



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Agenda

Meeting: **METRO COUNCIL**
Date: **November 29, 1990***
Day: **Thursday**
Time: **5:30 p.m.**
Place: **Metro Council Chambers**

*PLEASE NOTE SPECIAL DATE

Approx.
Time*

Presented By

5:30 p.m. **CALL TO ORDER/ROLL CALL**

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS**
3. **EXECUTIVE OFFICER COMMUNICATIONS**

5:35 4. **CONSENT AGENDA**
(5 min.)

REFERRED FROM THE SOLID WASTE COMMITTEE

4.1 **Resolution No. 90-1341, For the Purpose of Changing the Term of Membership of the Solid Waste Rate Review Advisory Committee from a Calendar Year to a Fiscal Year Basis (Action Requested: Motion to Adopt the Resolution)**

5:40 5. **ORDINANCES, FIRST READINGS**
(10 min.)

5.1 **Ordinance No. 90-370, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Adopting a Supplemental Budget, Creating the Smith and Bybee Lakes Trust Fund and Authorizing an Interfund Loan PUBLIC HEARING SCHEDULED ON THE SUPPLEMENTAL BUDGET (Referred to Finance Committee)**

5.2 **Ordinance No. 90-373, Amending Ordinance No. 90-340A Revising the Fiscal Year 1990-91 Budget and Appropriation Schedule for the Purpose of Allocating \$10,000 From General Fund Contingency to Support Arts Plan 2000 (Referred to Finance Committee)**

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

5. ORDINANCES, FIRST READINGS

5.3 Ordinance No. 90-374, Amending Ordinance No. 90-340A
Revising the FY 1990-91 Budget and Appropriations
Schedule for the Purpose of Enhancing Computer
Acquisitions in the Transportation Department and
Providing an RLIS Marketing Consultant (Referred to
Finance Committee)

5.4 Ordinance No. 90-375, Amending Ordinance No. 90-340A
Revising the FY 1990-91 Budget and Appropriations
Schedule for the Purpose of Enhancing the Parks and
Natural Areas Program of the Planning and Development
Department (Referred to Finance Committee)

6. ORDINANCES, SECOND READINGS

REFERRED FROM THE INTERGOVERNMENTAL RELATIONS COMMITTEE

5:50
(5 min.)

6.1 Ordinance No. 90-369, Establishing an Office McFarland
of Government Relations to Provide
Government Relations Services to the
Metropolitan Service District (Action
Requested: Motion to Adopt the
Ordinance)

REFERRED FROM THE SOLID WASTE COMMITTEE

5:55
(10 min.)

6.2 Ordinance No. 90-368, For the Purpose of Saucy
Amending Ordinance No. 88-268B Adopting
the Regional Solid Waste Management Plan
to Incorporate the Special Waste Chapter
PUBLIC HEARING (Action Requested:
Motion to Adopt the Ordinance)

6:05
(10 min.)

6.3 Ordinance No. 90-372, For the Purpose of Wyers
Amending Metro Code Chapter 5.02
Establishing Tonnage Based Solid Waste
Disposal Rates at Metro Facilities
PUBLIC HEARING (Action Requested:
Motion to Adopt the Ordinance)

7. RESOLUTIONS

REFERRED FROM THE FINANCE COMMITTEE

- 6:15 (10 min.) 7.1 Resolution No. 90-1347, For the Purpose of Approving a Fiscal Year 1990-91 Supplemental Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission PUBLIC HEARING (Action Requested: Motion to Adopt the Resolution) Van Bergen

REFERRED FROM THE INTERGOVERNMENTAL RELATIONS COMMITTEE

- 6:25 (5 min.) 7.2 Resolution No. 90-1343, Approving an Intergovernmental Agreement with the Intergovernmental Resource Center for Bi-State Committee Staff Support (Action Requested: Motion to Adopt the Resolution) Bauer

- 6:30 (5 min.) 7.3 Resolution No. 90-1352, Approving the Recommendations of the Bi-State Policy Advisory Committee Regarding Air Quality Protection Measures (Action Requested: Motion to Adopt the Resolution) Bauer

- 6:35 (15 min.) 7.4 Resolution No. 90-1353, Supporting Legislative Concepts and Transmitting Legislative Proposals to the 1991 Legislative Session (Action Requested: Motion to Adopt the Resolution) Devlin

REFERRED FROM THE SOLID WASTE COMMITTEE

- 6:50 (5 min.) 7.5 Resolution No. 90-1329A, For the Purpose of Closing St. Johns Landfill as a General Purpose Landfill but Continuing to Accept Limited Types of Solid Waste for a Limited Time to Ensure Proper Closure (Action Requested: Motion to Adopt the Resolution) DeJardin

- 6:55 (10 min.) 7.6 Resolution No. 90-1337, For the Purpose of Establishing Incentives that Encourage Greater Waste Reduction and Recycling (Action Requested: Motion to Adopt the Resolution) Wyers

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

7. RESOLUTIONS

- | | | |
|------------------|---|----------|
| 7:05
(5 min.) | 7.7 Resolution No. 90-1345, For the Purpose of Authorizing Issuance of a Request for Bids for Marion County Waste Transport Services and Entering Into a Contract with the Low Responsible, Responsive Bidder (Action Requested: Motion to Adopt the Resolution) | DeJardin |
| 7:10
(5 min.) | 7.8 Resolution No. 90-1355, For the Purpose of Approving an Intergovernmental Agreement with the City of Oregon City Providing for the Payment of a \$.50 per Ton Mitigation and Enhancement Fee (Action Requested: Motion to Adopt the Resolution) | DeJardin |
| 7:15
(5 min.) | 8. COUNCILOR COMMUNICATIONS & COMMITTEE REPORTS | |
| | 8.1 Tri-Met Merger | Gardner |
| | 8.2 Metro ERC Resolution Nos. 96, 97 and 98 | Knowles |

7:20 ADJOURN

Agenda Item No. 4.1
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1341

SOLID WASTE COMMITTEE REPORT

IN CONSIDERATION OF RESOLUTION NO. 90-1341, FOR THE
PURPOSE OF CHANGING THE TERM OF MEMBERSHIP OF THE SOLID
WASTE RATE REVIEW ADVISORY COMMITTEE FROM A CALENDAR
YEAR TO A FISCAL YEAR BASIS

Date: November 21, 1990 Presented by: Councilor David Saucy

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin and Saucy voted unanimously (Collier; 3/0 vote) to recommend Council adoption of Resolution No. 90-1341. Councilors Buchanan and Wyers were excused.

Committee Discussion/Issues: Roosevelt Carter, Budget and Finance Manager, presented the staff report. The Committee had no questions or comments and voted unanimously to recommend the full Council adopt the Resolution.

TD:DEC:pa
90-1341.RPT

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CHANGING THE	)	RESOLUTION NO. 90-1341
TERM OF MEMBERSHIP OF THE SOLID)	
WASTE RATE REVIEW ADVISORY	)	Introduced by Rena Cusma,
COMMITTEE FROM A CALENDAR YEAR	)	Executive Officer
TO A FISCAL YEAR BASIS)	

WHEREAS, The rate setting process cycle is not now synchronized with the terms of committee membership; and,

WHEREAS, An alteration of the term structure from the present calendar year to a fiscal year basis would synchronize membership with the rate setting cycle and benefit the rate setting process; and,

WHEREAS, The terms of membership for Jonathan Block and N. Charles O'Connor now expire on December 31, 1990; and,

WHEREAS, the terms of membership for Ross M. Hall, Milton W. Fyre and Andrew Thaler now expire on December 31, 1991; and,

WHEREAS, All members have indicated their willingness to extend their service to allow all terms to expire on a fiscal year basis to provide continuity to the rate setting process; now therefore,

BE IT RESOLVED,

That the term of membership for the Solid Waste Rate

Review Committee be changed to a fiscal year basis, and that all present members be extended to serve the balance of their altered terms, which shall be June 30, 1991 for members Block and O'Connor, and June 30, 1992 for members Hall, Fyre and Thaler.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 90-1341 FOR THE
PURPOSE OF CHANGING THE TERM OF MEMBERSHIP OF THE SOLID
WASTE RATE REVIEW ADVISORY COMMITTEE FROM A CALENDAR
YEAR TO A FISCAL YEAR BASIS

Date: November 2, 1990

Presented by: Roosevelt Carter

FACTUAL BACKGROUND AND ANALYSIS

During the last Solid Waste Disposal rate setting process, the Council established new rates effective at the beginning of the fiscal year to coincide with the annual budget cycle. The terms of all five (5) members of the Solid Waste Rate Review Committee now terminate at the end of staggered calendar years. The terms of two (2) members, Jonathan Block and N. Charles O'Connor, will expire on December 31, 1990. These changes in the committee's members during the midst of the upcoming rate setting process will be problematic.

To minimize disruption of this year's rate setting process, Mr. Block and Mr. O'Connor have agreed to serve extended terms through June 30, 1991. Mr. Block serves as the "local government" representative, and Mr. O'Connor serves as the "cost accounting and auditing" CPA as required by Metro Code, Chapter 5.01.170.

Additionally, the terms of all committee members are proposed for expiration and renewal on a fiscal year basis. Thus, each member's term shall be extended by six (6) months to expire on June 30 of the year immediately following the originally scheduled expiration date.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 90-1341.

JM:gbc
cc: Bob Martin

Agenda Item No. 5.1
Meeting Date: November 29, 1990

ORDINANCE NO. 90-370

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ADOPTING A)
SUPPLEMENTAL BUDGET, CREATING THE)
SMITH AND BYBEE LAKES TRUST FUND)
AND AUTHORIZING AN INTERFUND LOAN)

ORDINANCE NO. 90-370

Introduced by Rena Cusma,
Executive Officer

WHEREAS, Various conditions exist which had not been ascertained at the time of the preparation of the FY 1990-91 Budget and a change in financial planning is required; and

WHEREAS, Financing for the purchase of the Sears Facility will not be complete until FY 1991-92 and an interfund loan will be needed in the current fiscal year; and

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the Supplemental Budget of the Metropolitan Service District for the fiscal year beginning July 1, 1990 and ending June 30, 1991; and

WHEREAS, Recommendations from the Tax Supervising and Conservation Commission have been received and acted upon, as reflected in the Budget and in the Schedule of Appropriations; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in Exhibits A and B to this Ordinance.

2. That the Smith and Bybee Lakes Trust Fund is hereby created for the purpose of implementing the Smith and Bybee Lakes Management Plan. The fund will be managed by the Smith and Bybee Lakes Management Committee with oversight by Metro. Funding will be received from

intergovernmental transfers from the City of Portland and Metro contributions of \$0.50 per ton for the remaining life of the St. Johns Landfill.

3. An Interfund loan not to exceed FOUR MILLION SEVEN HUNDRED FORTY-FOUR THOUSAND THREE HUNDRED THIRTY-NINE (\$4,744,339) DOLLARS is hereby authorized from the Solid Waste Revenue Fund to the Building Management Fund in accordance with ORS 294.460(1). The loan is needed because financing to purchase the Sears Facility will not be completed prior to the closing date of the real estate transaction. Simple interest shall be paid on the loan amount at the average daily rate paid by the State of Oregon Local Government Investment Pool for the duration of the loan based on a 360-day year. The loan amount and interest due will be repaid from anticipated financing no later than June 30, 1992.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord90-91:supp:ord
November 5, 1990

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND TOTAL							
	Personal Services						
511110	ELECTED OFFICIALS						
	Executive Officer	1.00	67,000			1.00	67,000
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Deputy Executive Officer	1.00	58,464			1.00	58,464
	Council Administrator	1.00	63,120			1.00	63,120
	Managers (Finan., Const.)	0.30	18,432			0.30	18,432
	Sr. Management Analyst	4.40	177,382			4.40	177,382
	Asst. Management Analyst	0.40	12,576			0.40	12,576
	Government Relations Mgr.	1.00	58,506			1.00	58,506
	Sr. Public Info. Specialist	0.50	20,055			0.50	20,055
	Administrative Assistant	1.00	28,362			1.00	28,362
	Clerk of the Council	1.00	27,310			1.00	27,310
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	4.20	95,830			4.20	95,830
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Intern	0.20	3,055			0.20	3,055
	Temporary Administrative Support	1.30	19,765			1.30	19,765
512000	FRINGE		201,453		(12,672)		188,781
	Service Reimbursement-Workers' Compensation		0		12,672		12,672
	Total Personal Services	17.30	851,310	0.00		17.30	851,310
	Total All Other Fund Requirement		2,482,323				2,482,323
	TOTAL EXPENDITURES	17.30	3,333,633	0.00		17.30	3,333,633

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SUPPORT SERVICE FUND							
	Personal Services						
51121	SALARIES-REGULAR EMPLOYEES (full time)						
	Directors	2.00	130,354	0	2.00	2.00	130,354
	Managers (Finan., Const.)	2.00	123,665	0	2.00	2.00	123,665
	General Counsel	1.00	67,464	0	1.00	1.00	67,464
	Legal Counsel	2.00	111,030	0	2.00	2.00	111,030
	Personnel Manager	1.00	47,197	0	1.00	1.00	47,197
	Assistant Personnel Manager	1.00	40,413	0	1.00	1.00	40,413
	Data Processing Administrator	1.00	50,550	0	1.00	1.00	50,550
	Chief Accountant	1.00	57,441	0	1.00	1.00	57,441
	Sr. Management Analyst	3.00	118,641	0	3.00	3.00	118,641
	Assoc. Management Analyst	5.00	167,533	0	5.00	5.00	167,533
	Asst. Regional Planner	0.50	14,251	0	0.50	0.50	14,251
	Public Information Supervisor	1.00	40,591	0	1.00	1.00	40,591
	Sr. Public Info. Specialist	2.50	89,377	0	2.50	2.50	89,377
	Assoc. Public Info. Specialist	3.00	100,808	0	3.00	3.00	100,808
	Asst. Public Info. Specialist	1.00	27,142	0	1.00	1.00	27,142
	Support Services Supervisor	0.50	22,123	0	0.50	0.50	22,123
	D.P. Systems Analyst	4.00	159,217	0	4.00	4.00	159,217
	Administrative Assistant	0.75	21,407	0	0.75	0.75	21,407
	Senior Accountant	3.00	116,551	0	3.00	3.00	116,551
	Graphics/Exhibit Designer	1.00	27,144	0	1.00	1.00	27,144
	Lead Accounting Clerk	1.00	34,337	0	1.00	1.00	34,337
51121	WAGES-REGULAR EMPLOYEES (full time)						
	D.P. Computer Operator	1.00	24,339	0	1.00	1.00	24,339
	D.P. Computer Technician	1.00	27,821	0	1.00	1.00	27,821
	Administrative Secretary	4.95	120,373	0	4.95	4.95	120,373
	Secretary	2.50	50,452	0	2.50	2.50	50,452
	Program Assistant 2	2.00	45,790	0	2.00	2.00	45,790
	Lead Accounting Clerk	1.00	23,291	0	1.00	1.00	23,291
	Receptionist	1.00	18,803	0	1.00	1.00	18,803
	Personnel Clerk	1.00	17,962	0	1.00	1.00	17,962
	Reproduction Clerk	1.00	24,638	0	1.00	1.00	24,638
	Payroll Clerk	1.00	23,469	0	1.00	1.00	23,469
	Accounting Clerk 2	3.00	60,778	0	3.00	3.00	60,778
	Accounting Clerk 1	3.00	48,661	0	3.00	3.00	48,661
	Building Operations Worker	0.50	10,639	0	0.50	0.50	10,639
	Office Assistant	1.00	14,378	0	1.00	1.00	14,378

