area ^(a) , and scales ^(b) for existing paper processing operation	(a) = \$7,580 (b) = \$8,650		X			news cdbd kraft	
Reuseable Paper Fibers	Cornelius	Purchase of 10 4'X4' steel bins for glass and tin processing, storage & transport at existing recycling center	\$2,085.50		X			news cübd glass tin alum	
A & B Paper Co.	Gresham area	Equipment to expand & mechanize processing operation for converting waste paper into reusable paper	\$25,000		X				excess paper from publishing companies
Smith & Hill Systems Ltd	region-wide	Wages for one year to develop a plastic milk jug recycling program	\$15,000		X			glass alum cdbd plastic	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: MARKET EXPANSION/DEVELOPMENT

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Plastic to Plastic Recycling Inc.	region-wide	Truck for storing and transporting plastics	\$8,000		X				Commercial industrial plastics

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: EDUCATION/PROMOTION

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
Western Environmental Trade Assoc.	Region-wide	Publication, distribution and promotion of Waste Exchange Bulletin	A= \$23,140 B= \$12,250	X				Commer. & Indus wastes	
Association of Oregon Recyclers	Region-wide	Develop and distribute a recycling education kit to every public school in area	\$5479	X				X	
Association of Oregon Recyclers	Region-wide	Construction and distribution of 5 paper-making kits for use by schools and community groups	\$1002	X				X	

SUMMARY OF PROPOSALS: METRO'S RECYCLING SUPPORT FUND

CATEGORY: MISC.

A. Proposer	B. Location	C. Type of Request	D. Amount of Request	E. Non-Profit	F. For Profit	G. Hauler	H. Public Agency	I. Multi-Material	J. Single Material
James W. Dodson	Portland	Partial funding for research project regarding generation of methane gas from wastes	A= \$3700 B= \$1500		X			various organ. wastes	
Proposal #2 Sunflower Recycling	SE Portland	Shredder/bagger to prepare marketable compost	\$575	X		X		tin glass alum cddb news scp/mag oil metals	
Charles Sax	Region-wide	Development and evaluation of the BioTie, a biodegradable tying device for bundling/processing newspapers	\$5500		X				news

EXCERPT FROM THE MINUTES OF THE SERVICES COMMITTEE MEETING OF
TUESDAY, DECEMBER 8, 1981:

4. Recycling Support Fund Recommendations.

Chairman Banzer stated that approximately a year ago, Couns. Rhodes, Bonner and herself introduced the idea of establishing recycling support funds for new or existing organizations who would present a program for recycling. A number of proposals have been received, reviewed by the staff and the staff's recommendation will be discussed. Although this has not been advertised as a public hearing, Chairman Banzer invited comments but asked that they be brief.

Richard Hertzberg reviewed the process. He recognized Bill Bree of DEQ for assisting him in developing the brochure outlining the requirements for eligibility to receive recycling support funds. Fifty proposals were received requesting over \$600,000. A review committee was formed consisting of Mr. Hertzberg, Judy Ellmers, and five outside people to evaluate the proposals. Of the 50 applicants, funding is recommended to 17. The decision on all projects was unanimous by the review committee.

Chairman Banzer stated she had received a note from Pastor Gunderson from the Pilgrim Lutheran Church, stating he was unable to attend the meeting, but wished to express his appreciation for being chosen as one of the potential recycling support fund recipients.

Mr. Hertzberg stated that one-third of the proposals are recommended to receive some funding. The review committee considered all types of proposals--from those requesting small sums of money for one piece of equipment to those who requested more than the maximum allowable funding through the program (\$25,000). The committee decided that with the limited amount of money available and with recycling business already operating, it would not be cost effective at this time to fund an operation from the ground up.

Coun. Burton expressed his concern that some organizations had requested funding for more than the amount of the recommendation.

Mr. Hertzberg stated that was a legitimate concern but that the review committee had contacted those who requested more than recommended funding. The review committee also concerned itself with matching funds offered and in-kind services offered by the potential recipients. Mr. Hertzberg assured the Council that there would be separate contracts for each of the recipients, outlining in detail the performance expected from each.

Coun. Burton asked if consideration had been given to whether the purchase of equipment, i.e. a collection vehicle, would give one recycling organization an unfair competitive edge over another.

Mr. Hertzberg stated that the contracts will state the intent

of the program to improve the existing recycling services available and not to enable any organization to recruit new garbage customers from another organization.

Coun. Rhodes requested assurance that the contract would contain language that funding would be withdrawn if the money is misused. The other items of concern were that the funds have an emphasis on curbside collection and that the selection process would be as fair as possible. She stated that it appears that the drop-off centers have been granted the majority of the funds but that the curbside proposals were greater in number. Coun. Rhodes stated that there is another item before the Committee this evening--request for additional funding for PRT, another drop-off center. If this item, along with the recommendations for funds for other drop-off centers, the percentage allotted to drop-off centers far outweighs other recycling projects. She suggested that the \$14,000 requested for PRT be split up among other drop-off centers; add the 8 requests for paper racks; and add the remainder to the funds allotted to curbside collection programs.

Mr. Hertzberg stated that Sunflower Recycling operation could qualify as either curbside or drop-off center and that a substantial amount of money had been allocated to them. Most of the programs requesting funding for ground-up operations came from curbside recyclers; those who were on financially unstable ground and those who made no statement about cooperation with community groups were eliminated.

Coun. Etlinger objected to the scatter approach and felt that the funds should have been allotted to one category only.

Coun. Oleson asked Merle Irvine if this program would be a continuing program, if he had recommended funds be set aside for recycling in the next fiscal year.

Mr. Irvine stated it will be included in the proposed budget for next year, but the level of funding has not been decided.

Ken Lee of Reusable Paper Fibers in Cornelius stated his interest in the program was for market expansion and development--glass, tin cans, storage. Hopefully the funds will provide enough money for him to purchase ten bins.

Coun. Oleson stated he had seen Mr. Lee's operation and was impressed with his progress so far.

Robert T. Breihof, Southeast Recycling Service, stated that the staff report indicated his operation was curbside, when in actuality, it also offers drop centers. The funds allocated to his firm would be used for both elements. Mr. Breihof was concerned that some firms had been funded who have previously neglected to pay other recyclers for materials delivered to them.

Coun. Rhodes asked Mr. Hertzberg what kind of follow-up would occur on these grants.

Mr. Hertzberg stated that some programs were more straight-forward than others and follow-up would depend on the nature of the proposal.

Ray Salvi, Southeast Sanitary Service, objected to the recycling support fund program as a whole since he feels the \$75,000 comes from the haulers' fees and is then distributed to recyclers, who are the haulers' competitors. He stated that many of the haulers as well also offer recycling to their customers.

Coun. Burton stated that the fee structure for haulers is established so that the money initially comes from the public, but of course, haulers are entitled to a fair return on their investment.

General discussion of the distinction between recyclers and haulers.

Coun. Banzer suggested that perhaps some money could be set aside for notifying customers whose haulers provide recycling that the service is available.

John Trout, Trout Sanitary Service, stated he was concerned with curbside collection and competition. He said his experience has been that if a company does not haul garbage, it can't afford to recycle materials, too. He stated that Cloudburst has a first class operation, but he feels his operation is also first class; and six months ago, several of Cloudburst's customers were his customers who left his service because of Cloudburst's advertising recycling. Mr. Trout also stated that the recycling support funds should have been concentrated in one area--that curbside recycling needs a "shot in the arm". He feels the Council should have allocated funds to curbside this year, drop centers next year, etc.

Coun. Deines stated that the present program has a "scattergun effect" on recycling. He feels there is no way Metro will be able to get a real determination of or be able to measure the results from the program with any reasonable assurance.

Larry Schnell, L. L. Schnell Garbage and Recycling, stated that since his firm was tentatively scheduled to receive funds, he is concerned about the legal implications of his having an unfair advantage over his competition due to his acceptance of Metro's funds.

Merle Irvine stated that he has discussed with Legal Counsel the restrictive language to be included in the contract not to provide a competitive advantage and to rescind funds if that occurs.

General discussion of the legal implications.

Roger Van Geller, Sunflower Recycling, stated he made every effort to submit a proposal as far removed as possible from garbage collection. His intent in his proposal is to increase their materials handling ability. He stated that he will make every effort not to solicit garbage customers and they do not advertise for same.

Glenda Clark, West Coast Fiber Supply, stated they were very happy to be selected as one of the potential recipients. Their business generates between two and three hundred tons of newspaper

per month and they pay their customers for the recyclables.

Bill Bree, DEQ Recycling Program, commended the staff for their work on this program and outlined the goals and objectives of the program--provide capital equipment to profit and non-profit organizations, open and simple request for proposals, well publicized, that there be a review committee of outside individuals, established categories of grants, conditions on use of the funds in individual contracts, reporting process by recipients, and an evaluation process related back to the goal. He expressed his support of the program.

Coun. Etlinger asked if it were his choice, would Mr. Bree choose to limit the program to a geographical area or to a specific category.

Mr. Bree is in favor of the diverse funding to see whether it works in the different areas and small amounts of money will have an impact.

David McMahon, Cloudburst Recycling, spoke in favor of the recycling support fund program. He stated Cloudburst in a combination recycling-garbage collection business and the recycling portion alone does not pay for itself. The equipment requested will be for the recycling portion of the business only; it will not assist in garbage collection. He also stated Mr. Trout's claim that 25% of his customers were not Cloudburst's customers was out of line.

Coun. Deines asked Mr. McMahon to repeat his statement about the value of materials picked up.

Mr. McMahon stated, "At the scale of operation that we are now conducting, which involves relatively low participation, backyard collection, poor promotion, etc., the value of materials is not great enough to support that operation without other fee sources. That's why we charge \$2.00."

Coun. Rhodes suggested: a) that the Committee get a statement from our attorney regarding the liabilities involved for both Metro and the haulers; b) that no decision has been made for continued funding for the coming year. She stated that after listening to the testimony, she feels the recommendations are fair.

Motion that the Services Committee recommend approval of funding of these proposals for recycling support funds; carried. (Rhodes/Etlinger, Deines voting "no")

Prior to the vote, the Committee members made the following comments.

Coun. Etlinger stated he reluctantly went along with the approval but felt the Council did not give sufficient thought or enough direction to the staff on this program.

Coun. Banzer stated that before the item comes to the Council, she would like to see a statement from our Legal Counsel on the liabilities for all parties and wants staff to be sure of stringent monitoring and evaluation devices for these recipients of funds, especially for this year.

END OF DISCUSSION ON RECYCLING SUPPORT FUND RECOMMENDATIONS.



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 14, 1981
To: Metro Council
From: Andy Jordan, General Counsel
Regarding: Legal Opinion: Recycling Support Program

This is in response to the Regional Services Committee's request for an opinion regarding the Council's program for awarding "grants" for recycling support. Specifically, the question was whether Metro might incur some liability for affording recycling companies a competitive edge over competition within the industry.

The question of whether Metro can legally "grant" money to private industry has never been entirely clear. No statutory authority for outright grants exists. For this reason, we have previously advised the Solid Waste Department to implement the program by contract rather than by grant. Though the distinction is somewhat technical in nature, Metro clearly has the authority to contract for recycling services. The contracts will provide funds to recycling companies in exchange for their recycling services to Metro. The result is the same as a grant program except that Metro will have contractual control over the funds and will receive a specified service in return. If the services are not performed, Metro can recoup its money. In addition, the Council has exempted this program from competitive bidding to allow contracts to be let without regard for "low bidder" requirements which would otherwise apply under public contract law. This was to allow bidders to suggest what services are worthwhile rather than Metro.

The question raised by the Committee was whether the grant or contract awards might afford a competitive edge to grantees. They most certainly will. Any time a public agency awards a contract to a private sector company, competition is affected. On the other hand, however, the program itself is competitive. Metro advertised for competitive proposals and will award contracts, not necessarily to lowest bidders, but to companies with proposals which will best serve the recycling needs of the region. To the extent that companies submit and implement worthwhile programs, they are arguably deserving of whatever competitive edge they may achieve. In our opinion, therefore, Metro's program does not injure competition but promotes it.

Memorandum
December 14, 1981
Page 2

A related question from the Committee was whether Metro might incur some liability for affecting the competitive balance in the recycling industry. We think not. The only acts that could potentially result in Metro liability would be the unauthorized expenditure of public funds or improper contracting procedures. Both of these issues have been carefully monitored by staff and neither is a problem. Metro has legal authority to promote recycling, and granting contracts for that purpose is authorized. Public contracting nearly always affects industry competition, and whether those effects are negative or positive is largely a question of who is benefitted and who is not. In any event, such effects are of no legal significance as long as Metro is authorized to engage in the activity in question and follows appropriate procedures.