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SUPPORT SERVICE FUND (continued)							
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Professional Support	0.50	9,000		0	0.50	9,000
	Temporary Administrative Support	1.00	16,803		0	1.00	16,803
511400	OVERTIME		3,250		0		3,250
512000	FRINGE		654,379		(40,937)		613,442
	Service Reimbursement-Workers' Compensation		0		40,937		40,937
	Total Personal Services	62.70	2,762,062	0.00	0	62.70	2,762,062
	All Other Fund Requirements		1,615,060		0		1,615,060
	TOTAL EXPENDITURES	62.70	4,377,122	0.00	0	62.70	4,377,122

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND							
Resources							
347220	Sublease Income		95,086		0		95,086
361100	Interest		0		285,349		285,349
374000	Parking Fees		51,061		70,000		121,061
385800	Bond Anticipation Note Proceeds		0		7,920,000		7,920,000
391531	Trans. Resource from S.W. Revenue Fund		25,000		4,744,339		4,769,339
392010	Trans. Indirect Costs from Gen'l Fund		117,577		0		117,577
392140	Trans. Indirect Costs from Transportation		94,062		0		94,062
392142	Trans. Indirect Costs from Plan. & Dev. Fund		41,946		0		41,946
392531	Trans. Indirect Costs from S.W. Revenue Fund		107,408		0		107,408
392558	Trans. Indirect Costs from Conv. Cnt. Mgmt. Fund		5,847		0		5,847
392559	Trans. Indirect Costs from Conv. Cnt. Cap. Fund		19,575		0		19,575
392610	Trans. Indirect Costs from Support Svs. Fund		249,137		0		249,137
Total Resources			806,699		13,019,688		13,826,387

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND							
Metro Center Management Account							
Personal Services							

511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Support Services Supervisor	0.50	22,123		0	0.50	22,123
	Administrative Assistant	0.25	5,830		0	0.25	5,830
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	0.25	6,468		0	0.25	6,468
	Building Operation Worker	0.50	10,639		0	0.50	10,639
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Support	0.60	18,512		0	0.60	18,512
512000	FRINGE		19,707		(1,240)		18,467
	Service Reimbursement-Workers' Compensation		0		1,240		1,240
Total Personal Services		2.10	83,279	0.00	0	2.10	83,279
Materials & Services							

521100	Office Supplies		300		0		300
521110	Computer Software		350		0		350
521220	Custodial Supplies		10,520		0		10,520
521240	Graphics/Reprographic Supplies		1,000		0		1,000
521290	Other Supplies		600		0		600
521292	Small Tools		500		0		500
521320	Dues		175		0		175
521510	Maintenance & Repairs Supplies-Building		2,000		0		2,000
524190	Misc. Professional Services		28,536		0		28,536
525110	Utilities-Electricity		88,833		0		88,833
525120	Utilities-Water & Sewer		3,566		0		3,566
525130	Utilities-Natural Gas		25,895		0		25,895
525190	Utilities-Other		4,245		0		4,245
525200	Cleaning Services		38,114		0		38,114
525610	Maintenance & Repairs Services-Building		29,175		0		29,175
525620	Maintenance & Repairs Services-Grounds		4,495		0		4,495
525640	Maintenance & Repairs Services-Equipment		100		0		100
525690	Maintenance & Repairs Services-Other		40,000		0		40,000
525731	Operating Lease Payments-Building		239,086		0		239,086
526200	Ads & Legal Notices		1,050		0		1,050
526500	Travel		500		0		500
526700	Temporary Help Services		1,380		0		1,380
526800	Training, Tuition, Conferences		1,000		0		1,000
528100	License, Permits, Payments to Other Agencies		250		0		250
528310	Real Property Taxes		16,600		0		16,600
529500	Meetings		100		0		100
529800	Miscellaneous		50		0		50
Total Materials & Services			538,420		0		538,420

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND							
Metro Center Management Account (continued)							
Capital Outlay							
574570	Construction Work/Materials-Leasehold Imp.		110,000		0		110,000
	Total Capital Outlay		110,000		0		110,000
	TOTAL EXPENDITURES	2.10	731,699	0.00	0	2.10	731,699

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND							
Sears Facility Construction Account							
Personal Services							

511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Construction Manager		0	0.35	19,140	0.35	19,140
	Project Coordinator		0	0.10	5,852	0.10	5,852
	Senior Management Analyst		0	0.40	15,756	0.40	15,756
	Assistant Management Analyst		0	0.30	9,207	0.30	9,207
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary		0	0.20	5,744	0.20	5,744
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Engineering Aide		0	0.20	4,630	0.20	4,630
512000	FRINGE		0		17,526		17,526
	Service Reimbursement-Workers' Compensation		0		1,176		1,176
Total Personal Services		0.00	0	1.55	79,031	1.55	79,031
Materials & Services							

521100	Office Supplies		0		500		500
521110	Computer Software		0		500		500
521220	Custodial Supplies		0		500		500
521240	Graphics/Reprographic Supplies		0		2,500		2,500
521260	Printing Supplies		0		500		500
524190	Misc. Professional Services		0		298,000		298,000
525100	Utilities		0		30,000		30,000
526100	Insurance		0		25,000		25,000
526200	Ads & Legal Notices		0		1,500		1,500
526310	Printing Services		0		10,000		10,000
525710	Equipment Rental		0		1,500		1,500
526410	Telephone		0		1,500		1,500
526420	Postage		0		1,000		1,000
526440	Delivery Services		0		500		500
526500	Travel		0		1,500		1,500
526700	Temporary Help Services		0		1,500		1,500
528100	License, Permits, Payments to Other Agencies		0		95,000		95,000
528310	Real Property Taxes		0		55,000		55,000
529500	Meetings		0		500		500
Total Materials & Services		0	0	0	527,000	0	527,000

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91 ACCOUNT # DESCRIPTION	ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND						
Sears Facility Construction Account (continued)						
Capital Outlay						
571100		Purchases-Land/Building	0	5,150,000		5,150,000
571300		Purchases-Buildings, Exhibits & Related	0	30,000		30,000
571500		Purchases-Office Furniture & Equipment	0	5,000		5,000
574110		Construction Management	0	237,500		237,500
574120		Architectural Services	0	550,000		550,000
574130		Engineering Services	0	20,000		20,000
574140		General Construction Services	0	100,000		100,000
574510		Construction Work/Materials-Other than Buildings	0	1,000,000		1,000,000
574520		Construction Work/Materials-Buildings	0	2,500,000		2,500,000
		Total Capital Outlay	0	9,592,500		9,592,500
		TOTAL EXPENDITURES	0.00	0	1.55	10,198,531

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND							
General Expenses							
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		50,000		500,000		550,000
599990	Unappropriated Balance		25,000		2,321,157		2,346,157
Total Contingency and Unappropriated Balance			75,000		2,821,157		2,896,157
TOTAL EXPENDITURES		2.10	806,699	0.00	13,019,688	2.10	13,826,387

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
INSURANCE FUND							
Resources							
299000	Fund Balance		2,959,435		0		2,959,435
361100	Interest on Investments		276,755		12,500		289,255
	Service Reimbursements-Workers' Compensation						
	From General Fund		0		12,672		12,672
	From Support Service Fund		0		40,937		40,937
	From Building Management Fund		0		2,416		2,416
	From Zoo Operating Fund		0		95,566		95,566
	From Zoo Capital Fund		0		1,253		1,253
	From Solid Waste Revenue Fund		0		72,071		72,071
	From Transportation Planning Fund		0		21,387		21,387
	From Planning & Development Fund		0		12,515		12,515
	From Smith & Bybee Lakes Trust Fund		0		311		311
	From Conv. Center Project Mgmt. Fund		0		798		798
	From Conv. Center Project Capital Fund		0		1,952		1,952
	From Metro ERC Management Pool Fund		0		8,988		8,988
	From Spectator Facilities Operating Fund		0		70,335		70,335
	From Oregon Conv. Center Operating Fund		0		21,229		21,229
392010	Trans. Indirect Costs from Gen'l Fund		6,804		0		6,804
392120	Trans. Indirect Costs from Zoo Oper. Fund		173,275		0		173,275
392140	Trans. Indirect Costs from Transportation		5,897		0		5,897
392142	Trans. Indirect Costs from Planning & Develop.		5,897		0		5,897
392531	Trans. Indirect Costs from S.W. Revenue Fund		46,267		0		46,267
392550	Trans. Indirect Costs from OCC Operating Fund		71,154		0		71,154
392558	Trans. Indirect Costs from Conv. Cnt. Mgmt. Fund		626		0		626
392559	Trans. Indirect Costs from Conv. Cnt. Cap. Fund		2,096		0		2,096
392610	Trans. Indirect Costs from Support Svs. Fund		26,762		0		26,762
392750	Trans. Indirect Costs from Spec. Fac. Fund		114,822		0		114,822
393531	Trans. Direct Costs from S.W. Revenue Fund		500,000		0		500,000
	Total Resources		4,189,790		374,930		4,564,720

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91	ADOPTED BUDGET		REVISION		PROPOSED BUDGET		
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
INSURANCE FUND (continued)							
	Materials & Services						

	LIABILITY AND CASUALTY PROGRAM						
521320	Dues		1,600		0		1,600
524190	Misc. Professional Services		20,000		0		20,000
526100	Insurance		382,000		0		382,000
529810	Claims Paid		50,000		0		50,000
	WORKERS COMPENSATION PROGRAM						
	Medical Expenses Paid		0		112,104		112,104
	Time Loss Expenses Paid		0		102,731		102,731
	Reserves Paid		0		160,095		160,095
	Total Materials & Services		453,600		374,930		828,530
	Contingency and Unappropriated Balance						

599999	Contingency		529,769		0		529,769
599990	Unappropriated Balance		3,206,421		0		3,206,421
	Total Contingency & Unapp. Balance		3,736,190		0		3,736,190
	TOTAL EXPENDITURES		4,189,790		374,930		4,564,720

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
ZOO OPERATING FUND							
Personal Services							
	TOTAL SALARIES AND WAGES		4,151,226		0		4,151,226
511400	OVERTIME		97,392		0		97,392
512000	FRINGE		1,395,181		(95,566)		1,299,615
	Service Reimbursement-Workers' Compensation		0		95,566		95,566
	Total Personal Services	179.45	5,643,799	0.00	0	179.45	5,643,799
	All Other Fund Requirements		6,799,944		0		6,799,944
	TOTAL EXPENDITURES	179.45	12,443,743	0.00	0	179.45	12,443,743

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
ZOO CAPITAL FUND							
Resources							
299000	Fund Balance		4,715,764		535,000		5,250,764
361100	Interest on Investments		282,946		20,000		302,946
365100	Donations & Bequests		925,000		0		925,000
TOTAL RESOURCES			5,923,710		555,000		6,478,710
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Construction Coordinator	1.00	52,061		0	1.00	52,061
	SALARIES-REGULAR EMPLOYEES (Part Time)						
	Secretary	0.50	9,039		0	0.50	9,039
512000	FRINGE		17,719		(1,253)		16,466
	Service Reimbursement-Workers' Compensation		0		1,253		1,253
Total Personal Services		1.50	78,819	0.00	0	1.50	78,819
Materials & Services							
521100	Office Supplies		468		0		468
521110	Computer Software		494		0		494
521320	Dues		104		0		104
526500	Travel		988		0		988
526800	Training, Tuition & Conferences		515		0		515
Total Materials & Services			2,569		0		2,569
Capital Projects							
571500	Purchases-Office Furniture & Equipment		2,184		0		2,184
ALASKA EXHIBIT							
574190	Other Construction Services		2,600		0		2,600
MISC. EXHIBIT IMPROVEMENTS							
574120	Architectural Services		15,000		0		15,000
574130	Engineering Services		4,000		0		4,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		106,000		0		106,000
UPDATE MASTER PLAN							
574120	Architectural Services		100,000		0		100,000
AFRICA RAIN FOREST							
574120	Architectural Services		77,000		0		77,000
574130	Engineering Services		23,000		0		23,000
574190	Other Construction Services						
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		3,065,181		555,000		3,620,181

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
ZOO CAPITAL FUND (continued)							
	RESEARCH AND PROPAGATION CENTER						
574120	Architectural Services		8,000		0		8,000
574130	Engineering Services		2,000		0		2,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		115,000		0		115,000
	MINI TRAIN/TROLLEY						
574130	Engineering Services		50,000		0		50,000
574520	Const. Work/Materials-Bldgs, Exhibit & Rel.		200,000		0		200,000
	Total Capital Projects		3,769,965		555,000		4,324,965
	Contingency and Unappropriated Balance						
599999	Contingency		166,057		0		166,057
599990	Unappropriated Balance		1,906,300		0		1,906,300
	Total Contingency and Unappropriated Balance		2,072,357		0		2,072,357
	TOTAL REQUIREMENTS	1.50	5,923,710	0.00	555,000	1.50	6,478,710

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE							
Resources							
Fund Balance							
	* Construction Account.		11,880,239		0		11,880,239
	* Reserve Account		2,850,000		0		2,850,000
341500	Documents & Publications		2,381		0		2,381
343111	Disposal Fees-Commercial		18,602,773		0		18,602,773
343115	Disposal Fees-Public		1,356,507		0		1,356,507
343121	User Fees-Commercial		17,202,285		0		17,202,285
343125	User Fees-Public		1,295,889		0		1,295,889
343131	Regional Transfer Charge-Commercial		3,136,994		0		3,136,994
343135	Regional Transfer Charge-Public		277,167		0		277,167
343151	Rehabilitation & Enhancement Fee-Commercial		120,382		0		120,382
343155	Rehabilitation & Enhancement Fee-Public		6,670		0		6,670
343161	Mitigation Fee-Commercial		126,473		0		126,473
343165	Mitigation Fee-Public		23,791		0		23,791
343171	Host Fees-Commercial		133,704		0		133,704
343175	Host Fees-Public		5,255		0		5,255
343211	DEQ - Orphan Site Account - Commercial		341,607		0		341,607
343215	DEQ - Orphan Site Account - Public		35,449		0		35,449
343221	DEQ - Promotional Program - Commercial		520,326		0		520,326
343225	DEQ - Promotional Program - Public		46,594		0		46,594
343180	Special Waste Fee		278,667		0		278,667
343200	Franchise Fees		1,143		0		1,143
343300	Salvage Revenue		6,000		0		6,000
343900	Tarp Sales		762		0		762
347220	Sublease Income		5,714		0		5,714
361100	Interest on Investments		3,215,617		0		3,215,617
363000	Finance Charge		50,000		0		50,000
375000	Pass Through Debt Service Receipts		0		2,318,085		2,318,085
379000	Other Miscellaneous Revenue		8,817		0		8,817
391251	Trans. Resources from Conv. Ctr. Debt Srv. Fund		4,756		0		4,756
391530	Trans. Resources from S.W. Oper. Fund		8,500,000		0		8,500,000
391534	Trans. Resources from S.W. Capital Fund		3,690,000		0		3,690,000
391535	Trans. Resources from St. Johns Reserve Fund		26,375,520		0		26,375,520
393768	Trans. Direct Cost from Rehab. & Enhance.		4,483		0		4,483
Total Resources			100,105,965		2,318,085		102,424,050

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND							
Operating Account							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)		0		0		0
	Dir. of Solid Waste Planning	1.00	75,484	0.00	0	1.00	75,484
	Budget and Finance Manager	1.00	56,318	0.00	0	1.00	56,318
	Engineering Manager	1.00	48,646	0.00	0	1.00	48,646
	Facilities Superintendent	1.00	45,815	0.00	0	1.00	45,815
	Sr. Engineer	2.00	76,208	0.00	0	2.00	76,208
	Assoc. Engineer	2.00	65,826	0.00	0	2.00	65,826
	Sr. Solid Waste Planner	5.00	202,027	0.00	0	5.00	202,027
	Assoc. Solid Waste Planner	8.00	273,568	0.00	0	8.00	273,568
	Sr. Management Analyst	4.00	160,573	0.00	0	4.00	160,573
	Assoc. Management Analyst	1.00	32,913	0.00	0	1.00	32,913
	Asst. Management Analyst	1.00	34,590	0.00	0	1.00	34,590
	Assoc. Public Affairs Spec.	1.00	32,913	0.00	0	1.00	32,913
	Administrative Assistant	1.00	28,434	0.00	0	1.00	28,434
	Waste Reduction Manager	1.00	46,352	0.00	0	1.00	46,352
	Site Supervisor	3.00	67,057	0.00	0	3.00	67,057
	Hazardous Waste Specialist	2.00	34,500	0.00	0	2.00	34,500
511221	WAGES-REGULAR EMPLOYEES (full time)		0		0		0
	Administrative Secretary	1.00	23,404	0.00	0	1.00	23,404
	Secretary	2.00	36,657	0.00	0	2.00	36,657
	Program Assistant 2	1.00	23,404	0.00	0	1.00	23,404
	Program Assistant 1	4.00	76,293	0.00	0	4.00	76,293
	Hazardous Waste Technician	4.00	56,722	0.00	0	4.00	56,722
	Scalehouse Clerk	15.00	209,115	0.00	0	15.00	209,115
	Office Assistant	1.00	17,456	0.00	0	1.00	17,456
511225	WAGES-REGULAR EMPLOYEES (part time)		0		0		0
	Office Assistant	1.00	16,273	0.00	0	1.00	16,273
	Scalehouse Clerk	1.75	46,001	0.00	0	1.75	46,001
511235	WAGES-TEMPORARY EMPLOYEES (part time)		0		0		0
	Temporary		2,056		0		2,056
511400	OVERTIME		23,841		0		23,841
512000	FRINGE		651,632		(71,166)		580,466
	Service Reimbursement-Workers' Compensation		0		71,166		71,166
Total Personal Services		65.75	2,464,078	0.00	0	65.75	2,464,078
All Other Operating Account Requirements			33,619,831		0		33,619,831
TOTAL EXPENDITURES		65.75	36,083,909	0.00	0	65.75	36,083,909

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND							
Construction Account							
Personal Services							

511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Construction Coordinator	1.00	46,399		0	1.00	46,399
312000	FRINGE		14,848		(905)		13,943
	Service Reimbursement-Workers' Compensation		0		905		905
Total Personal Services		1.00	61,247	0.00	0	1.00	61,247
Capital Outlay							

METRO EAST							
574130	Engineering Services		50,000		0		50,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		12,300,000		0		12,300,000
Total Capital Outlay			12,350,000		0		12,350,000
Total Requirements		1.00	12,411,247	0.00	0	1.00	12,411,247

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND							
Master Project Account							
Requirements							
533220	Reidel Compost Facility-Series A (1) Revenue Bond-Interest	0			1,933,085		1,933,085
533220	Reidel Compost Facility-Series One (2) Revenue Bond-Interest	0			385,000		385,000
Total Requirements		0			2,318,085		2,318,085

(1) The Series A Bonds bear interest at a floating rate. The interest component of the debt service liability has been estimated with an average interest rate of 7 percent. An additional 10 percent of estimated FY 1990-91 interest due has been included to compensate for variances in rates. Metro's obligation to pay debt service on the Series A Bonds is limited to the Loan Repayments received from Riedel (see Solid Waste Revenue Fund Resources, account number 375000 - Pass through Debt Service Receipts). At such time as the Compost Facility begins processing waste, Metro will pay a tip fee per ton which will include an element related to debt service on the Series A Bonds. This tip fee obligation, is budgeted in the Operating Account, Operations Division, line item 526610 - Disposal Operations. Only one month tip fee obligation has been budgeted for FY 90-91.

(2) The Series One Bonds bear interest at a floating rate. The interest component of the debt service liability has been estimated with an average interest rate of 7 percent. An additional 10 percent of estimated FY 1990-91 interest due has been included to compensate for variances in rates. Metro's obligation to pay debt service on the Series One Bonds is limited to the Loan Repayments received from Riedel (see Solid Waste Revenue Fund Resources, account number 375000 - Pass through Debt Service Receipts).

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE GENERAL EXPENSES							
Interfund Transfers							
OPERATING ACCOUNT							
581610	Trans. Indirect Costs to Support Svs. Fund.		1,475,534				1,475,534
581513	Trans. Indirect Costs to Bldg. Fund		107,408				107,408
581615	Trans. Indirect Costs to Insurance Fund		46,267				46,267
582513	Trans. Resources to Bldg. Fund		25,000		4,744,339		4,769,339
582140	Trans. Resources to Transport. Plan. Fund		208,153				208,153
582142	Trans. Resources to Plan. & Developmt Fund		1,092,112				1,092,112
582768	Trans. Resources to Rehab. & Enhance. Fund		133,405				133,405
583610	Trans. Direct Costs to Supp. Svs. Fund		147,474				147,474
583615	Trans. Direct Costs to Insurance Fund		500,000				500,000
Total Interfund Transfers			3,735,353		4,744,339		8,479,692
Contingency and Unappropriated Balance							
599999	Contingency		2,221,798		0		2,221,798
599990	Unappropriated Fund Balance		31,671,463		(4,744,339)		26,927,124
Total Contingency and Unappropriated Balance			33,893,261		(4,744,339)		29,148,922
All Other Fund Requirements			13,982,195		0		13,982,195
TOTAL REVENUE FUND EXPENDITURES		66.75	100,105,965	0.00	2,318,085	66.75	102,424,050

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
TRANSPORTATION PLANNING FUND							
	Personal Services						
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Transportation Director	1.00	67,714	0		1.00	67,714
	Trans. Planning Manager	1.00	53,959	0		1.00	53,959
	Technical Manager	1.00	55,729	0		1.00	55,729
	Regional Planning Supervisor	1.00	52,179	0		1.00	52,179
	Trans. Planning Supervisor	3.00	142,855	0		3.00	142,855
	Senior Regional Planner	3.00	115,299	0		3.00	115,299
	Senior Management Analyst	1.00	39,609	0		1.00	39,609
	Senior Trans. Planner	4.00	145,042	0		4.00	145,042
	Assoc. Trans. Planner	5.00	155,878	0		5.00	155,878
	Asst. Trans. Planner	3.00	89,995	0		3.00	89,995
	Asst. Regional Planner	2.00	54,324	0		2.00	54,324
	Administrative Assistant	1.00	29,921	0		1.00	29,921
511221	WAGES-REGULAR EMPLOYEES (full time)		0		0		0
	Administrative Secretary	1.00	26,520	0		1.00	26,520
	Secretary	1.00	21,840	0		1.00	21,840
	Planning Technician	1.00	19,258	0		1.00	19,258
511225	WAGES-REGULAR EMPLOYEES (part time)		0		0		0
	Secretary	0.50	10,000	0		0.50	10,000
511235	WAGES-TEMPORARY EMPLOYEES (part time)		0		0		0
	Temporary	1.00	16,662	0		1.00	16,662
512000	FRINGE		340,003		(21,387)		318,616
	Service Reimbursement-Workers' Compensation		0		21,387		21,387
	Total Personal Services	30.50	1,436,787	0.00	0	30.50	1,436,787
	All Other Fund Requirements		3,193,661		0		3,193,661
	TOTAL EXPENDITURES	30.50	4,630,448	0.00	0	30.50	4,630,448

EXHIBIT A
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SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND RESOURCES							
	Resources						
331110	Federal Grants-Operating-Categorical-Direct						
	Natural Areas 3		75,000		0		75,000
	Natural Areas 4		20,000		0		20,000
331120	Federal Grants-Operating-Categorical-Indirect						
	Soil Digitization		50,000		0		50,000
334210	State Grants-Operating-Non-Categorical-Direct						
	Water Quality		40,000		0		40,000
	DLCO		25,000		0		25,000
	Nat Areas 3		10,000		0		10,000
	Nat Areas 4		5,000		0		5,000
337210	Local Grants-Operating-Non-Categorical-Direct						
	Parks, Natural Areas 3		20,500		0		20,500
	Soils Digitization		40,000		0		40,000
339100	Local Government Assessment Dues		240,149		0		240,149
341310	UGB Fees		1,429		0		1,429
341500	Documents & Publications		9,524		0		9,524
341600	Conferences & Workshops		19,048		0		19,048
365100	Donations and Bequests		12,500		0		12,500
391010	Trans. Resources from Gen'l Fund		695,423		0		695,423
391531	Trans. Resources from S.W. Rev. Fund		1,092,112		0		1,092,112
392140	Trans. Resources from Transportation Fund		111,582		0		111,582
	Trans. Direct Costs from Lakes Trust Fund		0		3,556		3,556
	Total Resources		2,467,267		3,556		2,470,823

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Director of Planning & Develop	1.00	62,220	0		1.00	62,220
	Regional Planning Supervisor	2.00	91,511	0		2.00	91,511
	Assoc. Solid Waste Planner	2.00	67,635	0		2.00	67,635
	Senior Regional Planner	4.00	160,067	0		4.00	160,067
	Senior Management Analyst	4.00	147,527	0		4.00	147,527
	Assoc. Regional Planner	0.25	6,194	0		0.25	6,194
	Assoc. Management Analyst	1.00	34,662	0		1.00	34,662
	Administrative Assistant	1.00	28,501	0		1.00	28,501
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	1.00	23,459	0		1.00	23,459
	Secretary	1.00	17,495	0		1.00	17,495
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Help	0.50	7,200	0		0.50	7,200
512000	FRINGE	0.00	198,968	(12,515)		0.00	186,453
	Service Reimbursement-Workers' Compensation	0.00	0	12,515		0.00	12,515
	Total Personal Services	17.75	845,439	0.00	0	17.75	845,439
Materials & Services							
521100	Office Supplies		10,650		0		10,650
521110	Computer Software		7,955		0		7,955
521240	Graphics/Reprographic Supplies		7,500		0		7,500
521260	Printing Supplies		5,175		0		5,175
521290	Promotion Supplies		300		0		300
521310	Subscriptions		4,695		0		4,695
521320	Dues		3,325		0		3,325
524190	Misc. Professional Services		895,659		0		895,659
525640	Maint. & Repairs Services-Equipment		7,550		0		7,550
525710	Equipment Rental		750		0		750
526200	Ads & Legal Notices		4,500		0		4,500
526310	Printing Services		45,000		0		45,000
526320	Typesetting & Reprographics Services		9,000		0		9,000
526410	Telephone		6,310		0		6,310
526420	Postage		15,000		0		15,000
526440	Delivery Service		3,000		0		3,000
526500	Travel		23,400		0		23,400
526700	Temporary Help Services		2,500		0		2,500
526800	Training, Tuition, Conferences		20,000		0		20,000
529500	Meetings		13,300		0		13,300
	Total Materials & Services		1,085,569		0		1,085,569

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND (continued)							
Capital Outlay							
571400	Purchases-Equipment & Vehicles		17,050		0		17,050
571500	Purchases-Office Furniture & Equipment		1,600		0		1,600
Total Capital Outlay			18,650		0		18,650
Interfund Transfers							
581010	Trans. Indirect Costs to Gen'l Fund		298,485		0		298,485
581513	Trans. Indirect Costs to Bldg. Fund		41,946		0		41,946
581615	Trans. Indirect Costs to Insurance Fund		5,897		0		5,897
Total Interfund Transfers			346,328		0		346,328
Contingency and Unappropriated Balance							
599999	Contingency		171,281		3,556		174,837
Total Contingency and Unappropriated Balance			171,281		3,556		174,837
TOTAL EXPENDITURES		17.75	2,467,267	0.00	3,556	17.75	2,470,823