Finally, an interest was expressed by at least one Committee member that contracts contain language preventing the grants from being used to gain competitive advantage. We suggest that this problem is not one which can be solved by contract but rather is a function of the award itself. The Committee could best limit competitive advantage by awarding grants only for activities or equipment which will not promote such advantage.

AJ:gl
4807B/D2

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council *WLG*
FROM: Executive Officer
SUBJECT: Portland Recycling Team (PRT) - Metro Operations Contract

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Concurrence with a partial extension and modification of the existing operational contract between PRT and Metro for the months of February through June 1982. This partial contract extension would allocate approximately \$24,225 to pay for continued operation of four drop-off recycling centers; part of the warehouse rent; and additional cost items not included in the present contract but described in Section I-B of this summary.
- B. POLICY IMPACT: Concurrence with the Executive Officer's approval of the partial contract extension and modification will enable Metro to provide direct recycling services to citizens until the beginning of the new fiscal year. During the transition period from one fiscal year to the next (January 1982 to June 1982) staff will be evaluating our current waste reduction/recycling program. Modifications in this program will be formalized into various courses of action and budget alternatives to be considered and adopted for FY 83. Thus, with a partial extension for PRT's contract there will be continuity in recycling services support by Metro from one fiscal year to the next.

This contract is under the amount required for Council approval; however, because of the nature of the service to be provided, Council concurrence with the Executive Officer's action is requested.

- C. BUDGET IMPACT: The total amount being requested to extend and modify the existing operational contract between PRT and Metro is \$24,225. Adequate funds are available in the adopted FY 81 budget to cover the costs of the action requested.

II. ANALYSIS:

- A. BACKGROUND: Metro's current one year operational contract with PRT expires February 1, 1982. On November 1, 1981, Metro received a letter from Mark Peterman, President, Board of Directors, Portland Recycling Team, proposing several possible contractual arrangements between Metro and PRT that would commence after February 1982 (see attachment). The action requested in this Agenda Management Summary is a response to that letter.

The current element of PRT's contract that Metro would not fund is the operation of nine (9) monthly projects. In the past, it has been stated by several groups and individuals that operation of the projects could be assumed by other interested parties. A partial contract extension creates the opportunity to vigorously explore this option. Metro staff will be active in arranging the transfer of the projects from PRT to new service providers. However, should some or all of the projects not be picked up by other organizations then Metro staff will contract with PRT to continue these projects until July 1, 1982.

The request of \$24,225 consists of two elements: a contract extension; and a contract modification. To extend the existing contract until the end of the fiscal year under the terms stipulated in it (rent/utilities on four drop-off centers; 65 percent of the warehouse rent) would cost \$13,515.

PRT has requested an additional \$10,710 for the remainder of the fiscal year to cover some unanticipated expenses that are not part of the existing contract. This money would be used to pay for: insurance, increased rates for utilities; garbage collection; phones; equipment repairs; and safety supplies. Due to progressively poor market conditions for several key commodities, PRT has been unable to generate enough revenue to cover these costs despite cutting down on personnel expenses.

- B. ALTERNATIVES CONSIDERED: Staff defined and considered the following alternatives in response to the PRT letter:
1. cease funding PRT entirely after the current contract expires;
 2. contract with PRT to continue or expand their recycling service for another year; this could cost between \$90,000 to \$100,000 per year;
 3. continue to fund PRT's current operations until the end of the fiscal year. This would cost about \$43,000; or
 4. fund only the four drop centers, warehouse and additional expenses (see Section II-A) until the end of the fiscal year. This would cost about \$24,225.

Alternatives 1 through 3 were rejected for the following reasons:

1. The monthly projects could be taken over by other interested recyclers.
2. PRT's four drop-off centers perform critically important functions; help Metro implement the first phase of its Waste Reduction Plan; and would be very difficult to re-establish or re-site if closed down.

3. Metro staff and Council will be planning for the second phase of the Waste Reduction Plan during January to June 1982. Since these plans for FY 82-83 are not yet formulated, it is unclear at this point whether a new contract with PRT is appropriate.
4. However, during this interim planning/evaluation period it is appropriate for Metro to continue the existing level of recycling services offered by our contract with PRT. It would be unwise to cease funding all of PRT as of February 1982.
5. With a partial contract extension, Metro provides recycling services to the public while it plans waste reduction/recycling strategies for the new fiscal year. The transition period of January 1982 to June 1982 allows staff the time to develop program alternatives for review and adoption by management and the Council through the normal budget approval process. Implementation of recycling programs involving Metro for FY 82-83 would coincide with the expiration of PRT's extended contract (July 1982).

C. CONCLUSION: Concur with the partial extension and modification of PRT's operational contract to provide Metro support for PRT's warehouse and drop-off centers but not the monthly projects (assuming the monthly projects are transferred to other groups).

RH/gl
4671B/283
12/11/81

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer ^(JH)
SUBJECT: Approval of Two Sole Source Contracts for Resource
(Energy) Recovery

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Council approval of two sole source contracts for the Resource (Energy) Recovery project.
- B. POLICY IMPACT: The approval of these contracts is in keeping with Rule No. CRB 80-5 (see Description IIB) which authorizes sole source contracts for the Resource (Energy) Recovery project.
- C. BUDGET IMPACT: None. Sufficient funds exist from the State Pollution Control Bonds to cover both contracts.

II. ANALYSIS:

- A. BACKGROUND: Metro has entered into an agreement with Publishers Paper Company for the purchase of steam from the Energy Recovery Facility. Metro will provide the steam from the Energy Recovery Facility to the point of delivery on Publishers' property. Metro has begun negotiations with Wheelabrator-Frye, Inc., for a contract to design, construct and operate the Energy Recovery Facility.

Two requirements prompt the action on these contracts. First, the Conditional Use Permit issued by the Oregon City Commission required a feasibility study for the steam pipeline route.

Second, more information pertaining to the subsurface conditions is necessary before a final design can be determined. The contract for the steam pipeline routing plan through Oregon City will be \$100,000. The contract for the subsurface geotechnical study of the site and determination of the stability of the subsurface material will cost \$75,000.

- B. ALTERNATIVES CONSIDERED: The proposed contractor, Wheelabrator-Frye is presently in contract negotiations with Metro for design, construction and operation of the Energy Recovery Facility. In keeping with Rule No. CRB 80-5, "For the Purpose of Adopting a Rule to Allow Negotiated Bids for Resource (Energy) Recovery Facility" adopted by the Metro Council, August 28, 1980: the rule

exempts the Resource (Energy) Recovery Facility from competitive bidding procedures and requiring mandatory prequalification.

Selecting any other consultant to provide this service may result in significant delays and potential cost increases. The firm has a great deal of general knowledge and background in resource (energy) recovery and their specific knowledge and background in the Metro project is unequaled by any other known provider.

- C. CONCLUSION: Recommend Council approval of two sole source contracts for the Resource (Energy) Recovery project.

TC:le
4739B/283
12/4/81



METRO

METROPOLITAN SERVICE DISTRICT

527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 15, 1981
To: Metro Council
From: Coordinating Committee
Regarding: Ordinance No. 81-123 (Personnel)

The Coordinating Committee proposes the following amendment to Section 3 of Ordinance No. 81-123:

"b. Employees shall report any existing or intended outside work to their department head."

Subsection (b) becomes subsection (c).

This amendment is necessary to insure that department heads are informed of outside work so that they may carry out their responsibility of preventing that work which is inconsistent with the provisions of Section 3 of the Ordinance.

CC:AJ:sh

BEAVERTON

December 11, 1981

Jack Nelson
Mayor

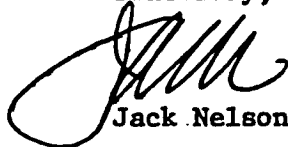
Councilor Cindy Banzer
Metropolitan Service District
527 S.W. Hall Street
Portland, Oregon 97201

Dear Cindy:

The City of Beaverton Recycling Task Force, at its meeting December 10, 1981, expressed their support of your Regional Services Committee recommendation to fund the Gus Tonges and Carl Miller requests. The Task Force believes these requests to be complimentary to the recycling program under development here in Beaverton.

We encourage the effort of Metro to move forward on a solid waste management effort and believe that the funding allocated to special projects is important. We commend you on your efforts. Please indicate our support to the Metro Council as they consider your Committee's recommendations on December 22nd.

Sincerely,



Jack Nelson

JN:tw

cc: Recycling Task Force Members



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 21, 1981
To: Metro Council
From: Councilor Mike Burton
Regarding: Agenda Item No. 6.1 - 12/22/81 Council Agenda

I would like to introduce the following motion regarding the confirmation of Recycling Support Fund recommendations:

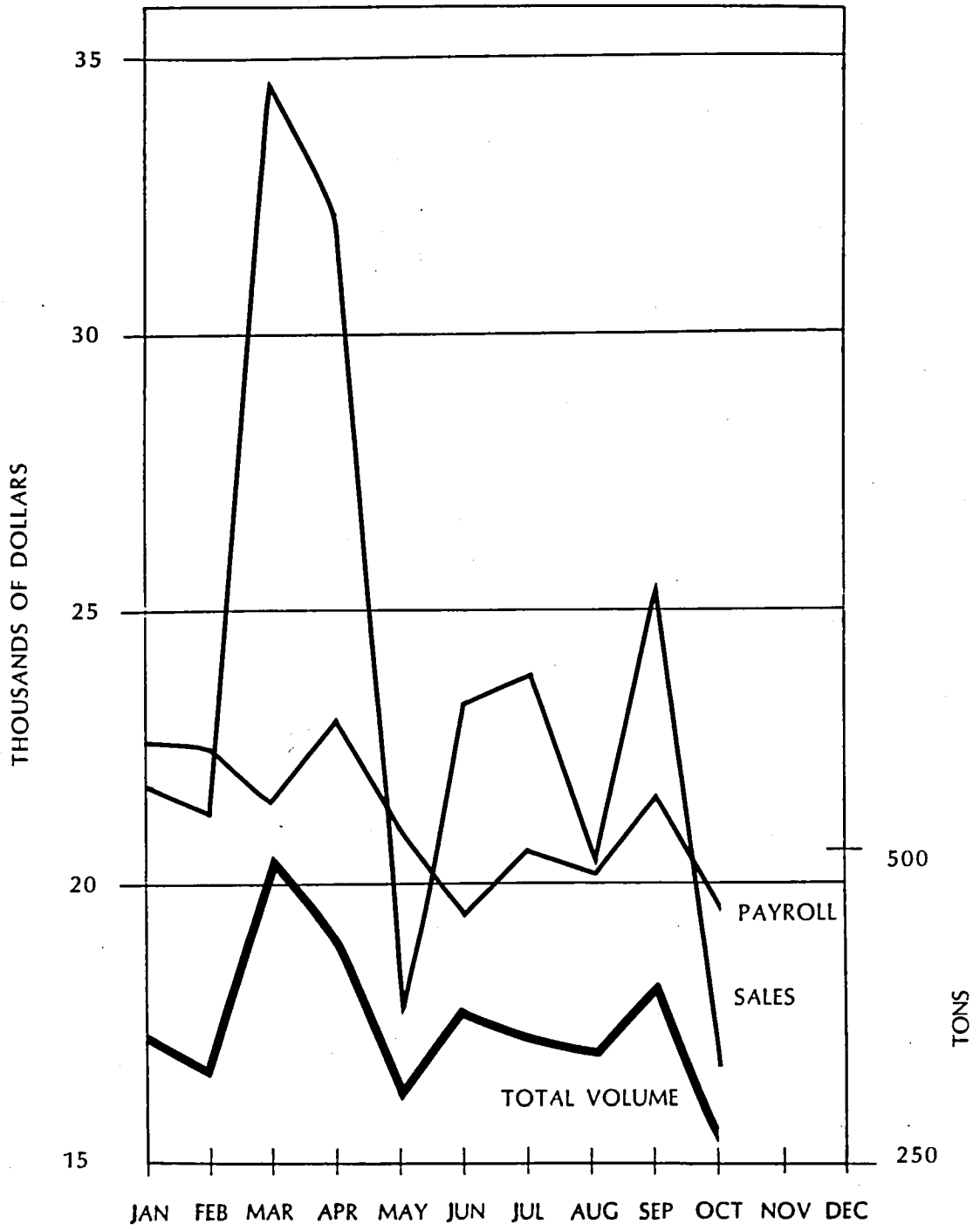
That the Chair appoint two (2) members of the Services Committee to oversee the Recycling Support Fund contracts and that these Councilors report to the Services Committee each month, in writing, as to:

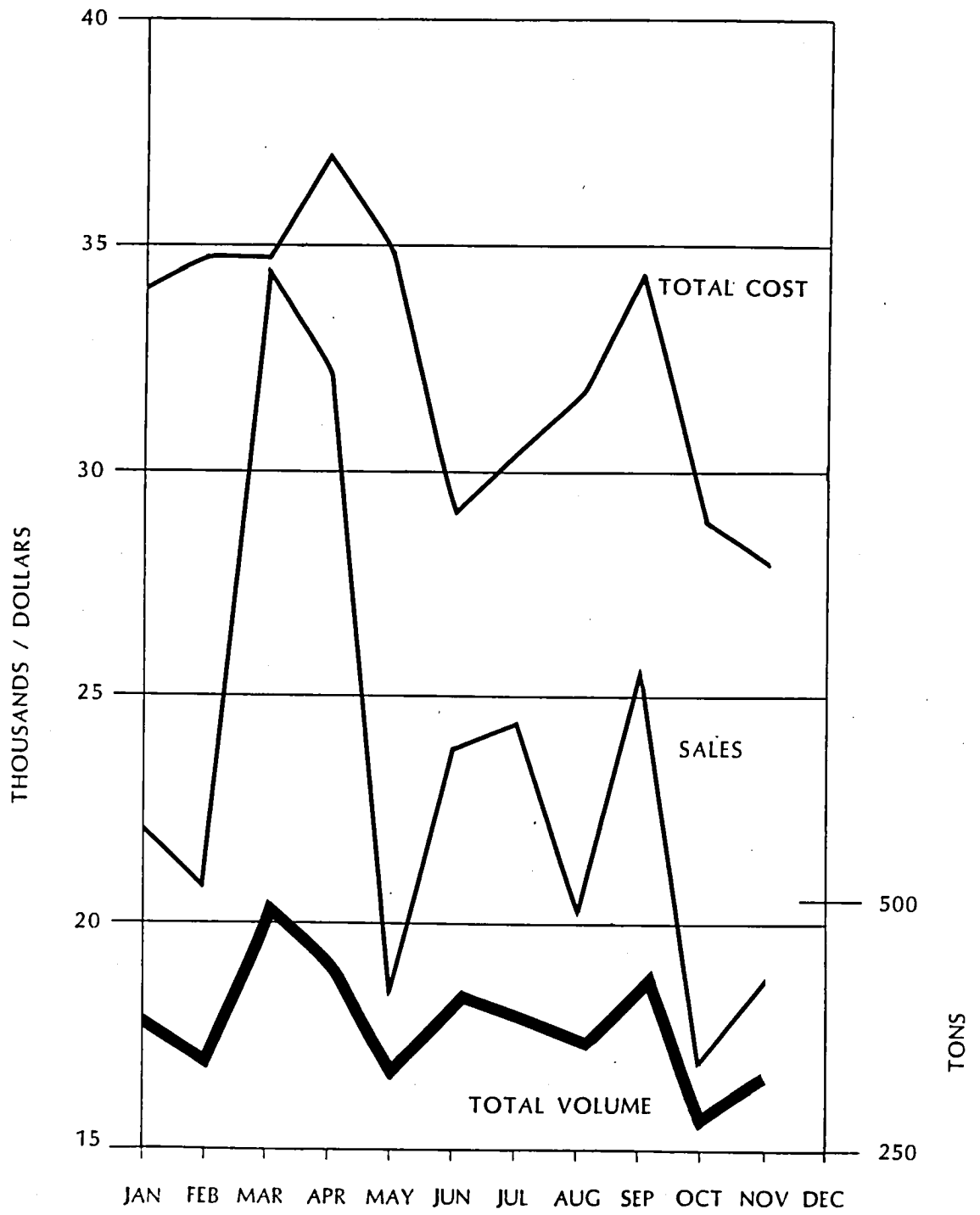
- 1) The progress of the contracted function and its impact upon the recycling support efforts of Metro, and
- 2) Any effect the contract may have on competitive processes in the solid waste industry.

MB:sh

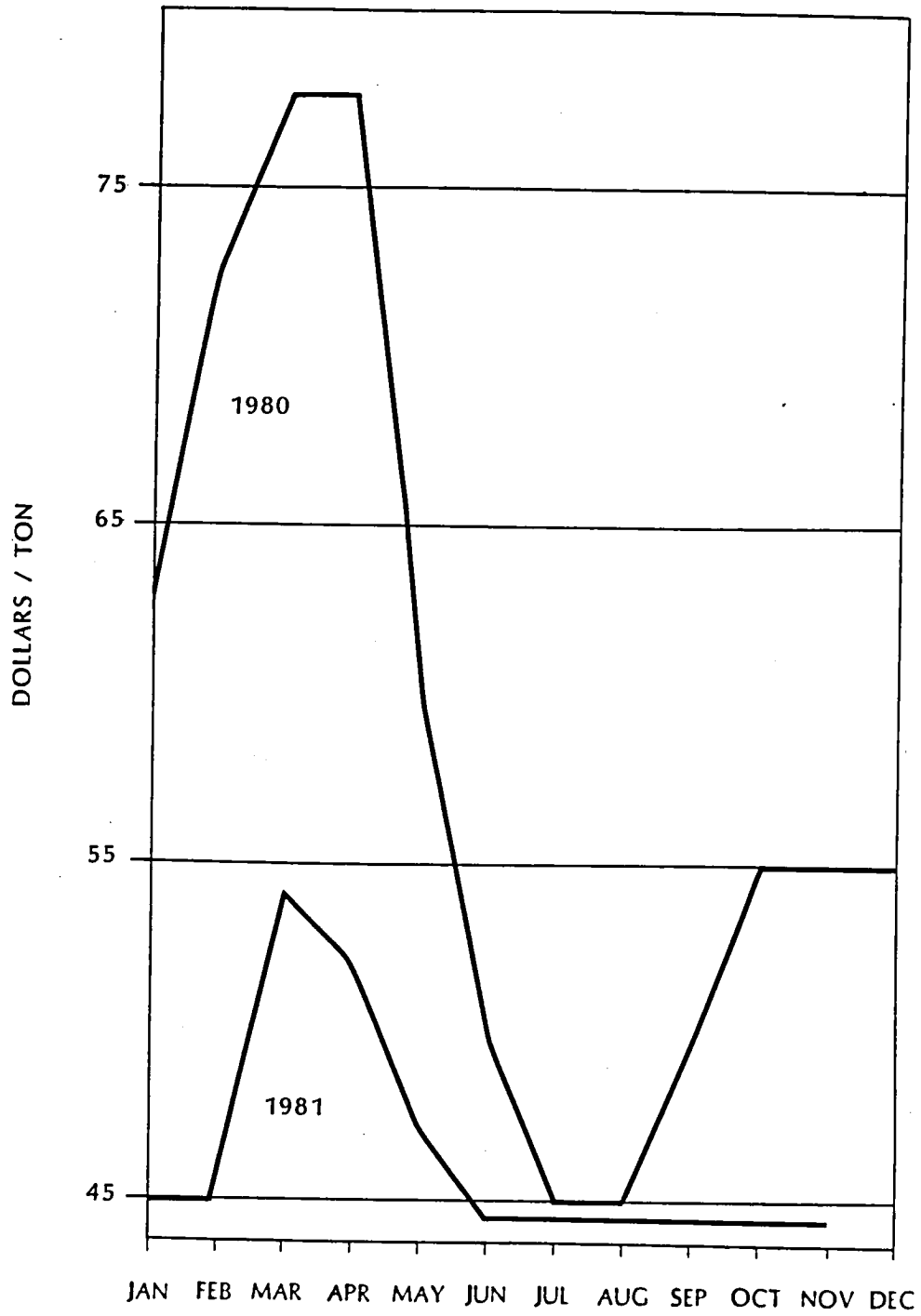
PORTLAND RECYCLING TEAM - SYNOPSIS OF SIGNIFICANT EVENTS IN 1981

<u>Date</u>	<u>Activity</u>
May 27, 1981	* Informed Metro of desire to cease collecting scrap paper as of 7/1/81.
June 12, 1981	* Increased insurance rates; new policy to cost \$17000/year. * No longer any adult CETA workers. * General Manager accepts temporary pay cut of 33%. * Two other office personnel laid off for a total of 20 days. * Marketing Manager laid off for a week. * Truck drivers to work reduced hours.
June 27, 1981	* Operation of a monthly recycling project is transferred by Woodstock Neighborhood Association from PRT to another service provider.
July 16, 1981	* Lake Oswego project/center now run entirely by PRT; worker on site 20 hours/week.
October 19, 1981	* Two office workers laid off for one week each. * Two warehouse workers laid off for one week each. * General Manager laid off for two weeks.
October 27, 1981	* Staff time at the drop-off centers reduced by 26 hours/week. * \$1,200 required to repair transmission on a truck.
November 18, 1981	* General Manager, two office workers and two warehouse workers laid off for two weeks. * Truck drivers to work 4 days instead of 5. * Drop-off center workers to reduce hours from 540 to 400 per month. * Income from sale of material in October is lowest since Summer of 1980. * \$1,000 required for truck tires.

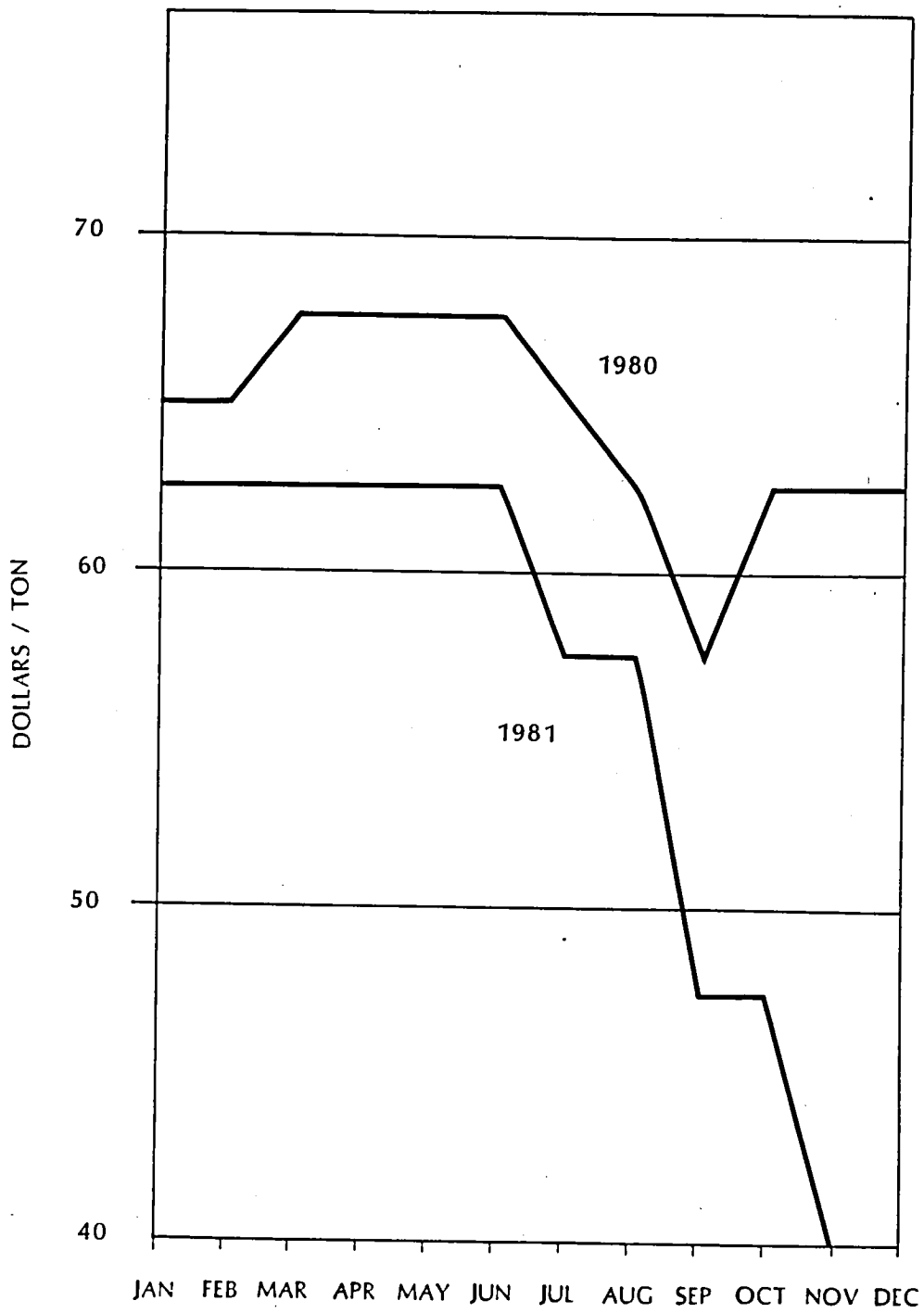




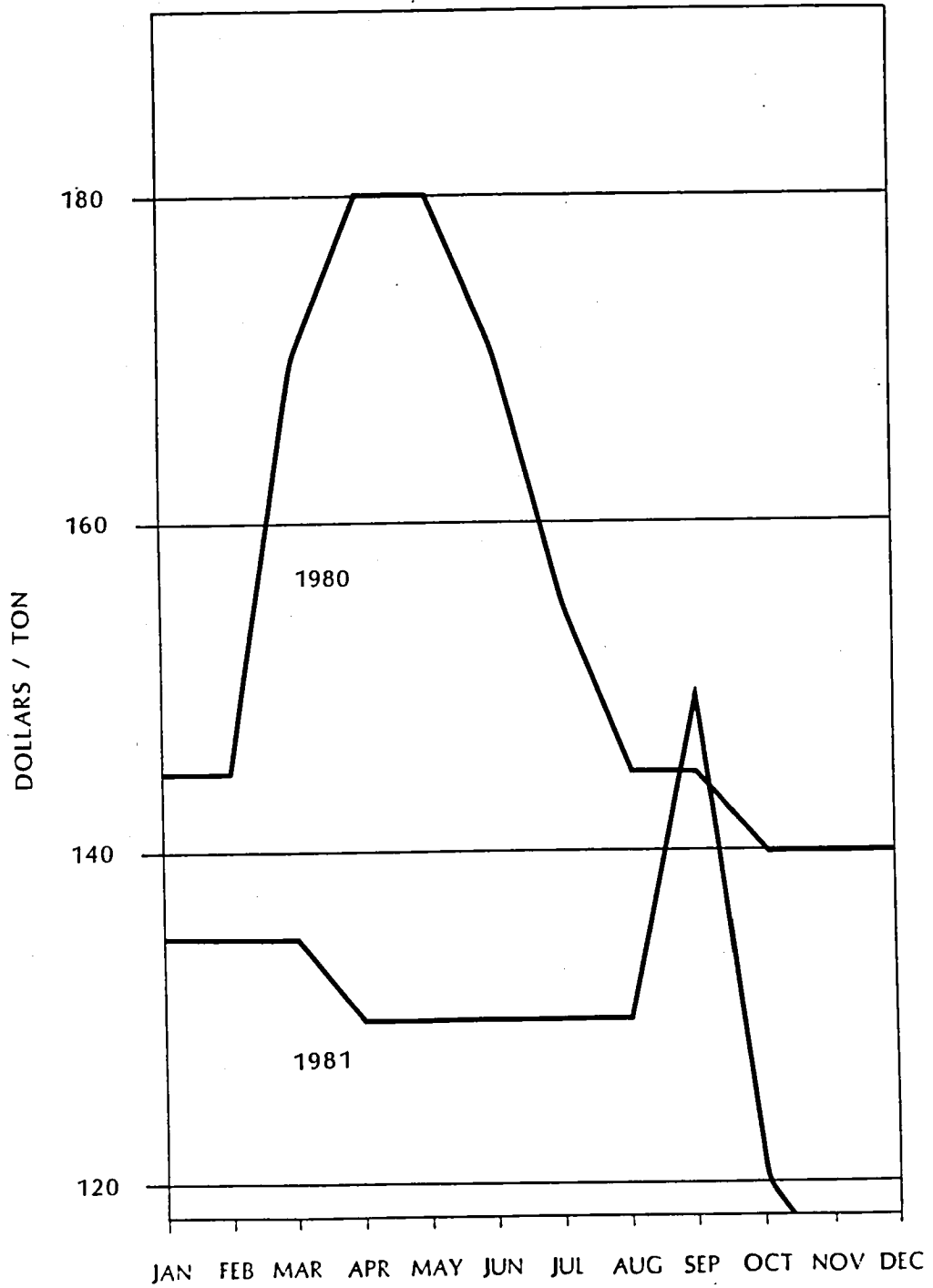
NEWSPAPER



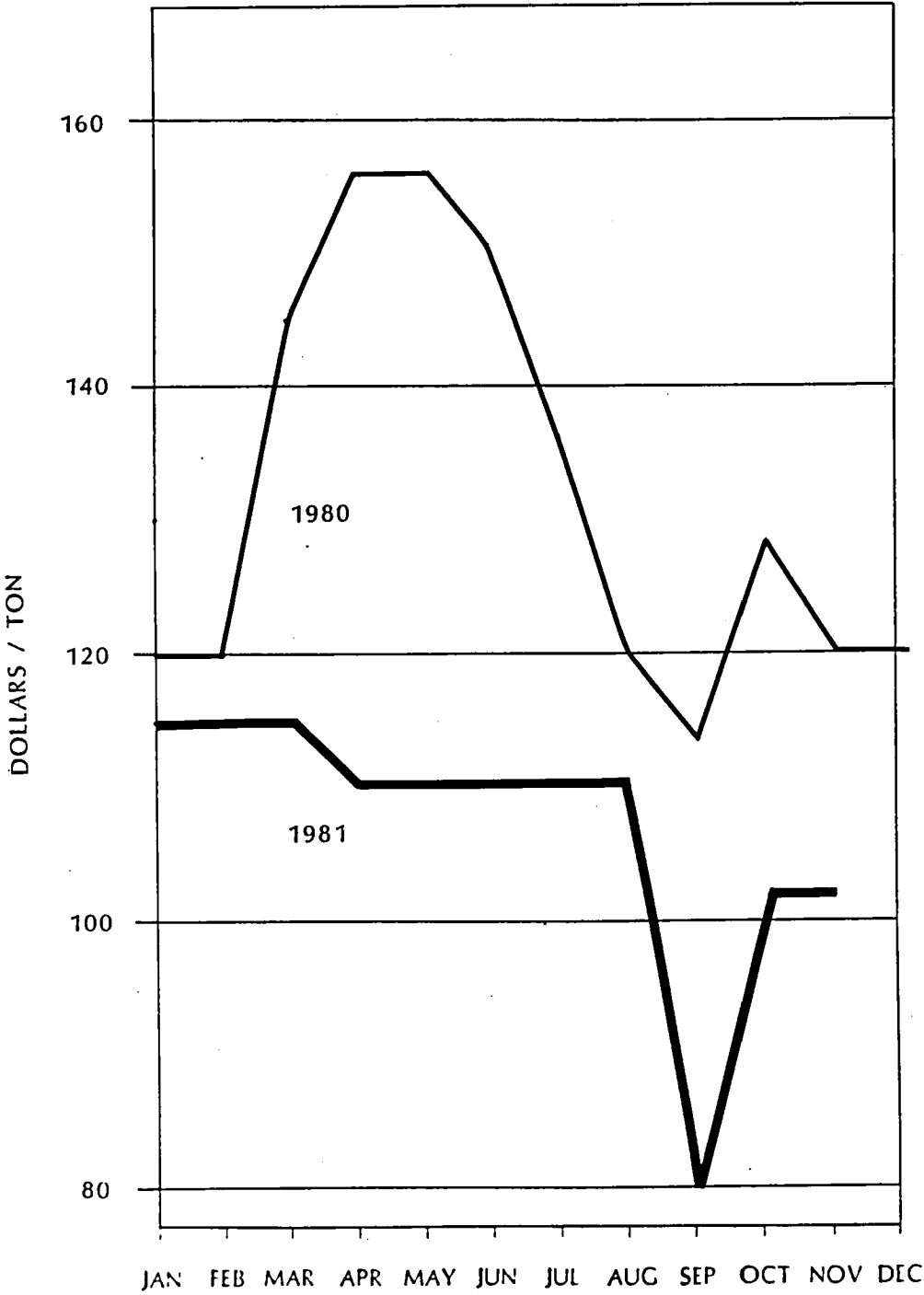
CORRUGATED CARDBOARD



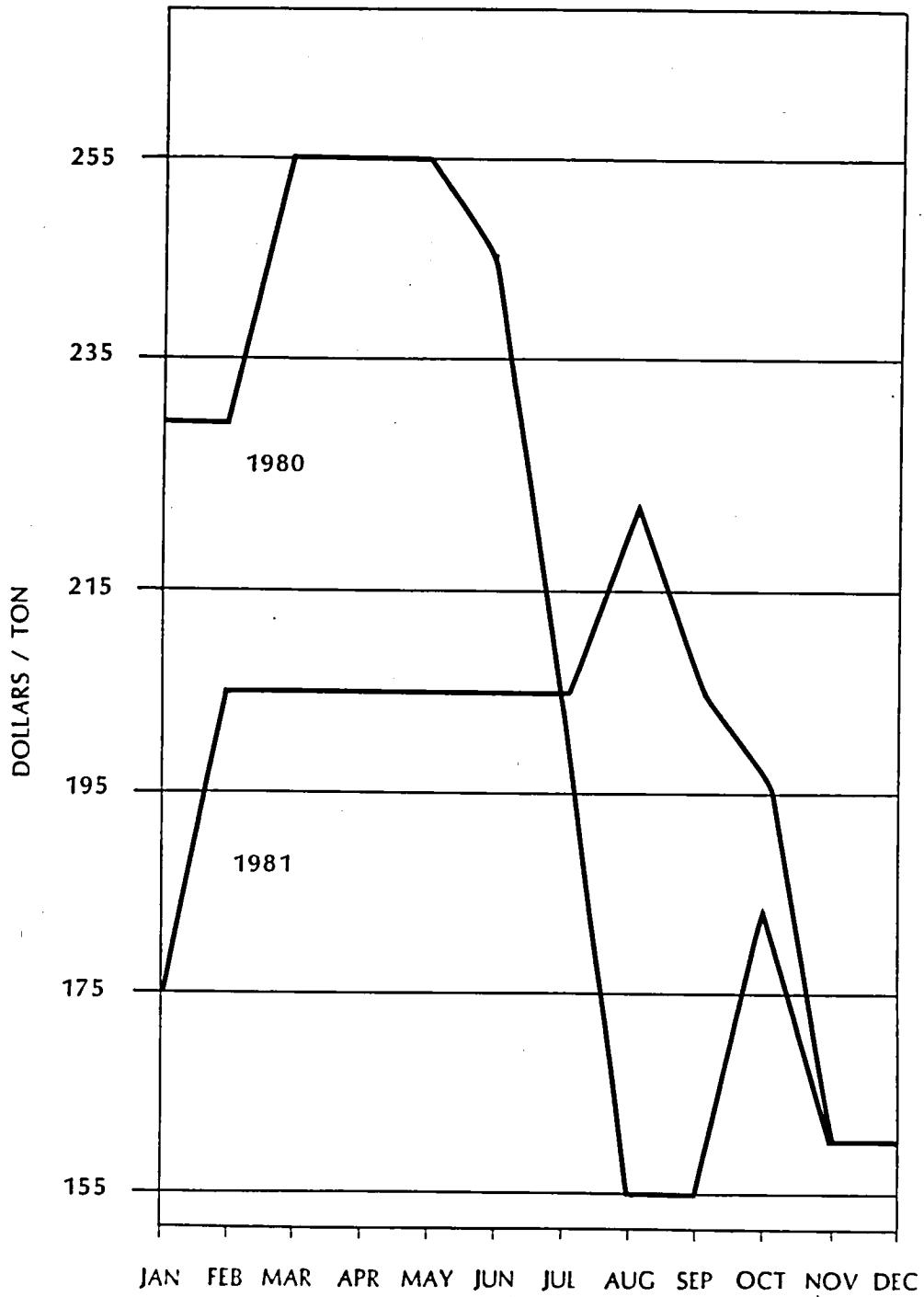
WHITE LEDGER



COLORED LEDGER



COMPUTER PRINTOUT



Revised
Application for
Prevention of Significant Deterioration
and
Air Contaminant Discharge Permits
for the Proposed
Metropolitan Service District

RESOURCE RECOVERY FACILITY

Submitted to:
U.S. Environmental Protection Agency
Region X
and
Oregon Department of Environmental Quality

Prepared for
Metropolitan Service District
527 S.W. Hall St.
Portland, Oregon 97201

by

Seton, Johnson & Odell, Inc.
133 S.W. Second Ave.
Portland, Oregon 97204

Revised December 16, 1981

**SUMMARY: Air Quality Permit Application for
Metro's Proposed Energy Recovery Facility**

Before construction of the proposed energy recovery facility can begin, Metro must obtain air quality permits from the Oregon Department of Environmental Quality (DEQ) and the federal Environmental Protection Agency (EPA). This application is Metro's request for that permit approval.

Metro filed its first application with DEQ in June, 1981. Since that time, new pollution control equipment has been added--a "dry scrubber"--and DEQ required that revised data be submitted.

The resource recovery facility was well within state and federal standards even with the original emission estimates. With the addition of the scrubber, there is a substantial reduction in certain gas emissions and a large overall decrease in total plant emissions.

These new emission estimates (see Table A, page 9) put the plant in an even better position within the standards. The DEQ may set limits for some materials for which there are presently no federal standards, but Metro believes the estimated emissions will be well within any additional limits that are set.