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		ADOPTED BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SMITH AND BYBEE LAKES TRUST FUND							
Resources							
339200	Contract Services (Intergovernmental Agreement)		0		1,908,070		1,908,070
361100	Interest on Investments		0		30,000		30,000
Total Resources			0		1,938,070		1,938,070
Personal Services							
511121	SALARIES-REGULAR EMPLOYEE (full time) Senior Regional Planner		0	0.50	16,495	0.50	16,495
512000	FRINGE Service Reimbursement-Workers' Compensation		0		4,638		4,638
			0		311		311
Total Personal Services		0.00	0	0.50	21,444	0.50	21,444
Materials & Services							
521100	Office Supplies		0		1,200		1,200
521110	Computer Software		0		1,000		1,000
524190	Misc. Professional Services		0		100,000		100,000
Total Materials & Services			0		102,200		102,200
Capital Outlay							
571100	Purchases - Land		0		500,000		500,000
571500	Purchases-Office Furniture & Equipment		0		1,500		1,500
Total Capital Outlay			0		501,500		501,500
Interfund Transfer							
583142	Trans. Direct Costs to Plan. & Devel. Fund		0		3,556		3,556
Total Interfund Transfers			0		3,556		3,556
Contingency and Unappropriated Balance							
599999	Contingency		0		100,000		100,000
599990	Unappropriated Balance		0		1,209,370		1,209,370
Total Contingency & Unapp. Balance			0		1,309,370		1,309,370
TOTAL EXPENDITURES		0.00	0	0.50	1,938,070	0.50	1,938,070

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT MANAGEMENT FUND							
Personal Services							
<hr/>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Project Manager	0.30	17,555			0.30	17,555
	Senior Management Analyst	0.30	11,501			0.30	11,501
	Assistant Management Analyst	0.20	6,138			0.20	6,138
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	0.20	5,744			0.20	5,744
512000	FRINGE		12,281		(798)		11,483
	Service Reimbursement-Workers' Compensation		0		798		798
	Total Personal Services	1.00	53,219	0.00	0	1.00	53,219
Materials & Services							
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521100	Office Supplies		550				550
524190	Misc. Professional Services		215,672				215,672
525640	Maintenance & Repairs Services-Equipment		553				553
526410	Telephone		900				900
526420	Postage		340				340
526500	Travel		2,000				2,000
526800	Training, Tuition, & Conferences		1,620				1,620
	Total Materials & Services		221,635		0		221,635
Interfund Transfers							
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581513	Trans. Indirect Costs to Bldg Fund		5,847				5,847
581610	Trans. Indirect Costs to Support Svs. Fund		43,559				43,559
581615	Trans. Indirect Cost to Insur. Fund		626				626
	Total Interfund Transfers		50,032		0		50,032
Contingency and Unappropriated Balance							
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599999	Contingency		1,637				1,637
	Total Contingency and Unappropriated Balance		1,637		0		1,637
	TOTAL EXPENDITURES	1.00	326,523	0.00	0	1.00	326,523

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT CAPITAL FUND							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Construction Coordinator	0.25	12,639			0.25	12,639
	Project Manager	0.40	23,406			0.40	23,406
	Senior Management Analyst	0.90	34,502			0.90	34,502
	Assistant Management Analyst	0.40	12,276			0.40	12,276
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	0.40	11,488			0.40	11,488
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Professional Support	0.25	5,788			0.25	5,788
512000	FRINGES		30,030		(1,952)		28,078
	Service Reimbursement-Workers' Compensation		0		1,952		1,952
	Total Personal Services	2.60	130,129	0.00	0	2.60	130,129
Materials & Services							
521100	Office Supplies		2,000				2,000
521220	Custodial Supplies		300				300
521260	Printing Supplies		1,000				1,000
521310	Subscriptions		700				700
524120	Legal Fees		5,000				5,000
524190	Misc. Professional Services		13,200				13,200
525640	Maintenance & Repairs Services - Equipment		875				875
525733	Operating Lease Payments - Other		3,314				3,314
526200	Ads & Legal Notices		3,000				3,000
526310	Printing Services		20,000				20,000
526320	Typesetting & Reprographics Services		1,000				1,000
526410	Telephone		1,200				1,200
526420	Postage		1,000				1,000
526440	Delivery Service		2,000				2,000
526700	Temporary Help Service		1,500				1,500
529500	Meetings		2,000				2,000
	Total Materials & Services		58,089		0		58,089

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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT CAPITAL FUND (continued)							
Capital Outlay							
571100	Purchases-Land		75,000				75,000
571300	Purchases-Buildings, Exhibits & Related		300,000				300,000
571500	Purchases-Office Furniture & Equipment		4,009,000				4,009,000
574110	Construction Management		240,000				240,000
574120	Architectural Services		500,000				500,000
574130	Engineering Services		140,000				140,000
574190	Other Construction Services		10,000				10,000
574500	Construction Work/Material		2,115,544				2,115,544
574510	Construction Work Other than Bldg		900,000				900,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		5,029,486				5,029,486
	Total Capital Outlay		13,319,030		0		13,319,030
Interfund Transfers							
581513	Trans. Indirect Costs to Bldg Fund		19,575				19,575
581610	Trans. Indirect Costs to Support Svs. Fund		145,829				145,829
581615	Trans. Indirect Cost to Insur. Fund		2,096				2,096
	Total Interfund Transfers		167,500		0		167,500
Contingency and Unappropriated Balance							
599999	Contingency		4,004				4,004
	Total Contingency and Unappropriated Balance		4,004		0		4,004
	TOTAL EXPENDITURES	2.60	13,678,752	0.00	0	2.60	13,678,752

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
METRO ERC MANAGEMENT POOL FUND							
Personal Services							

511121	SALARIES-REGULAR EMPLOYEES (full time)						
	General Manager	1.00	80,000		0	1.00	80,000
	Assistant General Manager	1.00	67,600		0	1.00	67,600
	Convention Center Manager	1.00	65,000		0	1.00	65,000
	Assistant General Manager, Operation	1.00	56,247		0	1.00	56,247
	Special Services Director	1.00	44,520		0	1.00	44,520
	Admissions Director	1.00	40,413		0	1.00	40,413
	Controller	1.00	38,528		0	1.00	38,528
	Manager, Technical Services	1.00	34,933		0	1.00	34,933
	Systems Administrator	1.00	33,540		0	1.00	33,540
	Administrative Assistant	1.00	33,220		0	1.00	33,220
	R&D/Special Project	1.00	31,678		0	1.00	31,678
	Graphics Coordinator	1.00	24,785		0	1.00	24,785
511131	SALARIES-TEMPORARY EMPLOYEES (full time)						
	Purchasing/Contracts Coordinator	0.50	15,839		0	0.50	15,839
512000	FRINGE		198,206		(8,988)		189,218
	Service Reimbursement-Workers' Compensation		0		8,988		8,988
	Total Personal Services	12.50	764,509	0.00	0	12.50	764,509
Materials & Services							

524190	Misc. Professional Services		132,216		0		132,216
526500	Travel		20,000		0		20,000
	Total Materials & Services		152,216		0		152,216
Contingency and Unappropriated Balance							

599999	Contingency		95,000		0		95,000
	Total Contingency and Unappropriated Balance		95,000		0		95,000
	TOTAL EXPENDITURES	12.50	1,011,725	0.00	0	12.50	1,011,725

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND RESOURCES							
Resources							
OREGON CONVENTION CENTER OPERATIONS							
299000	Fund Balance		1,802,961		0		1,802,961
338100	Hotel/Motel Tax		2,900,000		0		2,900,000
347100	Admissions/Ticket Sales		0		75,750		75,750
347220	Rentals-Building		648,084		474,421		1,122,505
347230	Rentals-Equipment		50,773		0		50,773
347311	Food Service-Concessions/Food		1,071,375		209,325		1,280,700
347500	Merchandising		0		11,604		11,604
347600	Utility Services		307,619		15,296		322,915
347900	Miscellaneous Revenue		0		14,500		14,500
361100	Interest on Investments		142,300		0		142,300
365110	Event Sponsorship		0		183,458		183,458
372100	Reimbursements - Labor		182,851		0		182,851
374000	Parking		383,326		0		383,326
Total Resources			7,489,289		984,354		8,473,643

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Marketing Manager/Director of Sales and Ma	1.00	36,643		0	1.00	36,643
	Sales Associate	1.00	28,682		0	1.00	28,682
	Event Coordinator	2.00	43,562		0	2.00	43,562
	Event Manager	1.00	34,932		0	1.00	34,932
	Chief Engineer	1.00	36,643		0	1.00	36,643
	Electrician	1.00	33,220		0	1.00	33,220
	Operating Engineer	2.75	71,580		0	2.75	71,580
	Set-up Superintendent	0.92	25,126		0	0.92	25,126
	Utility Technician	2.00	54,622		0	2.00	54,622
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Secretary	2.00	39,090		0	2.00	39,090
	Bookkeeper	1.00	23,631		0	1.00	23,631
	Clerical/Receptionist	3.33	57,036		0	3.33	57,036
	Lead Engineer/Mechanic	0.92	30,562		0	0.92	30,562
	Maintenance/Utility Lead	16.50	350,064		0	16.50	350,064
	Security Watch staff	5.83	91,222		0	5.83	91,222
	Sound/Audio Visual Technician	1.00	24,784		0	1.00	24,784
	Supervisor	1.83	45,355		0	1.83	45,355
	Telephone System Coordinator	0.92	25,126		0	0.92	25,126
	Utility Maintenance	1.83	47,633		0	1.83	47,633
	Utility-Grounds	2.75	54,225		0	2.75	54,225
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Secretary/Receptionist	1.50	26,945		0	1.50	26,945
	Operations Workers	5.00	72,800	0.71	10,406	5.71	83,206
	Facility Security	1.50	27,249		0	1.50	27,249
	Data Entry Clerk	1.00	16,388		0	1.00	16,388
	Box Office Supervisor	0.41	10,156		0	0.41	10,156
	Ticket Sellers	1.64	25,560		0	1.64	25,560
	Head base attendant	0.41	8,307		0	0.41	8,307
	Gate Attendant	2.25	35,145	0.55	8,654	2.80	43,799
	Uniformed Security Supervisor	0.82	17,892		0	0.82	17,892
	Uniformed Agent	2.46	44,065	0.68	12,098	3.14	56,163
	Medical Specialist	0.56	12,138		0	0.56	12,138
512000	FRINGE		468,137		(13,439)		454,698
	Service Reimbursement-Workers' Compensation		0		21,229		21,229
Total Personal Services		68.13	1,918,520	1.94	38,948	70.07	1,957,468

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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND (continued)							
Materials & Services							
521100	Office Supplies		6,000		0		6,000
521290	Other Supplies		70,500		0		70,500
521292	Small Tools		4,000		0		4,000
521310	Subscriptions		215		0		215
521320	Dues		4,770		0		4,770
524120	Legal Fees		3,000		0		3,000
524130	Promotion/Public Relations		74,288		0		74,288
524190	Misc. Professional Services		1,403,415		740,113		2,143,528
525110	Utilities-Electricity		266,200		0		266,200
525120	Utilities-Water and Sewer		30,300		0		30,300
525130	Utilities-Natural Gas		92,000		0		92,000
525190	Utilities-Other		11,500		0		11,500
525610	Maintenance & Repair Services-Building		61,000		0		61,000
525640	Maintenance & Repair Services-Equipment		20,000		0		20,000
525710	Equipment Rental		20,000		0		20,000
525720	Building Rental		7,500		0		7,500
526200	Ads & Legal Notices		15,820		0		15,820
526310	Printing Services		55,000		0		55,000
526320	Typesetting and Reprographics		5,800		0		5,800
526410	Telephone		71,200		0		71,200
526420	Postage		16,360		0		16,360
526440	Delivery Service		360		0		360
526500	Travel		19,195		0		19,195
526690	Concession/Catering Contract		906,065		183,323		1,089,388
526691	Parking Contract		40,841		0		40,841
526800	Training, Tuition, Conferences		8,869		0		8,869
526910	Uniforms and Cleaning		20,500		0		20,500
529500	Meetings		4,500		0		4,500
529800	Miscellaneous		7,000		0		7,000
529835	External Promotion Expenses		12,600		0		12,600
531100	Capital Lease Payments-Office Equipment		9,275		0		9,275
Total Materials & Services			3,268,073		923,436		4,191,509
Capital Outlay							
571400	Purchases - Equipment and Vehicles		55,000		0		55,000
571500	Purchases - Office Furniture and Equipment		123,000		0		123,000
574520	Construction Work/ Building		22,000		0		22,000
Total Capital Outlay			200,000		0		200,000

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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND (continued)							
Interfund Transfers							
581610	Trans. Indirect Costs to Support Svs. Fund		193,633		0		193,633
581615	Trans. Indirect Cost to Insur. Fund		71,154		0		71,154
582751	Trans. Resources to MERC Management Pool		373,695		0		373,695
583610	Trans. Direct Costs to Support Svs. Fund		30,590		0		30,590
Total Interfund Transfers			669,072		0		669,072
Contingency and Unappropriated Balance							
599999	Contingency		300,000		0		300,000
599990	Unappropriated Balance		1,133,624		21,970		1,155,594
Total Contingency and Unappropriated Balance			1,433,624		21,970		1,455,594
TOTAL EXPENDITURES		68.13	7,489,289	1.94	984,354	70.07	8,473,643

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FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES FUND REVENUE							
Resources							
COLISEUM							
299000	Beginning Balance		2,615,000				2,615,000
347110	Users' Fee		950,000				950,000
347220	Rentals-Building		1,500,000				1,500,000
347311	Food Service-Concessions/Food		4,663,375				4,663,375
347500	Merchandising		400,000				400,000
347600	Electrical Contract		55,000				55,000
347700	Commissions		140,000				140,000
347900	Miscellaneous Revenue		150,000				150,000
361100	Interest		350,000				350,000
372100	Reimbursements - Labor		596,742				596,742
374000	Parking		1,676,338				1,676,338
CIVIC STADIUM							
347110	Users' Fee		157,400				157,400
347220	Rentals-Building		175,000				175,000
347311	Food Service-Concessions/Food		1,127,225				1,127,225
347500	Merchandising		40,000				40,000
347700	Commissions		13,000				13,000
347900	Miscellaneous Revenue		20,000				20,000
372100	Reimbursements - Labor		110,800				110,800
PERFORMING ARTS CENTER							
347110	Users' Fee		740,000				740,000
347220	Rentals-Building		975,000				975,000
347311	Food Service-Concessions/Food		165,000				165,000
347500	Merchandising		75,000				75,000
347700	Commissions		495,000				495,000
347900	Miscellaneous Revenue		143,450				143,450
361100	Interest		40,000				40,000
372100	Reimbursements - Labor		991,935		270,756		1,262,691
Total Resources			18,365,265		270,756		18,636,021