Metro was required to seek offsets for only one emission--total suspended particulate. While the proposed facility emits a very low level of particulate (84 tons per year) compared to other particulate sources in Clackamas County (see Table C, page 12), Metro was required to seek offsets for that emission because the Portland metropolitan area is in "nonattainment" for particulate emissions.

However, the EPA has ruled that resource recovery facilities may be exempt from offset requirements, providing a good faith effort has been made to obtain offsets, because these facilities provide environmental advantages to landfilling of garbage.

Metro has spent the past six months seeking the necessary offsets for the particulate emissions. Five tons have been identified from the closure of Rossman's Landfill and the cleaner operation of the energy recovery plant itself. All existing point sources and non-point sources in the surrounding area were examined.

No offsets were available from point sources (namely, Publishers Paper Co. and Crown Zellerbach). Among the non-point sources, only open burning was determined to be controllable.

Metro has begun an aggressive Yard Debris Recovery Program with an EPA grant this year. The program has been extremely successful in attracting yard debris which would have otherwise been burned or gone into a landfill. Metro proposes to continue that program and seek to expand it through various means (see page 99).

While a specific amount of offsets cannot be estimated for such a program, Metro is confident that an aggressive program to promote alternatives to backyard burning should result in reductions at least equal to the energy recovery facility's annual particulate emissions.

Therefore, consistent with EPA's "good faith search" ruling, Metro requests that DEQ grant an exemption from particulate offsets for the energy recovery facility with the condition that the Yard Debris Recovery Program (as outlined on page 101) be implemented.

Background on Resource Recovery Facility

Metro is responsible for developing and maintaining a regional garbage disposal system. Since assuming the solid waste responsibilities of the former MSD in 1979, the elected regional government has worked to develop an economical and environmentally sound system of garbage disposal which will serve the needs of this metropolitan area for the next 30 years.

The key component in Metro's solid waste management system is the proposed energy recovery facility in Oregon City. In addition to creating valuable energy, the plant greatly reduces the amount of garbage which must be landfilled. Metro's proposed new regional landfill site (Wildwood, in northwest Multnomah County) is projected to last only 16 years without resource recovery, but will serve this region for 31 years if the energy recovery plant is in operation.

An energy recovery facility has been under consideration first by the old MSD, and now by Metro, for over nine years. In September, 1979, Metro commissioned Battelle Columbus Laboratories to do a technical study of resource recovery plants around the world and recommend the best technology for the proposed Oregon City facility. Based on this study, Metro modified the original plan for an RDF (refuse derived fuel) plant and proposed mass incineration European technology as the most appropriate and reliable.

In October 1980, Metro and Publishers Paper Co. signed a 25-year energy sales contract providing that Publishers will buy all the energy from the plant.

In November 1980, Metro filed for new conditional use permits based on mass incineration technology for the plant. The Oregon City Planning Commission requested an independent third party review of the proposal.

In April 1981, the independent review was completed by Gersham, Brickner and Bratton , Inc., (GBB) from Washington, DC, and was presented to the Oregon City Commission and Planning Commission at a three-hour public hearing. The GBB report found that the emissions from the plant would present no significant impact to the community and would be within state and federal standards.

In April 1981, the Oreon City Economic Development Committee voted unanimously to support the project. This citizens' committee, appointed by the Mayor, had been reviewing the project since the fall of 1980.

In May 1981, the Oregon City Planning Commission held additional public hearings on the plant and recommended unanimously that conditional use permits be granted to Metro with conditions to protect the community.

In June 1981, the Oregon City Commission held public hearings and granted conditional use permits for construction of the resource recovery plant, steam pipeline and Clackamas Transfer & Recycling Center.

Before granting the necessary conditional use permits for the energy recovery plant, both the Oregon City Planning Commission and City Council held extensive public hearings. The issues of truck traffic, noise, air quality, water quality, plant safety and steamline route were carefully examined. The commission attached 46 conditions to the permits to ensure that the plant, when it is operational, will be a good neighbor in Oregon City.

In June 1981, Metro submitted its air quality permit application to DEQ. The DEQ requested additional information due to reduction of emissions caused by the addition of a scrubber system required by Oregon City.

In November 1981, voters in Oregon City expressed strong support for the project, rejecting 52 percent to 48 percent an attempt to amend the City Charter to require a vote on the energy recovery facility.

Also in November, the grading and filling of the resource recovery site (begun in July) was substantially completed, and the Oregon City Planning Commission unanimously approved the design for the transfer station.

The remaining steps before construction of the plant can begin are:

1. Approval of the air quality permit by both the DEQ and EPA;
2. Completing contract negotiations with the preferred builder/operator, Wheelabrator-Frye, Inc.; and
3. Sale of the revenue bonds to finance the construction of the plant.

Operation of Metro's Proposed Facility

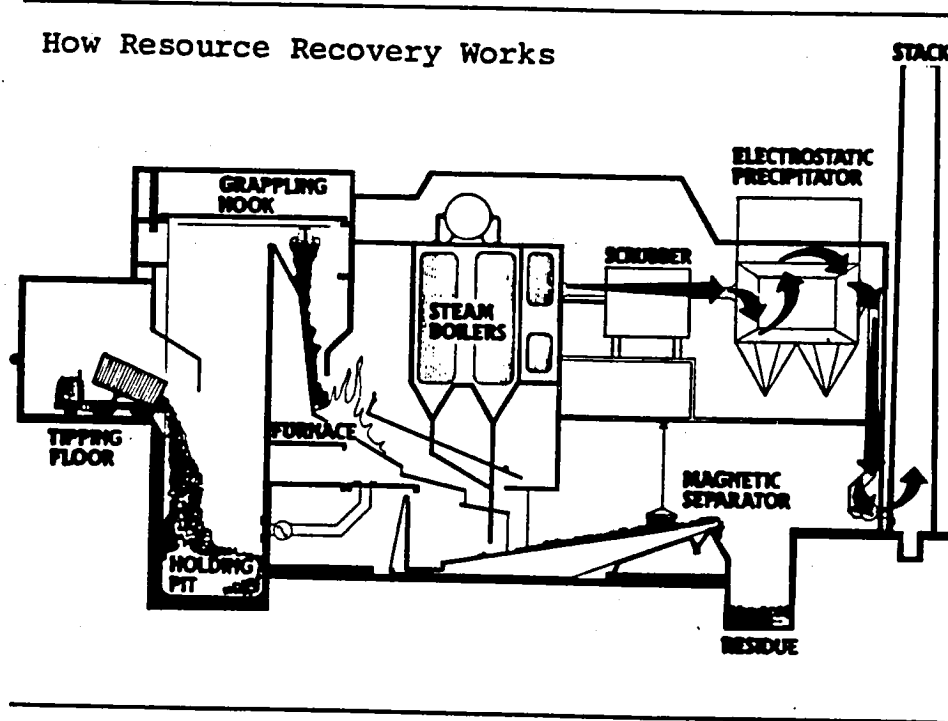
Metro's proposed energy recovery facility is both an environmentally sound and economically responsible project. Worldwide, there are 260 garbage-burning plants similar in size and technology to the one Metro proposes to build. There are four such plants operating successfully in the United States. Metro's plant would be the first on the west coast.

The operation of the plant is simple. The garbage is dumped into a deep concrete pit, and large grappling hooks lift the refuse up and into the furnaces. The furnaces burn at temperatures between 1400° and 2400°, burning most garbage within one hour.

The burning garbage heats water in the boilers, creating super-heated steam. That steam is piped about one and a half miles to Publishers Paper Co. where it will be used to create electricity and as industrial steam in the paper drying operation.

The remaining ash from the burning process is run through magnetic separators which remove ferrous metals for resale. What is left will either be taken to a landfill or, possibly, sold for use in road construction or other projects requiring fill material.

The energy released by burning a ton of garbage is equal to 62 gallons of oil. The energy produced by the proposed plant is equal to the amount needed to heat and light 22,000 homes each year.



Resource Recovery and Air Quality

Four consultant firms have been involved in producing the air quality data contained in the permit application. Battelle Columbus Laboratories compiled data on similar facilities and estimated the potential emissions for this plant. Wheelabrator Frye Inc. developed data on the flue gas volume, and Wheelabrator and Battelle together did the assessment of the pollution control equipment Metro intends to include in its plant. The local firm of Seton, Johnson and Odell, Inc. used all of this data in the computer modeling to simulate the "worst condition" testing required by DEQ and EPA. The work of all the consultants has been coordinated by Jackson & Associates, Metro's project manager for the energy recovery facility.

Like any other new industry, the proposed energy recovery facility must control any pollutants its operation creates. Studies by Metro's air quality consultants and an independent third-party reviewer (Girshman, Brickner & Bratton study, prepared for the Oregon City Commission, April, 1981) all conclude that the facility will be acceptable under state and federal regulations and that any pollutants emitted will be well within standards.

The Portland metropolitan area (including Oregon City) has a mixed air quality rating. The area is in "attainment" for most pollutants, meaning that the pollutants are well below the level that would pose any danger to public health or welfare. The area is in "nonattainment" for a few pollutants, meaning that for at least one day a year in the region, the level of pollution is above the desirable standard.

Because of this mixed air quality rating, two standards will be applied in DEQ's assessment of the plant's pollution control equipment. For emissions that are in attainment, Metro is required to show that the equipment to control those emissions represents the Best Available Control Technology (BACT). For pollutants that are in nonattainment, such as particulates, Metro must meet a more stringent standard called LAER--Lowest Achievable Emission Rate.

Metro's Proposed Air Quality Controls

There are three sources of potential air pollution from the energy recovery facility:

1. The refuse receiving area and pit;
2. The ash pit and ash transfer equipment; and
3. The resource recovery furnaces.

The refuse receiving area and pit are being designed to operate under negative air pressure so that any possible pollutants are held within the area and are drawn into the furnaces themselves. Ash will be handled in a moist condition to eliminate the potential of dry ash escaping into the air.

The resource recovery furnaces will have a pollution control system consisting of first, a dry scrubber to remove certain gases and then, a series of electrostatic precipitators that will remove particulate. As the exhaust from the furnaces passes through the scrubber, it will be subjected to a spray of lime from a special air atomizing nozzle. The acid gases in the exhaust react with the lime and are neutralized. The spent lime particles are collected in the electrostatic precipitators, just as any other particulate matter is captured.

The addition of the dry scrubber has substantially reduced the emission of certain gases. Metro's proposed energy recovery facility was well within state and federal air quality standards even without this additional pollution control equipment.

Emissions Data

Table A (below) compares the plant's maximum air quality impact with the most stringent of State and Federal Ambient Air Quality Standards. Clearly, for all major emissions, impacts resulting from the resource recovery facility are far below allowable levels.

TABLE A
Metro's Resource Recovery Facility
Maximum Predicted Air Quality Impact (in micrograms per cubic meter)

<u>Emission</u>	<u>Averaging Time*</u>	<u>Air Quality Standard**</u>	<u>Maximum Estimated Emission from Metro Plant</u>
Sulphur Dioxide	Annual	60	1
Total Suspended Particulate	Annual	60	0.6
Nitrogen Dioxide	Annual	100	4
Lead	Monthly	3	0.3
Carbon Monoxide	8-hour	10,000	80
Nonmethane Hydrocarbons	3-hour	160	7

*different pollutants have different standards

**most stringent of State and Federal Ambient Air Quality Standards

Table B (below) details the estimated annual emissions in tons per year for all measurable emissions from the proposed energy recovery facility.

TABLE B

Metro's Resource Recovery Facility
Estimated Annual Emissions

<u>Emissions</u>	<u>Quantity (tons/year)</u>	<u>Comment</u>
Sulfur Dioxide (SO ₂)	150	1% of Tri-county SO ₂ emissions
Nitrogen Oxides (NO _x)	480	1% of Tri-county NO _x emissions
Fluorides	0.45	Dry scrubber removes 75% of fluoride emissions
Hydrocarbons (VOC)	36	Offsets not required if emissions under 40
Carbon Monoxide (CO)	570	Major source of CO is vehicle exhaust
Hydrochloric Acid (HCl)	81.6	Dry scrubber removes 92% of HCl
Mercury	1.9	
Sulfuric Acid (H ₂ SO ₄)	0.45	Dry scrubber removes 95% of H ₂ SO ₄
Polychlorinated Biphenyls (PCBs)	0.039	
Asbestos, Vinyl Chloride, Hydrogen Sulfide (H ₂ S) and Total Reduced Sulfur (TRS)	0.0	
Total Particulate	84	Total Tri-county particulate emissions are 35,000 tons/year
Lead	3.06	
Beryllium	0.0000138	Less than 1/2 ounce/year
2,3,7,8 TCDD (dioxin)	0.00000018	7/1000 ounce/year; well within EPA safety estimates
Polynuclear aromatic hydrocarbons (PNAs)	0.0018	3.6 pounds/year

Volatile organic compounds (VOC) is an emission that the DEQ wants to limit because it contributes to the development of ozone, for which this metropolitan area is in nonattainment. However, Metro's proposed plant emits only 36 tons of VOC per year, and the DEQ has ruled that sources emitting less than 40 tons need not provide offsets. Metro has located 41 tons of VOC offsets, but those offsets are not needed for purposes of this application.

Only one emission, particulate, requires seeking offsets to mitigate the impact on the nearby nonattainment area for that pollutant.

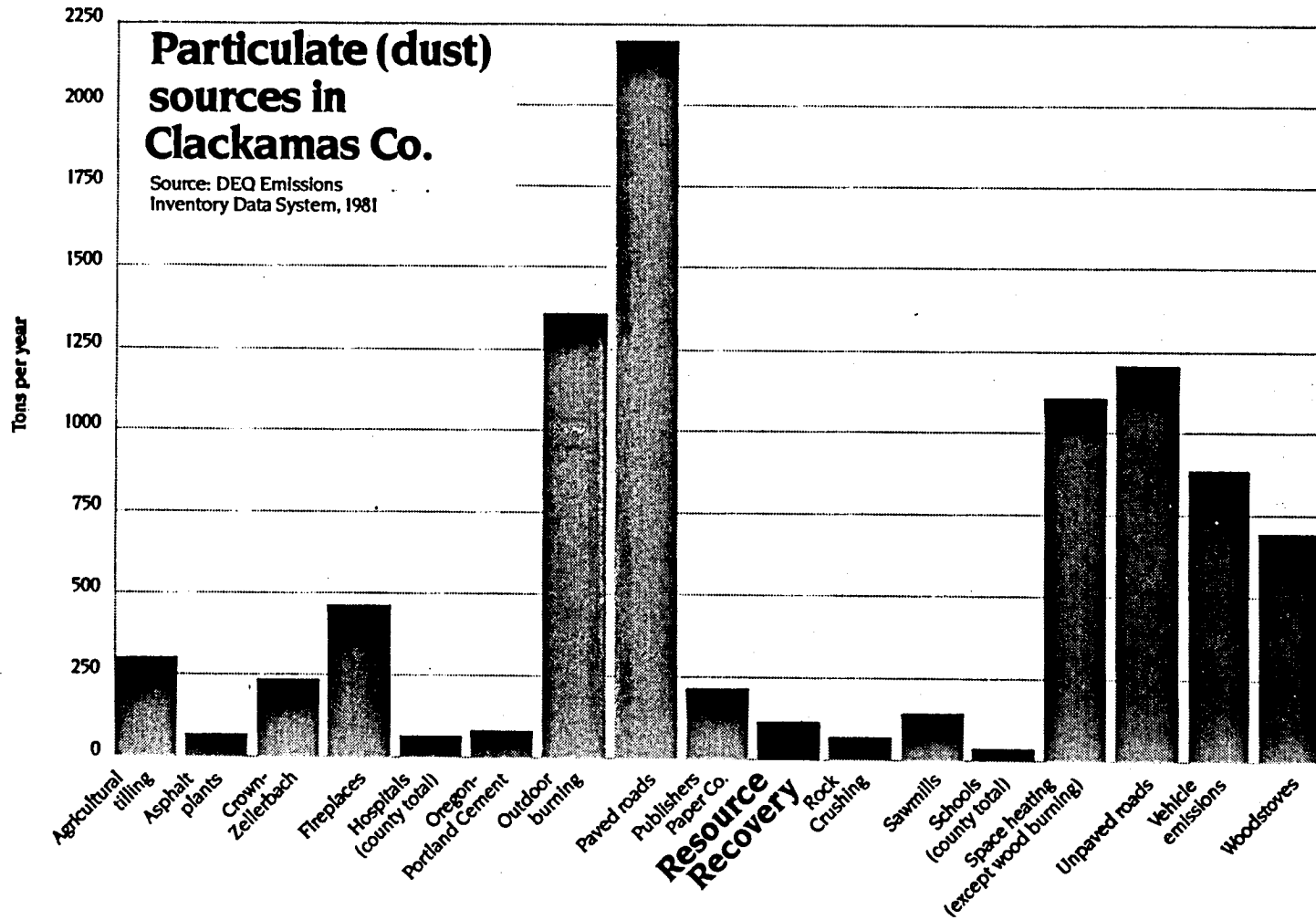
Metro's Search for Particulate Offsets

Metro's proposed energy recovery facility emits a very low level of particulate (84 tons per year) when compared to other sources of particulate in the Clackamas County area (see Table C). The facility will be located in an attainment area for particulate (Oregon City), but because of its proximity to the metropolitan nonattainment area, DEQ has ruled that Metro must seek offsets for particulate.

At the same time, the EPA has ruled that resource recovery facilities may be exempt from offset requirements that are normally applied to industrial point sources because they provide environmental advantages to landfilling of garbage. If an exemption is requested, the applicant must show that a good faith effort has been made to obtain offsets.

Metro has vigorously sought offsets for the 84 tons of particulate that the energy recovery facility will emit annually. Five tons of particulate offsets are available from the closure of Rossman's Landfill and the change in disposal operation with the opening of the resource recovery facility.

Table C



Because the plant will be fully enclosed and garbage will be transported by large transfer trucks, significantly reducing the number of individual haulers' trucks, particulate from vehicle emissions and dust will be reduced.

Metro has spent the past six months seeking offsets from point sources of fine particulate emissions in the area. The only two existing major point sources are Crown Zellerbach Corp. in West Linn and Publishers Paper Co. in Oregon City. Crown Zellerbach responded that offsets would be available only if their West Linn facility were to be closed, and that there were no such plans for closure.

Metro discussed two possible sources for offsets with Publishers: 1) reduced fuel oil consumption as a result of the steam energy that the resource recovery plant will supply to Publishers; and 2) installation of an additional mist eliminator on a recovery boiler at Publishers. The paper company has indicated that neither offset possibility is available to Metro.

With these potential industrial sources eliminated, Metro has exhausted the search for point source offsets. The other possibility is to seek offsets from nonpoint sources of particulate in the area. According to the DEQ Emissions Inventory, the major particulate sources in Clackamas County are:

	Tons/Yr
paved and unpaved roads	3,460
woodstoves and fireplaces	1,170
motor vehicle emissions	920
residential and commercial space heating	1,100
field and slash burning	1,230
agricultural tilling	300
residential, open burning (backyard burning)	100

Metro believes that backyard burning is the only one of these sources that realistically could be controlled to provide particulate offsets for the resource recovery plant. Metro has explored several possibilities for providing alternatives to backyard burning in the region.

Metro's Yard Debris Recovery Program

In February 1981, Metro received a \$265,000 grant from the EPA to explore alternatives for disposal of yard debris. Metro's has completed two of three planned yard debris clean-up programs, and the early success of the program is very encouraging.

Metro's program has three primary objectives:

1. To provide an information base for implementing a permanent yard debris recovery and recycling program;
2. To demonstrate that special processing techniques can recycle yard debris by converting it into a valuable, useable resource such as boiler fuel or mulch; and
3. To demonstrate that a reduction of backyard burning in the metropolitan area can be implemented without placing any additional burden on the area's scarce landfill capacity.

The first phase of the project, completed last spring, experimented with the collection, processing and marketing of woody waste (twigs, limbs and branches only). Metro is currently involved in Phase II of the project, a campaign to collect and process mixed yard waste (leafy and woody). Phase III will be conducted in the spring of 1982 and will be based on the findings from the first two phases.

The program appears to be technically and economically feasible, and one Clackamas County business that participated in the demonstration project has indicated its intention to continue the program on a permanent basis.

Furthermore, preliminary data from the second phase of the project indicates that the aggressive public information campaign persuaded residents to take advantage of alternatives to backyard burning.

For example, for the weeks of October 23 through December 6, a weekly average of 1,861 cubic yards of separated yard debris was brought to the two collection sites (St. Johns Landfill and McFarlane Bark). This is a significant increase over the amount usually brought to the landfill prior to the program.

Continuation of the Yard Debris Recovery Program

Based on the early success of the Yard Debris Recovery Demonstration Project, Metro is convinced that a regionwide, ongoing program that provides alternatives to backyard burning would have significant impact on particulate levels in the metropolitan area.

Consequently, it is Metro's intention to continue a yard debris recovery program beyond the expiration of the EPA grant, and to make it a permanent part of Metro's regional solid waste management program. Metro will carry out the following activities to promote the use of alternatives to backyard burning:

1. Metro will seek legislation to address the collection of yard debris. Metro does not currently have statutory collection authority, but intends to seek

such authority from the Oregon Legislature during the 1983 Legislative Assembly. The emphasis of such legislation would be the collection of yard debris within Metro's jurisdiction and the spreading of associated costs among the region's residents.

2. Metro will build the Clackamas Transfer & Recycling Center in Oregon City on the site of the energy recovery facility. This facility will offer an attractive option to Clackamas County residents who currently prefer to burn their yard debris rather than take it to Rossman's Landfill.
3. Metro will continue to seek incentives for people to recycle yard debris rather than burn it. Metro has secured from a private firm in Clackamas County a commitment to provide a permanent facility to receive, process and market yard debris. McFarlane Bark will offer residents of Clackamas and southern Multnomah Counties a low-cost, convenient alternative to backyard burning of yard debris. Metro will pursue similar agreements to commit private enterprise to participate in a practical solution to the open burning problem.
4. Metro has requested that Clackamas County investigate the possibility of Clackamas County haulers voluntarily providing collection of separated yard debris at least twice a year in the City of Milwaukie and in the urban, unincorporated areas of the county as part of their normal service. Metro will explore similar collection activities with other local jurisdictions in the region.

5. Metro will continue its comprehensive public information program to persuade residents of the metropolitan area to use alternatives other than open burning for the disposal of yard debris. The public information/education effort in support of the Yard Debris Recovery Demonstration Project resulted in a marked increase in participation in that project. Over time, as more people are made aware of the practical alternatives to burning, such a program will be even more successful.

Request for Offset Exemption with Conditions

To review Metro's pursuit of particulate offsets, Metro has located five tons of offsets from the closure of Rossman's Landfill and the operation of the resource recovery facility. Offsets from known significant point sources are unavailable.

In evaluating non-point sources, only open burning appears realistically capable of being controlled. DEQ's suggestion that Metro provide free collection of yard debris in Clackamas County in order to obtain adequate offsets is not financially feasible.

While a specific amount of offsets cannot be estimated for a voluntary program, Metro is confident that an aggressive program to promote alternatives to backyard burning will substantially offset the particulate emissions estimated for the resource recovery facility.

Further, Metro is committed to carrying out a variety of activities to see that such a program is successful, and invites the DEQ to cooperate with Metro in monitoring the program.

Therefore, Metro requests that DEQ grant an exemption from particulate offset requirements for the resource recovery facility with the condition that the Yard Debris Recovery Program outlined above be implemented.

This request is consistent with an EPA ruling that allows resource recovery facilities to have an exemption provided that a good faith search has been made to locate offsets.

The Regional Perspective

An effective solid waste management program today cannot rely on landfills alone. Diminishing natural resources and concern about possible environmental degradation require that we use landfills only as a last resort and instead make a strong commitment to recycling and other energy-saving measures. Metro's proposed energy recovery facility is a key part of a responsible solid waste management plan. It will burn two-thirds of the region's waste and create a local, stable source of energy for local industry. It will double the life of the regional landfill, extending it to 31 years. And it will not compete with recycling and other waste reduction activities.

Metro's primary objective is to reduce the amount of garbage that must be handled and disposed of. To accomplish this, Metro is involved in a variety of waste reduction activities, including operation of the Recycling Switchboard, promotion of curbside recycling services, financial assistance to recycling organizations and coordination of a yard debris clean-up program.

Even with full recycling, Metro would have to dispose of about 600,000 tons of garbage a year. The energy recovery facility will take care of most of that amount.

What can't be recycled or burned will be buried in a landfill, along with the unsold ash from the energy recovery plant.

Tying the system together will be transfer stations, where commercial garbage collectors and private citizens drop off garbage that is loaded onto larger trucks and directed to the most appropriate disposal site (either resource recovery or a landfill). Transfer stations provide the flow control that is necessary to maximize the efficiency and cost-effectiveness of the whole system.

A regional problem, such as garbage disposal, requires a regional solution. Metro's proposed energy recovery facility is an integral part of the solution, reducing the pressure on landfills, disposing of nearly 600,000 tons of garbage annually, and creating energy which a local paper mill has agreed to purchase. Metro has submitted this air quality application in order to proceed with the project and to meet the goal of having the plant ready to operate in 1985.