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND							
Memorial Coliseum							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Coliseum/Stadium Manager	0.75	42,750			0.75	42,750
	Accountant	1.00	34,932			1.00	34,932
	Assistant Accountant	1.00	26,029			1.00	26,029
	Assistant Director of Security	1.00	33,220			1.00	33,220
	Admissions Assistant Director	1.00	33,280			1.00	33,280
	Admissions Supervisor	1.00	48,423			1.00	48,423
	Event Manager	1.00	38,528			1.00	38,528
	Customer Services Representative	3.00	74,444			3.00	74,444
	Sales Manager	1.00	42,465			1.00	42,465
	Promotions Coordinator	1.00	30,137			1.00	30,137
	Group Sales Coordinator	1.00	21,574			1.00	21,574
	Sales Associate	1.00	26,029			1.00	26,029
	Lead Engineer	1.00	33,220			1.00	33,220
	Operations Engineer	4.00	126,548			4.00	126,548
	Maintenance Section Superintendent	1.00	40,413			1.00	40,413
	Set-Up Supervisor	2.00	55,993			2.00	55,993
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Bookkeeper II	1.00	22,561			1.00	22,561
	Bookkeeper I	1.00	19,682			1.00	19,682
	Accounting Clerk	1.00	18,052			1.00	18,052
	Office Assistant	1.00	20,585			1.00	20,585
	Switchboard/Receptionist	1.00	20,585			1.00	20,585
	Data Entry Clerk	1.00	17,963			1.00	17,963
	Marketing Staff Assistant	1.00	17,963			1.00	17,963
	Security Watchman	2.00	37,548			2.00	37,548
	Security Secretary	1.00	20,585			1.00	20,585
	Marketing Secretary	1.00	20,585			1.00	20,585
	Utility/Grounds	1.00	22,318			1.00	22,318
	Utility Lead	15.00	346,948			15.00	346,948
	Utility Maintenance	3.00	67,372			3.00	67,372
	Set Up Staff Assistant	1.00	23,631			1.00	23,631
511225	WAGES-REGULAR EMPLOYEES (part time)	55.45	1,043,798			55.45	1,043,798
511400	OVERTIME		45,132				45,132
	PREMIUM PAY		8,519				8,519
512000	FRINGE		814,036		(36,916)		777,120
	Service Reimbursement-Workers' Compensation		0		36,916		36,916
	Total Personal Services	108.20	3,295,848	0.00	0	108.20	3,295,848
	All Other Memorial Coliseum Requirements		5,545,526		0		5,545,526
	TOTAL EXPENDITURES	108.20	8,841,374	0.00	0	108.20	8,841,374

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND							
Civic Stadium							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Coliseum/Stadium Manager	0.25	14,250			0.25	14,250
	Set-up Supervisor	1.00	30,137			1.00	30,137
	Admissions Supervisor	2.00	46,538			2.00	46,538
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Utility Lead	2.00	46,800			2.00	46,800
	Assistant Set-up Supervisor	1.00	28,682			1.00	28,682
	Security Watch Staff	1.00	18,782			1.00	18,782
511225	WAGES-REGULAR EMPLOYEES (part time)	12.36	204,303			12.36	204,303
511400	OVERTIME		7,506				7,506
	PREMIUM PAY		307				307
512000	FRINGE		119,640		(5,426)		114,214
	Service Reimbursement-Workers' Compensation		0		5,426		5,426
Total Personal Services		19.61	516,945	0.00	0	19.61	516,945
All Other Civic Stadium Requirements			1,171,896		0		1,171,896
TOTAL EXPENDITURES		19.61	1,688,841	0.00	0	19.61	1,688,841

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND							
Performing Arts Center							
Personal Services							

511121	SALARIES-REGULAR EMPLOYEES (full time)						
	PAC Manager	1.00	54,881			1.00	54,881
	Program Development Manager	1.00	39,478			1.00	39,478
	Booking coordinator	1.00	26,029			1.00	26,029
	PAC Events Director	1.00	36,650			1.00	36,650
	Operations Engineer	1.00	31,637			1.00	31,637
	Stage/Operations Coordinator	1.00	33,220			1.00	33,220
	Building Maintenance Supervisor	1.00	30,137			1.00	30,137
	Box Office Manager	1.00	27,311			1.00	27,311
	Box Office Supervisor	4.00	92,382			4.00	92,382
	Customer Service Representative	2.00	44,135			2.00	44,135
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Switchboard/Receptionist	4.00	87,922			4.00	87,922
	Administrative Secretary	1.00	18,774			1.00	18,774
	Secretary	1.00	20,585			1.00	20,585
	Secretary	1.00	18,774			1.00	18,774
	Data Entry	1.00	17,963			1.00	17,963
	Staff Assistant	1.00	22,561			1.00	22,561
	Security Watchman	3.00	53,030			3.00	53,030
511235	WAGES-TEMPORARY EMPLOYEES (part time)	75.61	1,449,842		225,630	75.61	1,675,472
511400	OVERTIME		23,092				23,092
	PREMIUM PAY		1,200				1,200
512000	FRINGE		572,156		17,133		589,289
	Service Reimbursement-Workers' Compensation		0		27,993		27,993
Total Personal Services		101.61	2,701,759	0.00	270,756	101.61	2,972,515
Materials & Services							

521100	Office Supplies		16,000				16,000
521290	Other Supplies		62,718				62,718
521292	Small Tools		1,600				1,600
524130	Promotion/Public Relation Services		60,400				60,400
524190	Misc. Professional Services		4,340				4,340
525110	Utilities-Electricity		198,000				198,000
525120	Utilities-Water and Sewer.		16,486				16,486
525130	Utilities-Natural Gas		54,251				54,251
525190	Utilities-Other		12,038				12,038
525610	Maintenance & Repair Services-Building		81,775				81,775
525710	Equipment Rental		16,612				16,612
525720	Building Rental		94,200				94,200
526310	Printing Services		118,750				118,750
526410	Telephone		59,060				59,060

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND (continued)							
Performing Arts Center							
526420	Postage		11,200				11,200
526500	Travel		7,000				7,000
526700	Temporary Help Services		13,300				13,300
526800	Training, Tuition, Conferences		2,300				2,300
526910	Uniforms and Cleaning		17,118				17,118
528100	License, Permits, Payments to Other Agencies		18,887				18,887
529800	Miscellaneous		83,025				83,025
529835	External Promotion Expenses		125,000				125,000
Total Materials & Services			1,074,060		0		1,074,060
Capital Outlay							
571400	Purchases - Equipment and Vehicles		17,975				17,975
571500	Purchases - Office Furniture and Equipment		6,300				6,300
574520	Construction Work/Materials - Buildings, Exhibits		288,300				288,300
Total Capital Outlay			312,575		0		312,575
TOTAL EXPENDITURES		101.61	4,088,394	0.00	270,756	101.61	4,359,150

EXHIBIT A
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND							
General Expenses							
Interfund Transfers							
581610	Trans. Indirect Costs to Support Svs. Fund		312,466				312,466
581615	Trans. Indirect Cost to Insur. Fund		114,822				114,822
582751	Transfer Resources to Metro ERC Management Pool		603,030				603,030
583610	Transfer Direct Costs to Support Sys. Fund		45,885				45,885
	Total Interfund Transfers		1,076,203		0		1,076,203
Contingency and Unappropriated Balance							
599999	Contingency		665,000				665,000
599990	Unappropriated Balance		2,005,453				2,005,453
	Total Contingency and Unappropriated Balance		2,670,453		0		2,670,453
	TOTAL SPECTATOR FACILITIES REQUIREMENTS	229.42	18,365,265	0.00	270,756	229.42	18,636,021

EXHIBIT B
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
GENERAL FUND			
Council			
Personal Services	373,323	0	373,323
Materials & Services	308,570	0	308,570
Capital Outlay	3,800	0	3,800
Subtotal	685,693	0	685,693
Executive Management			
Personal Services	477,987	0	477,987
Materials & Services	126,816	0	126,816
Capital Outlay	4,400	0	4,400
Subtotal	609,203	0	609,203
General Expense			
Interfund Transfers	1,838,737	0	1,838,737
Contingency	135,000	0	135,000
Subtotal	1,973,737	0	1,973,737
Unappropriated Balance	65,000	0	65,000
Total General Fund Requirements	3,333,633	0	3,333,633
SUPPORT SERVICES FUND			
Finance & Administration			
Personal Services	1,569,883	0	1,569,883
Materials & Services	940,004	0	940,004
Capital Outlay	59,511	0	59,511
Subtotal	2,569,398	0	2,569,398
Personnel			
Personal Services	347,427	0	347,427
Materials & Services	31,445	0	31,445
Capital Outlay	8,036	0	8,036
Subtotal	386,908	0	386,908
Office of General Counsel			
Personal Services	296,913	0	296,913
Materials & Services	18,120	0	18,120
Capital Outlay	8,500	0	8,500
Subtotal	323,533	0	323,533

EXHIBIT B
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SUPPLEMENTAL BUDGET
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SUPPORT SERVICE FUND (continued)			
Public Affairs			
Personal Services	547,839	0	547,839
Materials & Services	98,661	0	98,661
Capital Outlay	12,768	0	12,768
Subtotal	659,268	0	659,268
General Expense			
Interfund Transfers	275,899	0	275,899
Contingency	132,116	0	132,116
Subtotal	408,015	0	408,015
Unappropriated Balance	30,000	0	30,000
Total Support Services Fund Requirements	4,377,122	0	4,377,122
BUILDING MANAGEMENT FUND			
Metro Center Account			
Personal Services	83,279	0	83,279
Materials & Services	538,420	0	538,420
Capital Outlay	110,000	0	110,000
Subtotal	731,699	0	731,699
Sears Facility Account			
Personal Services	0	79,031	79,031
Materials & Services	0	527,000	527,000
Capital Outlay	0	9,592,500	9,592,500
Subtotal	0	10,198,531	10,198,531
General Expenses			
Contingency	50,000	500,000	550,000
Unappropriated Balance	25,000	2,321,157	2,346,157
Subtotal	75,000	2,821,157	2,896,157
Total Building Management Fund Requirements	806,699	13,019,688	13,826,387
INSURANCE FUND			
Materials & Services	453,600	374,930	828,530
Contingency	529,769	0	529,769
Unappropriated Balance	3,206,421	0	3,206,421
Total Insurance Fund Requirements	4,189,790	374,930	4,564,720

EXHIBIT B
 ORDINANCE NO. 90-370
 SUPPLEMENTAL BUDGET
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
ZOO OPERATING FUND			
Administration			
Personal Services	614,906	0	614,906
Materials & Services	314,718	0	314,718
Capital Outlay	7,679	0	7,679
Subtotal	937,303	0	937,303
Animal Management			
Personal Services	1,691,662	0	1,691,662
Materials & Services	343,187	0	343,187
Capital Outlay	14,500	0	14,500
Subtotal	2,049,349	0	2,049,349
Facilities Management			
Personal Services	1,419,748	0	1,419,748
Materials & Services	1,355,570	0	1,355,570
Capital Outlay	453,846	0	453,846
Subtotal	3,229,164	0	3,229,164
Education			
Personal Services	610,453	0	610,453
Materials & Services	297,859	0	297,859
Capital Outlay	39,050	0	39,050
Subtotal	947,362	0	947,362
Marketing			
Personal Services	165,773	0	165,773
Materials & Services	315,887	0	315,887
Capital Outlay	5,950	0	5,950
Subtotal	487,610	0	487,610
Visitor Services			
Personal Services	1,141,257	0	1,141,257
Materials & Services	1,118,888	0	1,118,888
Capital Outlay	64,051	0	64,051
Subtotal	2,324,196	0	2,324,196

EXHIBIT B
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
ZOO OPERATING FUND (continued)			
General Expenses			
Interfund Transfers	783,999	0	783,999
Contingency	496,264	0	496,264
Subtotal	1,280,263	0	1,280,263
Unappropriated Balance	1,188,496	0	1,188,496
Total Zoo Operating Fund Requirements	12,443,743	0	12,443,743
ZOO CAPITAL FUND			
Personal Services	78,819	0	78,819
Materials & Services	2,569	0	2,569
Capital Outlay	3,769,965	555,000	4,324,965
Contingency	166,057	0	166,057
Unappropriated Balance	1,906,300	0	1,906,300
Total Zoo Capital Fund Requirements	5,923,710	555,000	6,478,710
SOLID WASTE REVENUE FUND			
Administration			
Personal Services	334,895	0	334,895
Materials & Services	118,826	0	118,826
Subtotal	453,721	0	453,721
Budget and Finance			
Personal Services	320,065	0	320,065
Materials & Services	284,850	0	284,850
Subtotal	604,915	0	604,915
Operations			
Personal Services	747,200	0	747,200
Materials & Services	28,847,736	0	28,847,736
Subtotal	29,594,936	0	29,594,936
Engineering and Analysis			
Personal Services	428,843	0	428,843
Materials & Services	545,920	0	545,920
Subtotal	974,763	0	974,763

EXHIBIT B
 ORDINANCE NO. 90-370
 SUPPLEMENTAL BUDGET
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SOLID WASTE REVENUE FUND (continued)			
Waste Reduction			
Personal Services	633,075	0	633,075
Materials & Services	3,822,499	0	3,822,499
Subtotal	4,455,574	0	4,455,574
Debt Service Account			
Debt Service	1,360,427	0	1,360,427
Subtotal	1,360,427	0	1,360,427
Landfill Closure Account			
Capital Outlay	6,155,000	0	6,155,000
Subtotal	6,155,000	0	6,155,000
Construction Account			
Personal Services	61,247	0	61,247
Capital Outlay	12,350,000	0	12,350,000
Subtotal	12,411,247	0	12,411,247
Renewal & Replacement Account			
Capital Outlay	519,000	0	519,000
Subtotal	519,000	0	519,000
General Account			
Capital Outlay	5,947,768	0	5,947,768
Subtotal	5,947,768	0	5,947,768
Master Project Account			
Debt Service	0	2,318,085	2,318,085
Subtotal	0	2,318,085	2,318,085
General Expense			
Interfund Transfers	3,735,353	4,744,339	8,479,692
Contingency	2,221,798	0	2,221,798
Subtotal	5,957,151	4,744,339	10,701,490
Unappropriated Balance	31,671,463	(4,744,339)	26,927,124
Total Solid Waste Revenue Fund Requirements	100,105,965	2,318,085	102,424,050

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	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SOLID WASTE OPERATING FUND			
Interfund Transfers	8,500,000	0	8,500,000
Total Solid Waste Operating Fund Requirements	8,500,000	0	8,500,000
SOLID WASTE CAPITAL FUND			
Interfund Transfers	3,690,000	0	3,690,000
Total Solid Waste Capital Fund Requirements	3,690,000	0	3,690,000
ST. JOHNS RESERVE FUND			
Interfund Transfer	26,375,520	0	26,375,520
Total St. Johns Reserve Fund Requirements	26,375,520	0	26,375,520
REHABILITATION & ENHANCEMENT FUND			
Materials & Services	551,900	0	551,900
Contingency	4,483	0	4,483
Interfund Transfers	20,000	0	20,000
Unappropriated Balance	1,652,019	0	1,652,019
Total Rehab. & Enhancement Fund Requirements	2,228,402	0	2,228,402
TRANSPORTATION PLANNING FUND			
Personal Services	1,436,787	0	1,436,787
Materials & Services	2,412,056	0	2,412,056
Capital Outlay	75,785	0	75,785
Interfund Transfers	594,497	0	594,497
Contingency	92,479	0	92,479
Unappropriated Balance	18,844	0	18,844
Total Transportation Planning Fund Requirements	4,630,448	0	4,630,448

EXHIBIT B
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 SUPPLEMENTAL BUDGET
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
PLANNING & DEVELOPMENT FUND			
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Urban Growth Management			
Personal Services	448,107	0	448,107
Materials & Services	690,734	0	690,734
Capital Outlay	7,100	0	7,100
Subtotal	1,145,941	0	1,145,941
Solid Waste Planning			
Personal Services	397,332	0	397,332
Materials & Services	394,835	0	394,835
Capital Outlay	11,550	0	11,550
Subtotal	803,717	0	803,717
General Expenses			
Interfund Transfer	346,328	0	346,328
Contingency	171,281	3,556	174,837
Subtotal	517,609	3,556	521,165
Total Planning & Development Fund Requirements	2,467,267	3,556	2,470,823
SMITH AND BYBEE LAKES TRUST FUND			
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Personal Services	0	21,444	21,444
Materials & Services	0	102,200	102,200
Capital Outlay	0	501,500	501,500
Interfund Transfers	0	3,556	3,556
Contingency	0	100,000	100,000
Unappropriated Balance	0	1,209,370	1,209,370
Total Smith and Bybee Lakes Trust Fund	0	1,938,070	1,938,070
CONVENTION CENTER PROJECT MANAGEMENT FUND			
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Personal Services	53,219	0	53,219
Materials & Services	221,635	0	221,635
Interfund Transfers	50,032	0	50,032
Contingency	1,637	0	1,637
Total Convention Center Project Management Fund Requirements	326,523	0	326,523

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	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
CONVENTION CENTER PROJECT CAPITAL FUND			
Personal Services	130,129	0	130,129
Materials & Services	58,089	0	58,089
Capital Outlay	13,319,030	0	13,319,030
Interfund Transfers	167,500	0	167,500
Contingency	4,004	0	4,004
Total Convention Center Project Capital Fund Requirements	13,678,752	0	13,678,752
CONVENTION CENTER PROJECT DEBT SERVICE FUND			
Debt Service	5,687,278	0	5,687,278
Interfund Transfers	4,756	0	4,756
Total Convention Center Project Debt Service Fund Requirements	5,692,034	0	5,692,034
METRO ERC MANAGEMENT POOL FUND			
Personal Services	764,509	0	764,509
Materials & Services	152,216	0	152,216
Contingency	95,000	0	95,000
Total Metro ERC Management Pool Fund Requirements	1,011,725	0	1,011,725
OREGON CONVENTION CENTER OPERATING FUND			
Personal Services	1,918,520	38,948	1,957,468
Materials & Services	3,268,073	923,436	4,191,509
Capital Outlay	200,000	0	200,000
Interfund Transfers	669,072	0	669,072
Contingency	300,000	0	300,000
Unappropriated Balance	1,133,624	21,970	1,155,594
Total Oregon Convention Center Operating Fund Requirements	7,489,289	984,354	8,473,643

EXHIBIT B
ORDINANCE NO. 90-370
SUPPLEMENTAL BUDGET
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SPECTATOR FACILITIES OPERATING FUND			
Memorial Coliseum			
Personal Services	3,295,848	0	3,295,848
Materials & Services	5,277,026	0	5,277,026
Capital Outlay	268,500	0	268,500
Subtotal	8,841,374	0	8,841,374
Civic Stadium			
Personal Services	516,945	0	516,945
Materials & Services	1,150,196	0	1,150,196
Capital Outlay	21,700	0	21,700
Subtotal	1,688,841	0	1,688,841
Performing Arts Center			
Personal Services	2,701,759	270,756	2,972,515
Materials & Services	1,074,060	0	1,074,060
Capital Outlay	312,575	0	312,575
Subtotal	4,088,394	270,756	4,359,150
General Expense			
Interfund Transfers	1,076,203	0	1,076,203
Contingency	665,000	0	665,000
Subtotal	1,741,203	0	1,741,203
Unappropriated Balance	2,005,453	0	2,005,453
Total Spectator Facilities Operating Fund Requirements	18,365,265	270,756	18,636,021
PORTLAND CENTER FOR THE PERFORMING ARTS CAPITAL FUND			
Capital Outlay	965,000	0	965,000
Contingency	105,468	0	105,468
Total Portland Center for the Performing Arts Center Capital Fund Requirements	1,070,468	0	1,070,468
TOTAL APPROPRIATIONS	226,706,355	19,464,439	246,170,794

APPENDICES

**Ordinance No. 90-370
FY 1990-91
Supplemental Budget**

Debt Service Schedule

METROPOLITAN SERVICE DISTRICT
Riedel Compost Facility

Waste Disposal Project Revenue Bonds
Variable Rate Bonds Set By Market
Principal Payments as Shown
Estimated Interest Rate 7.00%

\$25,105,000 Series A

\$5,000,000 Series 1

YEAR	Principal	Interest	Total	Principal	Interest	Total
FY90-91	0	1,757,350	1,757,350	0	350,000	350,000
FY91-92	0	1,757,350	1,757,350	0	350,000	350,000
FY92-93	600,000	1,725,850	2,325,850	0	350,000	350,000
FY93-94	600,000	1,683,850	2,283,850	0	350,000	350,000
FY94-95	700,000	1,638,350	2,338,350	0	350,000	350,000
FY95-96	800,000	1,582,350	2,382,350	0	350,000	350,000
FY96-97	800,000	1,526,350	2,326,350	0	350,000	350,000
FY97-98	800,000	1,470,350	2,270,350	0	350,000	350,000
FY98-99	1,000,000	1,403,850	2,403,850	0	350,000	350,000
FY99-00	1,000,000	1,333,850	2,333,850	0	350,000	350,000
FY00-01	1,000,000	1,263,850	2,263,850	0	350,000	350,000
FY01-02	1,200,000	1,183,350	2,383,350	0	350,000	350,000
FY02-03	1,200,000	1,099,350	2,299,350	0	350,000	350,000
FY03-04	1,400,000	1,004,850	2,404,850	0	350,000	350,000
FY04-05	1,400,000	906,850	2,306,850	0	350,000	350,000
FY05-06	1,600,000	798,350	2,398,350	0	350,000	350,000
FY06-07	1,700,000	682,850	2,382,850	0	350,000	350,000
FY07-08	1,800,000	556,850	2,356,850	0	350,000	350,000
FY08-09	2,000,000	420,350	2,420,350	0	350,000	350,000
FY09-10	2,100,000	276,850	2,376,850	0	350,000	350,000
FY10-11	2,200,000	122,850	2,322,850	0	350,000	350,000
FY11-12	1,205,000	0	1,205,000	5,000,000	0	5,000,000

The Bonds and all obligations of the Issuer under or with respect to the Bonds, the 1989 Supplemental Ordinance and the 1989 Credit Agreement shall be and remain limited obligations of the Issuer payable solely and only out of the Trust Estates. No recourse shall be had against any property, funds, or assets of the Issuer for the payment of any amount owing under or with respect to the Bonds, the 1989 Supplemental Ordinance or the 1989 Credit Agreement. Payments to the Trust Estates are made pursuant to irrevocable direct-pay letter of credit issued by Credit Suisse for Series A and United States National Bank of Oregon for Series 1. Loan repayments will be derived solely from the revenues generated by the operation of the 1989 Compost Project which will be owned by Riedel Oregon Compost Company, Inc. Metro covenants to deliver waste to Riedel pursuant to the Mass Composting Facility Service Agreement, dated August 16, 1989.

APPENDIX B
Estimate of Workers' Compensation Dollars
By Department or Program Within Fund

	<u>Workers'</u> <u>Comp</u> <u>Dollars</u>
<u>General Fund</u>	
Executive Management	\$ 7,115
Council	5,557
 <u>Support Service Fund</u>	
Finance & Administration:	
Accounting	8,121
Support Services	2,589
Finance	3,526
Data Processing	5,801
Construction Management	3,330
Office of General Counsel	4,420
Personnel	4,995
Public Affairs	8,155
 <u>Building Management Fund</u>	
Metro Center Account	1,240
Sears Facility Construction Account	1,176
 <u>Zoo Operating Fund</u>	
Administration	9,295
Animal Management	29,231
Facilities Management	24,532
Education Services	9,087
Marketing	2,468
Visitor Services	20,953
 <u>Zoo Capital Fund</u>	
	1,253
 <u>Solid Waste Revenue Fund</u>	
Administration	4,947
Budget & Finance	4,728
Operations	45,804
Engineering	6,335
Waste Reduction	9,352
Construction	905
 <u>Transportation Planning Fund</u>	
	21,387
 <u>Planning & Development Fund</u>	
Urban Growth Management	6,601
Solid Waste Planning	5,914
 <u>Smith & Bybee Lakes Trust Fund</u>	
	311

<u>Convention Center Project</u>	
Management Fund	798
Capital Fund	1,952
<u>Metro ERC Management Pool Fund</u>	8,988
<u>Spectator Facilities Operating Fund</u>	
Memorial Coliseum	36,916
Civic Stadium	5,426
Performing Arts Center	27,993
<u>Oregon Convention Center Operating Fund</u>	21,229
TOTAL WORKERS' COMPENSATION DOLLAR ESTIMATE	\$362,430

Agenda Item No. 5.2
Meeting Date: November 29, 1990

ORDINANCE NO. 90-373

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ALLOCATING)
\$10,000 FROM GENERAL FUND)
CONTINGENCY TO SUPPORT ARTS PLAN)
2000 PLUS)

ORDINANCE NO. 90-373

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered the need to modify the FY 1990-91 Budget; and

WHEREAS, The need for a modified budget plan has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in Exhibits A and B to this Ordinance for the purpose of allocating \$10,000 from the General Fund Contingency to support Arts Plan 2000 Plus.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord90-91:90-373:ord
November 7, 1990

EXHIBIT A
ORDINANCE NO. 90-373

FISCAL YEAR 1990-91	CURRENT BUDGET		REVISION		PROPOSED BUDGET			
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Executive Management								
	Total Personal Services		8.80	477,987	0.00	0	8.80	477,987
	Materials & Services							
521100	Office Supplies			4,141		0		4,141
521110	Computer Software			500		0		500
521260	Printing Supplies			1,000		0		1,000
521290	Other Supplies			100		0		100
521310	Subscriptions			3,158		0		3,158
521320	Dues			14,705		0		14,705
524190	Misc. Professional Services			50,000		10,000		60,000
525640	Maintenance & Repairs Services-Equipment			956		0		956
525710	Equipment Rental			1,170		0		1,170
525731	Operating Lease Payments-Building			2,700		0		2,700
526200	Ads & Legal Notices			1,820		0		1,820
526310	Printing Services			4,456		0		4,456
526320	Typesetting & Reprographics Services			1,550		0		1,550
526410	Telephone			3,870		0		3,870
526420	Postage			3,390		0		3,390
526440	Delivery Services			150		0		150
526500	Travel			19,455		0		19,455
526800	Training, Tuition, Conferences			6,165		0		6,165
529500	Meetings			7,160		0		7,160
529800	Miscellaneous			370		0		370
	Total Materials & Services			126,816		10,000		136,816
	Total Capital Outlay			4,400		0		4,400
	TOTAL EXPENDITURES		8.80	609,203	0.00	10,000	8.80	619,203

EXHIBIT A
ORDINANCE NO. 90-373

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:General Expenses							
Interfund Transfers							
581513	Trans. Indirect Costs to Bldg. Fund		117,577		0		117,577
581610	Trans. Indirect Costs to Support Svs. Fund		396,669		0		396,669
581615	Trans. Indirect Costs to Insurance Fund		6,804		0		6,804
582140	Trans. Resources to Transportation Fund		391,446		0		391,446
582142	Trans. Resources to Plan. & Dev. Fund		695,423		0		695,423
582610	Trans. Resources to Support Svs. Fund		230,818		0		230,818
	Total Interfund Transfers		1,838,737		0		1,838,737
Contingency and Unappropriated Balance							
599999	Contingency		135,000		(10,000)		125,000
	Unappropriated Fund Balance		65,000		0		65,000
	Total Contingency and Unappropriated Balance		200,000		(10,000)		190,000
	TOTAL EXPENDITURES	17.30	3,333,633	0.00	0	17.30	3,333,633

EXHIBIT B
 ORDINANCE NO. 90-373
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
GENERAL FUND			
Council			
Personal Services	373,323	0	373,323
Materials & Services	308,570	0	308,570
Capital Outlay	3,800	0	3,800
Subtotal	685,693	0	685,693
Executive Management			
Personal Services	477,987	0	477,987
Materials & Services	126,816	10,000	136,816
Capital Outlay	4,400	0	4,400
Subtotal	609,203	10,000	619,203
General Expense			
Interfund Transfers	1,838,737	0	1,838,737
Contingency	135,000	(10,000)	125,000
Subtotal	1,973,737	(10,000)	1,963,737
Unappropriated Balance	65,000	0	65,000
Total General Fund Requirements	3,333,633	0	3,333,633

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

NOTE: THIS ACTION ASSUMES THE ADOPTION OF THE FY 1990-91 SUPPLEMENTAL BUDGET

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-373 AMENDING ORDINANCE 90-340A REVISING THE FISCAL YEAR 1990-91 BUDGET AND APPROPRIATION SCHEDULE FOR THE PURPOSE OF ALLOCATING \$10,000.00 FROM GENERAL FUND CONTINGENCY TO SUPPORT ARTS PLAN 2000 PLUS

DATE: November 6, 1990

PRESENTED BY: Neil McFarlane

BACKGROUND

The Metropolitan Arts Commission has undertaken a regional cultural planning effort known as Arts Plan 2000 Plus, and is requesting that Metro support this effort financially. The process for developing the plan involves the City of Portland, Metro, Multnomah, Clackamas and Washington Counties.