SUMMARY: Air Quality Permit Application for
Metro's Proposed Energy Recovery Facility

Before construction of the proposed energy recovery facility can begin, Metro must obtain air quality permits from the Oregon Department of Environmental Quality (DEQ) and the federal Environmental Protection Agency (EPA). This application is Metro's request for that permit approval.

Metro filed its first application with DEQ in June, 1981. Since that time, new pollution control equipment has been added--a "dry scrubber"--and DEQ required that revised data be submitted.

The resource recovery facility was well within state and federal standards even with the original emission estimates. With the addition of the scrubber, there is a substantial reduction in certain gas emissions and a large overall decrease in total plant emissions.

These new emission estimates (see Table A, page 6) put the plant in an even better position within the standards. The DEQ may set limits for some materials for which there are presently no federal standards, but Metro believes the estimated emissions will be well within any additional limits that are set.

Metro was required to seek offsets for only one emission--total suspended particulate. While the proposed facility emits a very low level of particulate (84 tons per year) compared to other particulate sources in Clackamas County (see Table C, page 10), Metro was required to seek offsets for that emission because the Portland metropolitan area is in "nonattainment" for particulate emissions.

However, the EPA has ruled that resource recovery facilities may be exempt from offset requirements, providing a good faith effort has been made to obtain offsets, because these facilities provide environmental advantages to landfilling of garbage.

Metro has spent the past six months seeking the necessary offsets for the particulate emissions. Five tons have been identified from the closure of Rossman's Landfill and the cleaner operation of the energy recovery plant itself. All existing point sources and non-point sources in the surrounding area were examined.

No offsets were available from point sources (namely, Publishers Paper Co. and Crown Zellerbach). Among the non-point sources, only open burning was determined to be controllable.

Metro has begun an aggressive Yard Debris Recovery Program with an EPA grant this year. The program has been extremely successful in attracting yard debris which would have otherwise been burned or gone into a landfill. Metro proposes to continue that program and seek to expand it through various means (see page 12).

While a specific amount of offsets cannot be estimated for such a program, Metro is confident that an aggressive program to promote alternatives to backyard burning should result in reductions at least equal to the energy recovery facility's annual particulate emissions.

Therefore, consistent with EPA's "good faith search" ruling, Metro requests that DEQ grant an exemption from particulate offsets for the energy recovery facility with the condition that the Yard Debris Recovery Program (as outlined on page 12) be implemented.

Background on Resource Recovery Facility

Metro is responsible for developing and maintaining a regional garbage disposal system. Since assuming the solid waste responsibilities of the former MSD in 1979, the elected regional government has worked to develop an economical and environmentally sound system of garbage disposal which will serve the needs of this metropolitan area for the next 30 years.

The key component in Metro's solid waste management system is the proposed energy recovery facility in Oregon City. In addition to creating valuable energy, the plant greatly reduces the amount of garbage which must be landfilled. Metro's proposed new regional landfill site (Wildwood, in northwest Multnomah County) is projected to last only 16 years without resource recovery, but will serve this region for 31 years if the energy recovery plant is in operation.

An energy recovery facility has been under consideration first by the old MSD, and now by Metro, for over nine years. In September, 1979, Metro commissioned Battelle Columbus Laboratories to do a technical study of resource recovery plants around the world and recommend the best technology for the proposed Oregon City facility. Based on this study, Metro modified the original plan for an RDF (refuse derived fuel) plant and proposed mass incineration European technology as the most appropriate and reliable.

In October 1980, Metro and Publishers Paper Co. signed a 25-year energy sales contract providing that Publishers will buy all the energy from the plant.

In November 1980, Metro filed for new conditional use permits based on mass incineration technology for the plant. The Oregon City Planning Commission requested an independent third party review of the proposal.

In April 1981, the independent review was completed by Gersham, Brickner and Bratton, Inc., (GBB) from Washington, DC, and was presented to the Oregon City Commission and Planning Commission at a three-hour public hearing. The GBB report found that the emissions from the plant would present no significant impact to the community and would be within state and federal standards.

In April 1981, the Oregon City Economic Development Committee voted unanimously to support the project. This citizens' committee, appointed by the Mayor, had been reviewing the project since the fall of 1980.

In May 1981, the Oregon City Planning Commission held additional public hearings on the plant and recommended unanimously that conditional use permits be granted to Metro with conditions to protect the community.

In June 1981, the Oregon City Commission held public hearings and granted conditional use permits for construction of the resource recovery plant, steam pipeline and Clackamas Transfer & Recycling Center.

Before granting the necessary conditional use permits for the energy recovery plant, both the Oregon City Planning Commission and City Council held extensive public hearings. The issues of truck traffic, noise, air quality, water quality, plant safety and steamline route were carefully examined. The commission attached 46 conditions to the permits to ensure that the plant, when it is operational, will be a good neighbor in Oregon City.

In June 1981, Metro submitted its air quality permit application to DEQ. The DEQ requested additional information due to reduction of emissions caused by the addition of a scrubber system required by Oregon City.

In November 1981, voters in Oregon City expressed strong support for the project, rejecting 52 percent to 48 percent an attempt to amend the City Charter to require a vote on the energy recovery facility.

Also in November, the grading and filling of the resource recovery site (begun in July) was substantially completed, and the Oregon City Planning Commission unanimously approved the design for the transfer station.

The remaining steps before construction of the plant can begin are:

1. Approval of the air quality permit by both the DEQ and EPA;
2. Completing contract negotiations with the preferred builder/operator, Wheelabrator-Frye, Inc.; and
3. Sale of the revenue bonds to finance the construction of the plant.

Operation of Metro's Proposed Facility

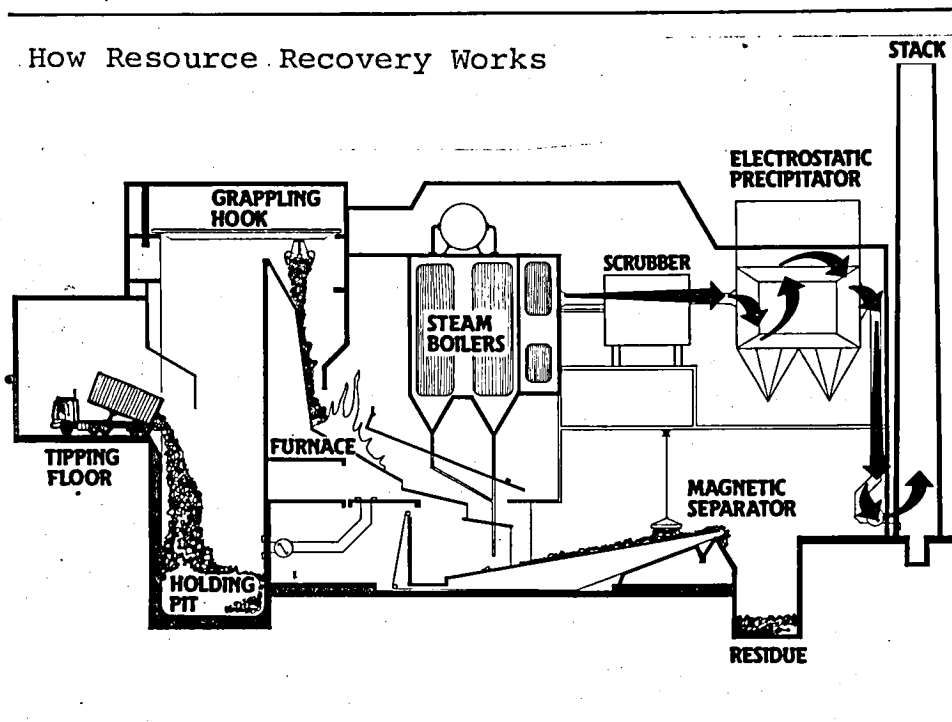
Metro's proposed energy recovery facility is both an environmentally sound and economically responsible project. Worldwide, there are 260 garbage-burning plants similar in size and technology to the one Metro proposes to build. There are four such plants operating successfully in the United States. Metro's plant would be the first on the west coast.

The operation of the plant is simple. The garbage is dumped into a deep concrete pit, and large grappling hooks lift the refuse up and into the furnaces. The furnaces burn at temperatures between 1400° and 2400°, burning most garbage within one hour.

The burning garbage heats water in the boilers, creating super-heated steam. That steam is piped about one and a half miles to Publishers Paper Co. where it will be used to create electricity and as industrial steam in the paper drying operation.

The remaining ash from the burning process is run through magnetic separators which remove ferrous metals for resale. What is left will either be taken to a landfill or, possibly, sold for use in road construction or other projects requiring fill material.

The energy released by burning a ton of garbage is equal to 62 gallons of oil. The energy produced by the proposed plant is equal to the amount needed to heat and light 22,000 homes each year.



Resource Recovery and Air Quality

Four consultant firms have been involved in producing the air quality data contained in the permit application. Battelle Columbus Laboratories compiled data on similar facilities and estimated the potential emissions for this plant. Wheelabrator Frye Inc. developed data on the flue gas volume, and Wheelabrator and Battelle together did the assessment of the pollution control equipment Metro intends to include in its plant. The local firm of Seton, Johnson and Odell, Inc. used all of this data in the computer modeling to simulate the "worst condition" testing required by DEQ and EPA. The work of all the consultants has been coordinated by Jackson & Associates, Metro's project manager for the energy recovery facility.

Like any other new industry, the proposed energy recovery facility must control any pollutants its operation creates. Studies by Metro's air quality consultants and an independent third-party reviewer (Girshman, Brickner & Bratton study, prepared for the Oregon City Commission, April, 1981) all conclude that the facility will be acceptable under state and federal regulations and that any pollutants emitted will be well within standards.

The Portland metropolitan area (including Oregon City) has a mixed air quality rating. The area is in "attainment" for most pollutants, meaning that the pollutants are well below the level that would pose any danger to public health or welfare. The area is in "nonattainment" for a few pollutants, meaning that for at least one day a year in the region, the level of pollution is above the desirable standard.

Because of this mixed air quality rating, two standards will be applied in DEQ's assessment of the plant's pollution control equipment. For emissions that are in attainment, Metro is required to show that the equipment to control those emissions represents the Best Available Control Technology (BACT). For pollutants that are in nonattainment, such as particulates, Metro must meet a more stringent standard called LAER--Lowest Achievable Emission Rate.

Metro's Proposed Air Quality Controls

There are three sources of potential air pollution from the energy recovery facility:

1. The refuse receiving area and pit;
2. The ash pit and ash transfer equipment; and
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The resource recovery furnaces will have a pollution control system consisting of first, a dry scrubber to remove certain gases and then, a series of electrostatic precipitators that will remove particulate. As the exhaust from the furnaces passes through the scrubber, it will be subjected to a spray of lime from a special air atomizing nozzle. The acid gases in the exhaust react with the lime and are neutralized. The spent lime particles are collected in the electrostatic precipitators, just as any other particulate matter is captured.

The addition of the dry scrubber has substantially reduced the emission of certain gases. Metro's proposed energy recovery facility was well within state and federal air quality standards even without this additional pollution control equipment.

The dry scrubbing system selected by Metro will be supplied by DB Gas Cleaning, one of three vendors worldwide with experience with such systems on municipal incinerators. The combination of scrubber and precipitators will give the high degree of pollution control Metro has specified for this plant.

Emissions Data

Table A (below) compares the plant's maximum air quality impact with the most stringent of State and Federal Ambient Air Quality Standards. Clearly, for all major emissions, impacts resulting from the resource recovery facility are far below allowable levels.

TABLE A
Metro's Resource Recovery Facility
Maximum Predicted Air Quality Impact (in micrograms per cubic meter)

<u>Emission</u>	<u>Averaging Time*</u>	<u>Air Quality Standard**</u>	<u>Maximum Estimated Emission from Metro Plant</u>
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Nitrogen Dioxide	Annual	100	4
Lead	Monthly	3	0.3
Carbon Monoxide	8-hour	10,000	80
Nonmethane Hydrocarbons	3-hour	160	7

*different pollutants have different standards

**most stringent of State and Federal Ambient Air Quality Standards

Table B (below) details the estimated annual emissions in tons per year for all measurable emissions from the proposed energy recovery facility.

TABLE B

Metro's Resource Recovery Facility
Estimated Annual Emissions

Emissions	Quantity (tons/year)	Comment
Sulfur Dioxide (SO ₂)	150	1% of Tri-county SO ₂ emissions
Nitrogen Oxides (NO _x)	480	1% of Tri-county NO _x emissions
Fluorides	0.45	Dry scrubber removes 75% of fluoride emissions
Hydrocarbons (VOC)	36	Offsets not required if emissions under 40
Carbon Monoxide (CO)	570	Major source of CO is vehicle exhaust
Hydrochloric Acid (HCl)	81.6	Dry scrubber removes 92% of HCl
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Sulfuric Acid (H ₂ SO ₄)	0.45	Dry scrubber removes 95% of H ₂ SO ₄
Polychlorinated Biphenyls (PCBs)	0.039	
Asbestos, Vinyl Chloride, Hydrogen Sulfide (H ₂ S) and Total Reduced Sulfur (TRS)	0.0	
Total Particulate	84	Total Tri-county particulate emissions are 35,000 tons/year
Lead	3.06	
Beryllium	0.0000138	Less than 1/2 ounce/year
2,3,7,8 TCDD (dioxin)	0.00000018	7/1000 ounce/year; well within EPA safety estimates
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Only one emission, particulate, requires seeking offsets to mitigate the impact on the nearby nonattainment area for that pollutant.