The goals, organization, and issue list for Arts Plan 2000 Plus are shown as Attachment A, B and C to this staff report. The development of the plan is to occur over the next eight months.

Metro and the Metro ERC are linked with appointments to the Arts Plan 2000 Plus advisory committees. The Executive Officer and Councilor Knowles serve on the elected officials Committee, and Metro ERC Commissioners Richard Ares and Mitzi Scott serve on the steering committee.

The efforts of the Arts Plan 2000 Plus are complementary to those of the Metro regional facilities study -- particularly as regards examination of the role of the Portland Center for the Performing Arts and its funding. Overlapping committee memberships have been made to ensure coordination of information and recommendations.

Recently, the Metropolitan Arts Commission has retained a national consultant, the Wolf Organization, to undertake the technical work required. The consultants work plan includes a cultural needs assessment, assessment of organizational structures that exist in Portland to sustain cultural life, a general public survey, funding assessment, review of public art programs, comparable community analysis, policy and planning review, all to result in development of a cultural master plan. The Wolf Organization workplan contains

elements that are directly complimentary to Metro's Facilities Study. The attached intergovernmental agreement anticipates and describes subject areas of mutual interest and utility. The full scope of work of the consultant is available upon request.

Proposed Action

The Arts Commission has requested that Metro provide \$20,000.00 to support the efforts of the plan. Similar requests will be made of other jurisdictions, foundations, and others.

It is proposed that Metro provide this financial support through two funds:

(1) \$10,000.00 from Metro General Fund Contingency (excise tax); and

(2) \$10,000.00 from the Metropolitan Exposition Recreation Commission Management Pool funds.

Adequate funds are appropriated in the Metro ERC Management Pool to cover the \$10,000.00 expenditure - which will be subject to approval of a separate contract action by the Commission. The Metro ERC is expected to consider this action at its November meeting.

Metro General Fund (excise tax) funds are not currently allocated for this purpose. In order to make funds available, the Council will need to allocate \$10,000.00 from general fund contingency to the category of "Miscellaneous Professional Services" for the purposes of funding the Intergovernmental Agreement attached as Attachment D. Adequate funds exist in the contingency account. Execution of the Intergovernmental Agreement is contingent on Council approval of the required budget action.

Executive Officer's Recommendation

The Executive Officer recommends that Metro provide \$20,000.00 to support Arts Plan 2000 Plus through:

(1) The Metro Council allocating \$10,000.00 from Metro general fund contingency through approval of Ordinance No. 90-373; and

(2) The Metro ERC approving expenditure of \$10,000.00 of budgeted Metro ERC Management Pool funds.

ARTS PLAN 2000 PLUS

WHAT: A ten month planning process to develop a Cultural Action Plan for the Portland, Tri-County Metropolitan region. The comprehensive planning effort is aimed at assessing the role and function of arts programs and facilities relative to other important community needs and priorities. When completed, AP2+ will propose objectives in meeting the region's cultural needs in the 90's, identify the resources required to meet them, and designate responsibility for implementation.

HOW: Solid research, tapping of creative and effective leadership and public input are all important elements of this comprehensive planning effort. A 43 member Steering Committee representing the civic, business, arts, education and philanthropic leadership of the region will guide the process. The Wolf Organization, the nation's premier cultural planning team, has been engaged to act as advisors and facilitators for the process. Specific products of AP2+ will include:

- 1) A formal written plan assessing existing programs, activities, facilities, and resources.
- 2) Specific recommendations in such areas as arts in education, audience development and outreach, cultural diversity, stabilizing arts institutions, public/private funding partnerships and regional approaches to delivery of and support for arts services.
- 3) A timeline for implementation of recommendations
- 4) Market survey data for the Tri-County area which can be used by arts personnel to develop more effective target marketing strategies and techniques.
- 5) Economic impact research designed to produce reliable data about the arts role in the regional economy.

WHY: The arts sector's continued viability and future contribution to our community's quality of life and economic vitality is threatened by an image of elitism, controversy over management of facilities, limited resources and confusion over

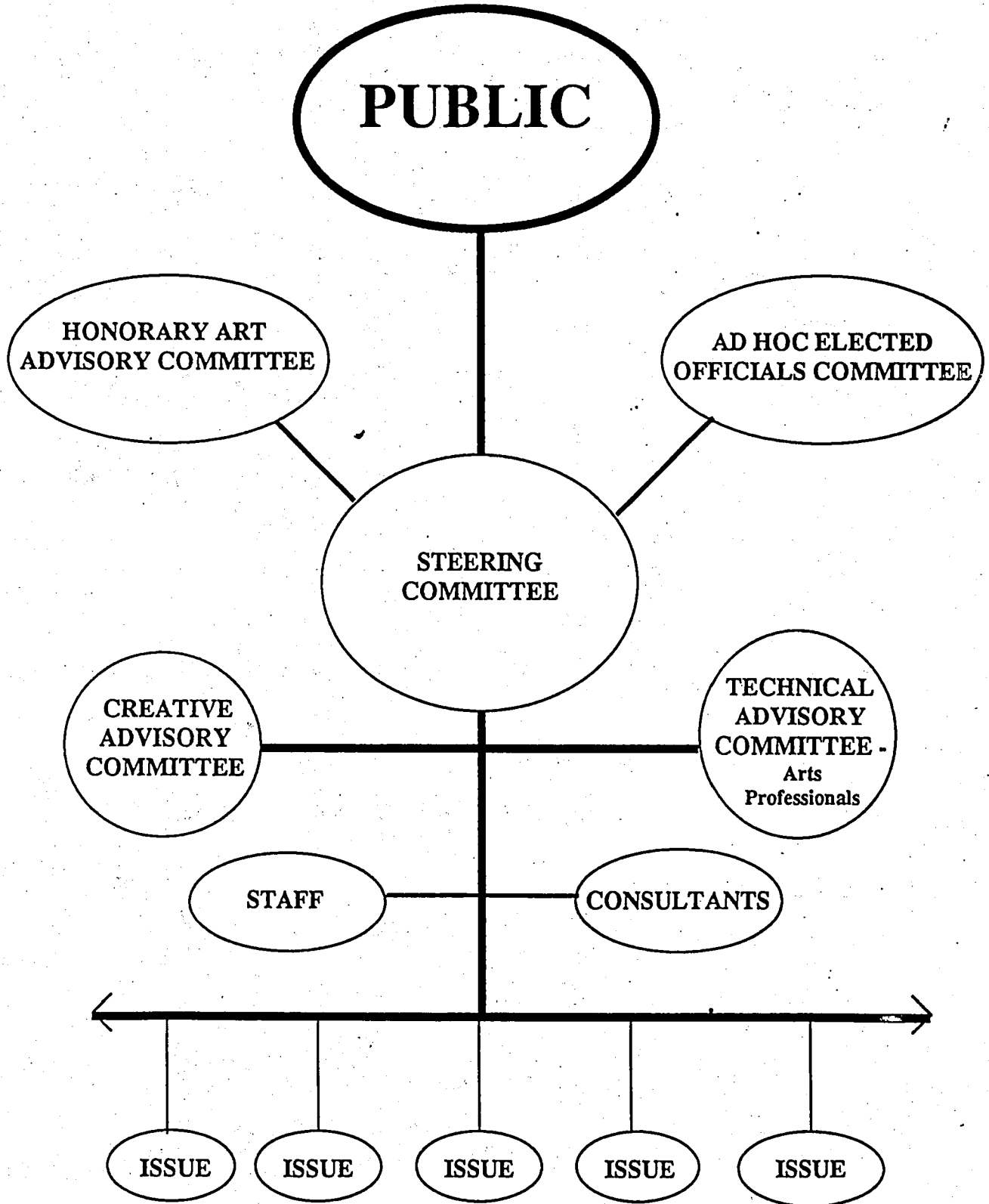
goals and priorities. It is time to plan carefully for sensible stewardship and wise investment in our cultural resources.

A Cultural Action Plan is needed to:

- 1) Broaden the constituency for arts programs and develop new ways to reach underserved audiences such as minorities, children, seniors and the economically disadvantaged;
- 2) Promote a climate which supports and encourages artistic excellence;
- 3) Plan for regional coordination and delivery of cultural services;
- 4) Coordinate and enhance arts sector involvement in tourism, economic development, neighborhood revitalization and education;
- 5) Coordinate greater cooperation among arts organizations and other agencies;
- 6) Improve the financial and management stability of cultural institutions.
- 7) Establish clear priorities for public and private support for our cultural programs and facilities.
- 8) Strengthen and broaden the base of resources and leadership available to provide stewardship for our cultural resources
- 9) Integrate planning for the arts sector with other planning efforts such as the Portland Future Focus, the METRO Facilities Study, and the Governor's Commission on Higher Education;

WHERE: The cultural planning effort was initiated by the Metropolitan Arts Commission and Portland City Commissioner Mike Lindberg. The plan now has an office for staff in space donated by Walker & Macy Landscape Architects, 111 S.W. Oak, Suite 200. Ann Mason has been hired as the plan coordinator. More information may be obtained by calling the AP2+ office, 223-0831 or MAC, 796-5111.

ARTS PLAN 2000 +



ISSUE STUDY GROUPS will include the public at large, issue specialists, artists, business, philanthropy and government. Possible issue topics include: Resource Development, Education and the Arts, Public Art, Audience Outreach, Cultural Diversity, Economic Impact, Arts in the Community, Artist Issues, Facilities, etc.

ATTACHMENT C

ARTS PLAN 2000 PLUS - ISSUES WHICH MAY BE ADDRESSED

Final decisions about arts and cultural issues to be addressed in the planning process will be made by the Steering Committee with input based upon public meetings, opinion research, interviews, etc. Certainly the process of prioritizing issues and strategies will involve tough decisions. Nevertheless, the following have emerged as a result of preliminary planning.

- * **Public involvement/outreach:** The need to counter an image of the arts as elitist; reach out to new audiences and inform all citizens of the wealth of available arts opportunities.
- * **A Regional Approach:** The need to assess arts programs, facilities and audiences from the standpoint of impact, support and participation on a regional basis.
- * **Cultural Diversity:** How can our arts programs and audiences better reflect the involvement of the range of ethnic minorities residing in Portland? How can access to programs, resources and diverse artistic expressions be improved?
- * **Facilities:** The need to develop a public service oriented plan and adequate resource base for effective, regionally based management of existing and/or new arts facilities.
- * **Education:** How can arts programs be more thoroughly integrated into the educational system and more active and effective partnerships with cultural institutions and artists be encouraged?
- * **Artists:** How can we create a climate supportive of innovation and creativity which encourages the finest artists to live, produce and present their work here.
- * **Resources:** How can effective public/private partnerships be established to provide responsible stewardship and appropriate investment in our cultural programs, institutions and facilities?
- * **Stability of arts institutions:** 11 of the 17 largest arts institutions in our community are carrying accumulated deficits and the failure or near failure of arts organizations has been a regular news item over the last few years. How can management effectiveness and financial stability be improved.
- * **New roles for the arts:** New roles and working relationships and strategies linking the arts to tourism, economic development, neighborhood revitalization and the human services should be assessed in comparison to traditional programs and current resource allocations.
- * **Public art:** The success of the program has yielded a large and diverse collection. It is time for a thorough analysis of our practices, policies and priorities in public art as the program expands and the collection grows.

ATTACHMENT D

Contract No. _____

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT dated this ____ day of _____ 1990, is between METROPOLITAN SERVICE DISTRICT, a municipal corporation, hereinafter referred to as "METRO," whose address is 2000 S.W. First Avenue, Portland, OR 97210-5398, THE METROPOLITAN EXPOSITION RECREATION COMMISSION, whose address is 777 N.E. Martin Luther King, Jr. Blvd. Portland, OR 97234, and METROPOLITAN ARTS COMMISSION, hereinafter referred to as "CONTRACTOR," whose address is The Portland Building, 1120 S. W. Fifth Avenue, Portland, Oregon, 97204, for the period of December 1, 1990, through June 30, 1991, and for any extensions thereafter pursuant to written agreement of both parties.

WITNESSETH:

WHEREAS, This Agreement is exclusively for Personal Services;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

CONTRACTOR AGREES:

1. To perform the services and deliver to METRO the materials described in the Scope of Work attached hereto;
2. To provide all services and materials in a competent and professional manner in accordance with the Scope of Work;
3. To comply with all applicable provisions of ORS Chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, as if such provisions were a part of this Agreement;

4. To maintain records relating to the Scope of Work on a generally recognized accounting basis and to make said records available to METRO at mutually convenient times;

5. To indemnify and hold METRO, its agents and employees harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, with any patent infringement arising out of the use of CONTRACTOR'S designs or other materials by METRO and for any claims or disputes involving subcontractors;

6. To comply with any other "Contract Provisions" attached hereto as so labelled;
and

7. CONTRACTOR shall be an independent contractor for all purposes, shall be entitled to no compensation other than the compensation provided for in the Agreement. CONTRACTOR hereby certifies that it is the direct responsibility employer as provided in ORS 656.407 or a contributing employer as provided in ORS 656.411. In the event CONTRACTOR is to perform the services described in this Agreement without the assistance of others, CONTRACTOR hereby agrees to file a joint declaration with METRO to the effect that CONTRACTOR services are those of an independent contractor as provided under Chapter 864 of Oregon Laws, 1979.