Metro's Search for Particulate Offsets

Metro's proposed energy recovery facility emits a very low level of particulate (84 tons per year) when compared to other sources of particulate in the Clackamas County area (see Table C). The facility will be located in an attainment area for particulate (Oregon City), but because of its proximity to the metropolitan nonattainment area, DEQ has ruled that Metro must seek offsets for particulate.

At the same time, the EPA has ruled that resource recovery facilities may be exempt from offset requirements that are normally applied to industrial point sources because they provide environmental advantages to landfilling of garbage. If an exemption is requested, the applicant must show that a good faith effort has been made to obtain offsets.

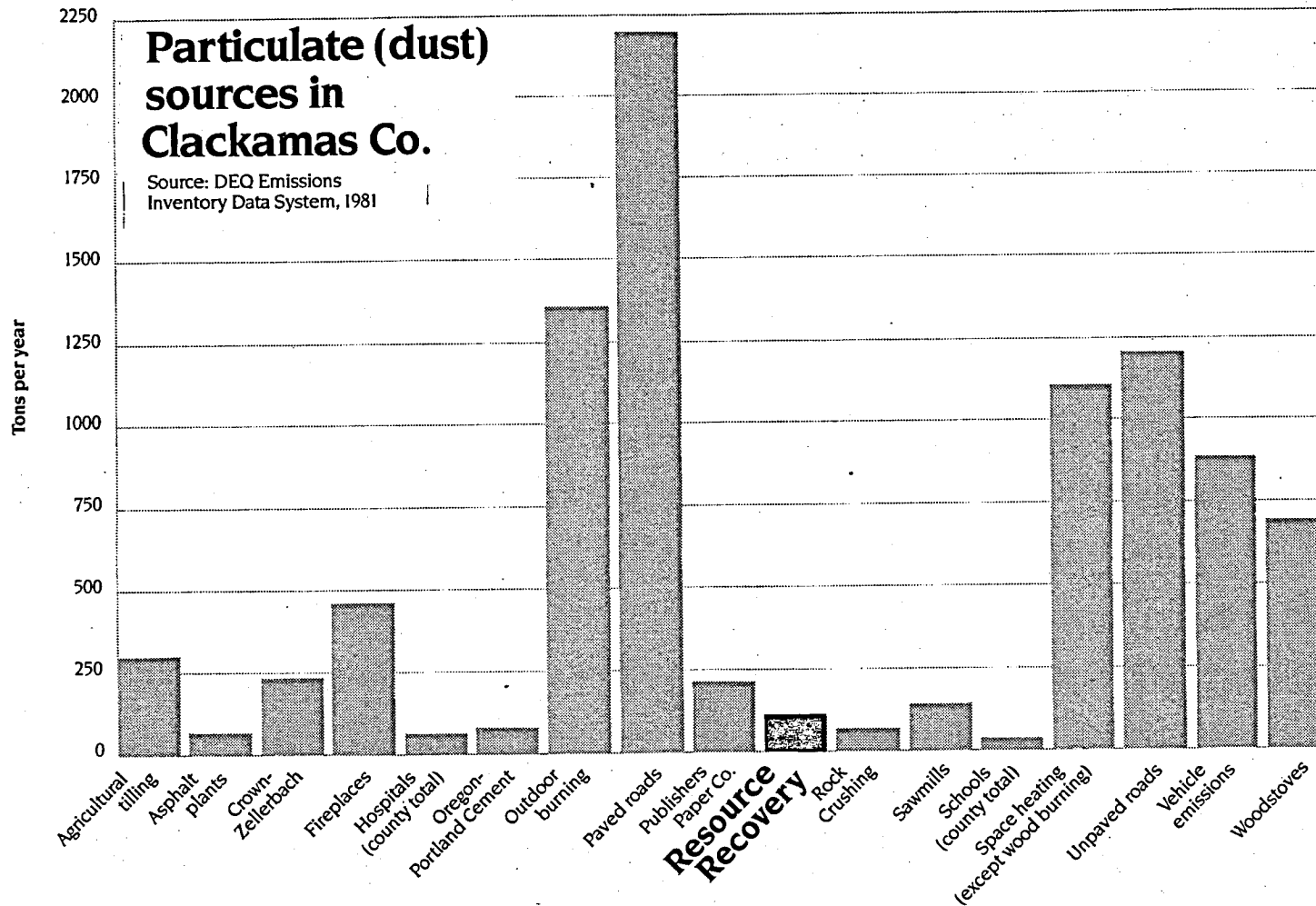
Metro has vigorously sought offsets for the 84 tons of particulate that the energy recovery facility will emit annually. Five tons of particulate offsets are available from the closure of Rossman's Landfill and the change in disposal operation with the opening of the resource recovery facility. Because the plant will be fully enclosed and garbage will be transported by large transfer trucks, significantly reducing the number of individual haulers' trucks, particulate from vehicle emissions and dust will be reduced.

Metro has spent the past six months seeking offsets from point sources of fine particulate emissions in the area. The only two existing major point sources are Crown Zellerbach Corp. in West Linn and Publishers Paper Co. in Oregon City. Crown Zellerbach responded that offsets would be available only if their West Linn facility were to be closed, and that there were no such plans for closure.

Metro discussed two possible sources for offsets with Publishers: 1) reduced fuel oil consumption as a result of the steam energy that the resource recovery plant will supply to Publishers; and 2) installation of an additional mist eliminator on a recovery boiler at Publishers. The paper company has indicated that neither offset possibility is available to Metro.

With these potential industrial sources eliminated, Metro has exhausted the search for point source offsets. The other possibility is to seek offsets from nonpoint sources of particulate

Table C



in the area. According to the DEQ Emissions Inventory, the major particulate sources in Clackamas County are:

	Tons/Yr
paved and unpaved roads	3,460
woodstoves and fireplaces	1,170
motor vehicle emissions	920
residential and commercial space heating	1,100
field and slash burning	1,230
agricultural tilling	300
residential, open burning (backyard burning)	100

Metro believes that backyard burning is the only one of these sources that realistically could be controlled to provide particulate offsets for the resource recovery plant. Metro has explored several possibilities for providing alternatives to backyard burning in the region.

Metro's Yard Debris Recovery Program

In February 1981, Metro received a \$265,000 grant from the EPA to explore alternatives for disposal of yard debris. Metro's has completed two of three planned yard debris clean-up programs, and the early success of the program is very encouraging.

Metro's program has three primary objectives:

1. To provide an information base for implementing a permanent yard debris recovery and recycling program;
2. To demonstrate that special processing techniques can recycle yard debris by converting it into a valuable, useable resource such as boiler fuel or mulch; and
3. To demonstrate that a reduction of backyard burning in the metropolitan area can be implemented without placing any additional burden on the area's scarce landfill capacity.

The first phase of the project, completed last spring, experimented with the collection, processing and marketing of woody waste (twigs, limbs and branches only). Metro is currently involved in Phase II of the project, a campaign to collect and process mixed yard waste (leafy and woody). Phase III will be conducted in the spring of 1982 and will be based on the findings from the first two phases.

The program appears to be technically and economically feasible, and one Clackamas County business that participated in the demonstration project has indicated its intention to continue the program on a permanent basis.

Furthermore, preliminary data from the second phase of the project indicates that the aggressive public information campaign persuaded residents to take advantage of alternatives to backyard burning.

For example, for the weeks of October 23 through December 6, a weekly average of 1,861 cubic yards of separated yard debris was brought to the two collection sites (St. Johns Landfill and McFarlane Bark). This is a significant increase over the amount usually brought to the landfill prior to the program.

Continuation of the Yard Debris Recovery Program

Based on the early success of the Yard Debris Recovery Demonstration Project, Metro is convinced that a regionwide, ongoing program that provides alternatives to backyard burning would have significant impact on particulate levels in the metropolitan area.

Consequently, it is Metro's intention to continue a yard debris recovery program beyond the expiration of the EPA grant, and to make it a permanent part of Metro's regional solid waste management program. Metro will carry out the following activities to promote the use of alternatives to backyard burning:

1. Metro will seek legislation to address the collection of yard debris. Metro does not currently have statutory collection authority, but intends to seek such authority from the Oregon Legislature during the 1983 Legislative Assembly. The emphasis of such legislation would be the collection of yard debris within Metro's jurisdiction and the spreading of associated costs among the region's residents.
2. Metro will build the Clackamas Transfer & Recycling Center in Oregon City on the site of the energy recovery facility. This facility will offer an attractive option to Clackamas County residents who currently prefer to burn their yard debris rather than take it to Rossman's Landfill.
3. Metro will continue to seek incentives for people to recycle yard debris rather than burn it. Metro has secured from a private firm in Clackamas County a commitment to provide a permanent facility to receive, process and market yard debris. McFarlane Bark will offer residents of Clackamas and southern Multnomah Counties a low-cost, convenient alternative to backyard burning of yard debris. Metro will pursue similar agreements to commit private enterprise to participate in a practical solution to the open burning problem.
4. Metro has requested that Clackamas County investigate the possibility of Clackamas County haulers voluntarily providing collection of separated yard debris at least twice a year in the City of Milwaukie and in the urban, unincorporated areas of the county as part of their normal service. Metro will explore similar collection activities with other local jurisdictions in the region.

5. Metro will continue its comprehensive public information program to persuade residents of the metropolitan area to use alternatives other than open burning for the disposal of yard debris. The public information/education effort in support of the Yard Debris Recovery Demonstration Project resulted in a marked increase in participation in that project. Over time, as more people are made aware of the practical alternatives to burning, such a program will be even more successful.

Request for Offset Exemption with Conditions

To review Metro's pursuit of particulate offsets, Metro has located five tons of offsets from the closure of Rossman's Landfill and the operation of the resource recovery facility. Offsets from known significant point sources are unavailable.

In evaluating non-point sources, only open burning appears realistically capable of being controlled. DEQ's suggestion that Metro provide free collection of yard debris in Clackamas County in order to obtain adequate offsets is not financially feasible.

While a specific amount of offsets cannot be estimated for a voluntary program, Metro is confident that an aggressive program to promote alternatives to backyard burning will substantially offset the particulate emissions estimated for the resource recovery facility.

Further, Metro is committed to carrying out a variety of activities to see that such a program is successful, and invites the DEQ to cooperate with Metro in monitoring the program.

Therefore, Metro requests that DEQ grant an exemption from particulate offset requirements for the resource recovery facility with the condition that the Yard Debris Recovery Program outlined above be implemented.

This request is consistent with an EPA ruling that allows resource recovery facilities to have an exemption provided that a good faith search has been made to locate offsets.

The Regional Perspective

An effective solid waste management program today cannot rely on landfills alone. Diminishing natural resources and concern about possible environmental degradation require that we use landfills only as a last resort and instead make a strong commitment to recycling and other energy-saving measures. Metro's proposed energy recovery facility is a key part of a responsible solid waste management plan. It will burn two-thirds of the region's waste and create a local, stable source of energy for local industry. It will double the life of the regional landfill, extending it to 31 years. And it will not compete with recycling and other waste reduction activities.

Metro's primary objective is to reduce the amount of garbage that must be handled and disposed of. To accomplish this, Metro is involved in a variety of waste reduction activities, including operation of the Recycling Switchboard, promotion of curbside recycling services, financial assistance to recycling organizations and coordination of a yard debris clean-up program.

Even with full recycling, Metro would have to dispose of about 600,000 tons of garbage a year. The energy recovery facility will take care of most of that amount.

What can't be recycled or burned will be buried in a landfill, along with the unsold ash from the energy recovery plant.

Tying the system together will be transfer stations, where commercial garbage collectors and private citizens drop off garbage that is loaded onto larger trucks and directed to the most appropriate disposal site (either resource recovery or a landfill). Transfer stations provide the flow control that is necessary to maximize the efficiency and cost-effectiveness of the whole system.

A regional problem, such as garbage disposal, requires a regional solution. Metro's proposed energy recovery facility is an integral part of the solution, reducing the pressure on landfills, disposing of nearly 600,000 tons of garbage annually, and creating energy which a local paper mill has agreed to purchase. Metro has submitted this air quality application in order to proceed with the project and to meet the goal of having the plant ready to operate in 1985.

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