METRO AGREES:

1. To pay CONTRACTOR for services performed and materials delivered in the maximum sum of Twenty Thousand AND 00/100THS (\$ 20,000.00) DOLLARS and in the manner and at the time designated in the Scope of Work; and

2. To provide full information regarding its requirements for the work.

BOTH PARTIES AGREE:

1. That METRO may terminate this Agreement upon giving CONTRACTOR five (5) days written notice without waiving any claims or remedies it may have against

2. That, in the event of termination, METRO shall pay CONTRACTOR for services performed and materials delivered prior to the date of termination; but shall not be liable for indirect or consequential damages;

3. That, in the event of any litigation concerning this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to an appellate court;

4. That this Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party; and

5. That this Agreement may be amended only by the written agreement of both parties.

METROPOLITAN ARTS COMMISSION:

By: _____

Date: _____

METROPOLITAN SERVICE DISTRICT

By: _____

Date: _____

METROPOLITAN EXPOSITION-
RECREATION COMMISSION

BY: _____

DATE: _____

APPROVED AS TO FORM

CITY ATTORNEY

APPROVED AS TO FORM

METRO GENERAL COUNSEL

Exhibit A
SCOPE OF WORK

In consideration of financial support of Arts Plan 2000 Plus, the Metropolitan Arts Commission shall provide to Metro:

1. Opportunity to have input on the design of opinion surveys, interviews and organizational assessments, so that relevant questions regarding Metro and Metro ERC facilities are asked. Input will be coordinated through Metro's Facilities Committee - PCPA Subcommittee. Arts Plan 2000 Plus will conduct this research.
2. Access to task force meetings and notes from deliberations.
3. Recommendations on the following topics:
 - a. regional approaches to the development of cultural programs, facilities, and audiences.
 - b. estimates of the resources needed to support existing new programs on a region-wide basis.
 - c. funding mechanisms and strategies for the support of cultural services and facilities from both the public and private sectors.
 - d. strategies to better integrate cultural programs into regional economic development, and tourism and convention promotion efforts.
4. The Arts Commission shall, at the conclusion of planning process provide presentations on the plan to:
 - a. Metro Executive
 - b. Metro ERC
 - c. Metro Council

Exhibit B
COMPENSATION

For the products and process provided for in this agreement, Metro shall pay to the Metropolitan Arts Commission \$20,000.00 in the following manner:

1. \$10,000.00 from the Metro ERC Management Pool Fund within 30 days of the General Manager's receipt of an invoice requesting the funds.
2. \$10,000.00 from the Metro General Fund within 30 days of Metro's receipt of an invoice requesting funds.

Agenda Item No. 5.3
Meeting Date: November 29, 1990

ORDINANCE NO. 90-374

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.) ORDINANCE NO. 90-374
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE) Introduced by Rena Cusma,
FOR THE PURPOSE OF ENHANCING COMPUTER) Executive Officer
ACQUISITIONS IN THE TRANSPORTATION)
DEPARTMENT AND PROVIDING FOR AN RLIS)
MARKETING CONSULTANT)

WHEREAS, The Council of the Metropolitan Service District
has reviewed and considered the need to modify the FY 1990-91
Budget; and

WHEREAS, The need for a modified budget plan has been
justified; and

WHEREAS, Adequate funds exist for other identified needs;
now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY
ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget,
and Exhibit C, Schedule of Appropriations, are hereby amended as
shown in Exhibits A and B to this Ordinance for the purpose of
enhancing computer acquisitions in the Transportation Department
and providing for an RLIS marketing consultant.

ADOPTED by the Council of the Metropolitan Service
District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

EXHIBIT A
ORDINANCE NO. 90-374

FISCAL YEAR 1990-91		REVISIONS						PROPOSED BUDGET	
		CURRENT BUDGET		Computer Enhancements		RLIS Consultant			
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
TRANSPORTATION PLANNING FUND RESOURCES									
Resources									
299000	Fund Balance		204,815		73,500		10,000		288,315
331110	Federal Grants-Operating-Categorical-Direct								
	FY 91 Sec. 8		206,248		0		0		206,248
	FY 90 103(e)(4) UMTA		40,000		0		0		40,000
	UMTA 103(e)(4) Ph. II AA/DEIS-1205		678,361		(41,100)		(10,000)		627,261
	UMTA 103(e)(4) Milwaukie AA		980,058		0		0		980,058
	FY 88 Sec 8-Pub/Priv (OR-08-0054)		36,000		0		0		36,000
	Hillsboro Ext AA-Sec 9-Pass thru from Tri-Met		247,978		(57,400)		0		190,578
	FY 91 Sec 9-Pass thru from Tri-Met		150,000		0		0		150,000
	FY88 Sec 8 (OR-08-0051)		10,000		0		0		10,000
	FY89 Sec 9-Pass thru from Tri-Met		16,500		0		0		16,500
334110	State Grants-Operating-Categorical-Direct								
	FY 91 PL		239,501		0		0		239,501
	FY 91 FHWA-HPR		150,000		0		0		150,000
	FY 91 FHWA TA-HPR		21,500		0		0		21,500
	FY90 FHWA (e)(4)		35,000		0		0		35,000
	FY89 FHWA (e)(4)		50,463		0		0		50,463
	FY 91 ODOT Supplemental		150,000		0		0		150,000
	Westside Bypass - ODOT		30,000		0		0		30,000
337110	Local Grants-Operating-Categorical-Direct								
	Ph.II AA/DEIS Local Match-1205		109,242		0		0		109,242
	Milwaukie AA Local Match		150,348		0		0		150,348
	FY 90 Westside from Tri-Met		10,000		0		0		10,000
	FY 91 Tri-Met Sec 8/(e)(4)/Sec 9 match		22,000		0		0		22,000
	Hillsboro AA - local match		56,994		0		0		56,994
	Bi-State Study - IRC		15,000		0		0		15,000
339100	Local Government Dues Assessment		315,000		0		0		315,000
339200	Contract Services		25,989		0		0		25,989
341500	Documents & Publications		21,499		0		0		21,499
361100	Interest on Investments		12,000		0		0		12,000
379000	Other Miscellaneous Revenue		46,353		0		0		46,353
391010	Trans. Resources from Gen'l Fund		391,446		0		25,000		416,446
391530	Trans. Resources from S.W. Oper. Fund		208,153		0		0		208,153
Total Resources			4,630,448		(25,000)		25,000		4,630,448

EXHIBIT A
ORDINANCE NO. 90-374

FISCAL YEAR 1990-91		REVISIONS						PROPOSED BUDGET	
		CURRENT BUDGET		Computer Enhancements		RLIS Consultant			
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
TRANSPORTATION PLANNING FUND EXPENDITURES									
	Total Personal Services	30.50	1,436,787	0.00	0	0.00	0	30.50	1,436,787
	Materials & Services								
521100	Office Supplies		24,380		0		0		24,380
521110	Computer Software		15,000		43,100		0		58,100
521240	Graphics/Reprographic Supplies		2,690		0		0		2,690
521310	Subscriptions		570		0		0		570
521320	Dues		1,100		0		0		1,100
524110	Accounting & Auditing Services		5,000		0		0		5,000
524190	Misc. Professional Services		1,152,000		(98,500)		25,000		1,078,500
524210	Data Processing Services		750		0		0		750
525640	Maint. & Repairs Services-Equipment		36,985		18,215		0		55,200
526200	Ads & Legal Notices		2,500		0		0		2,500
526310	Printing Services		29,350		0		0		29,350
526320	Typesetting & Reprographics Services		1,000		0		0		1,000
526410	Telephone		6,060		0		0		6,060
526420	Postage		500		0		0		500
526440	Delivery Services		350		0		0		350
526500	Travel		21,000		0		0		21,000
526800	Training, Tuition, Conferences		6,720		0		0		6,720
528100	License, Permits, Payments to Other Agencies		1,035,000		0		0		1,035,000
529500	Meetings		1,000		0		0		1,000
529800	Miscellaneous		1,000		0		0		1,000
531100	Capital Lease-Furniture & Equipment		69,101		(15,265)		0		53,836
	Total Materials & Services		2,412,056		(52,450)		25,000		2,384,606
	Capital Outlay								
571500	Purchases-Office Furniture & Equipment		75,785		27,450		0		103,235
	Total Capital Outlay		75,785		27,450		0		103,235
	Interfund Transfers								
581513	Trans. Indirect Costs to Bldg. Fund		94,062		0		0		94,062
581610	Trans. Indirect Costs to Support Svs. Fund		320,428		0		0		320,428
581615	Trans. Indirect Costs to Insurance Fund		5,897		0		0		5,897
582142	Trans. Resources to Planning & Development Fund		111,582		0		0		111,582
582610	Trans. Resources to Support Svs. Fund		20,000		0		0		20,000
583610	Trans. Direct Costs to Support Svs. Fund		42,528		0		0		42,528
	Total Interfund Transfers		594,497		0		0		594,497

EXHIBIT A
ORDINANCE NO. 90-374

FISCAL YEAR 1990-91		REVISIONS						PROPOSED BUDGET	
		CURRENT BUDGET		Computer Enhancements		RLIS Consultant			
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
TRANSPORTATION PLANNING FUND EXPENDITURES (continued)									
Contingency and Unappropriated Balance									
599999	Contingency		92,479		0		0		92,479
	Unappropriated Fund Balance		18,844		0		0		18,844
	Total Contingency and Unappropriated Balance		111,323		0		0		111,323
	TOTAL EXPENDITURES	30.50	4,630,448	0.00	(25,000)	0.00	25,000	30.50	4,630,448

EXHIBIT A
ORDINANCE NO. 90-374

FISCAL YEAR 1990-91	REVISIONS							
	CURRENT BUDGET		Computer Enhancements		RLIS Consultant		PROPOSED BUDGET	
ACCOUNT # DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND EXPENDITURES								
ALL OTHER EXPENDITURES OF FUND	17.30	1,304,896		0		0	17.30	1,304,896
<u>Interfund Transfers</u>								
581513 Trans. Indirect Costs to Bldg. Fund		117,577		0		0		117,577
581610 Trans. Indirect Costs to Support Svs. Fund		396,669		0		0		396,669
581615 Trans. Indirect Costs to Insurance Fund		6,804		0		0		6,804
582140 Trans. Resources to Transportation Fund		391,446		0		25,000		416,446
582142 Trans. Resources to Plan. & Dev. Fund		695,423		0		0		695,423
582610 Trans. Resources to Support Svs. Fund		230,818		0		0		230,818
Total Interfund Transfers		1,838,737		0		25,000		1,863,737
<u>Contingency and Unappropriated Balance</u>								
599999 Contingency		125,000		0		(25,000)		100,000
Unappropriated Fund Balance		65,000		0		0		65,000
Total Contingency and Unappropriated Balance		190,000		0		(25,000)		165,000
TOTAL EXPENDITURES	17.30	3,333,633	0.00	0	0.00	0	17.30	3,333,633

EXHIBIT B
ORDINANCE NO. 90-374
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
GENERAL FUND			
Council			
Personal Services	373,323	0	373,323
Materials & Services	308,570	0	308,570
Capital Outlay	3,800	0	3,800
Subtotal	685,693	0	685,693
Executive Management			
Personal Services	477,987	0	477,987
Materials & Services	136,816	0	136,816
Capital Outlay	4,400	0	4,400
Subtotal	619,203	0	619,203
General Expense			
Interfund Transfers	1,838,737	25,000	1,863,737
Contingency	125,000	(25,000)	100,000
Subtotal	1,963,737	0	1,963,737
Unappropriated Balance	65,000	0	65,000
Total General Fund Requirements	3,333,633	0	3,333,633
TRANSPORTATION PLANNING FUND			
Personal Services	1,436,787	0	1,436,787
Materials & Services	2,412,056	(27,450)	2,384,606
Capital Outlay	75,785	27,450	103,235
Interfund Transfers	594,497	0	594,497
Contingency	92,479	0	92,479
Unappropriated Balance	18,844	0	18,844
Total Transportation Planning Fund Requirements	4,630,448	0	4,630,448

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

NOTE: THIS ACTION ASSUMES THE ADOPTION OF ORDINANCE NO. 90-370, THE FY 1990-91 SUPPLEMENTAL BUDGET, AND ORDINANCE NO. 90-373

Amended Contracts List - Transportation

	<u>Approved</u>	<u>Proposed</u>
EMME2/INRO Proc New equipment necessitated higher license	\$ 2,500	\$ 18,700
RLIS Marketing Study		35,000
Software - New Computer - SAS, WordPerfect, FrameMaker, Unix		26,900
Masscomp/INRO/New Computer Maintenance	8,470	23,420
PC (Macintosh) 4	14,000	22,000
Networks - Ethernet, Netcard		19,010

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-374 AMENDING
ORDINANCE NO. 90-340A REVISING THE FY 1990-91 BUDGET
AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF
ENHANCING COMPUTER ACQUISITIONS IN THE TRANSPORTATION
DEPARTMENT AND PROVIDING AN RLIS MARKETING CONSULTANT

Date: November 15, 1990

Presented by: Andrew C. Cotugno
Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

This Ordinance provides the necessary amendments to the FY 1990-91 budget to increase and enhance computer acquisitions in the Transportation Department and to provide funding for a marketing consultant for the RLIS program. The specific requests are explained in detail below.

Computer Acquisitions

The adopted FY 90-91 budget provided for several major areas of computer acquisitions for the Transportation Department:

- . Replacement of the Masscomp computer used for travel forecasting
- . Expansion of the HP computer used for RLIS
- . Addition of personal computers for transportation planners
- . Addition of peripherals for common usage

Over the past six months, Transportation and Data Processing staff have gone through an extensive process to evaluate how to best serve the needs of the department. The overall data processing plan for the department was established in October 1988, as shown in Attachment A. The FY 90-91 budget provided for implementation of major components of the system plan, including replacement of the Masscomp computer, upgrading of the RLIS computer (HP), addition of PCs for the Planning section and additions of shared peripherals. Since adoption of the FY 90-91 budget, a detailed "Request for Proposals" process was completed for the major elements of the acquisition involving the Masscomp replacement and common peripherals. Based upon this evaluation, the budget amendments summarized below (see Attachment B for details) are recommended:

1. Masscomp Replacement - The total cost of the Masscomp replacement is proposed to be increased by approximately \$53,000 as follows:

	<u>Budget</u>	<u>Proposed</u>
New Computer lease	\$ 40,044	\$ 32,234
Software	3,726	26,900
EMME/2 License		
Upgrade	2,500	18,700
Maintenance	8,470	23,420
Printer	0	2,100
Installation and Training	0	4,000
Total	\$ 54,740	\$107,354

This replacement computer provides a significant improvement in capacity and provides a future upgrade path. Providing this level of improvement is critical because of the overload during the past year in need for travel forecasts. The project schedules for Metro and other agencies have been seriously hampered as a result. The increased cost reflected here is largely due to software costs. The EMME/2 license upgrade cost is based upon the power of the machine running the software. Due to the substantial increase in power over the Masscomp, a significant portion of the increase is software license cost. In addition, the new license fee is based upon its application to a more detailed travel forecasting system (1,000 traffic zones rather than 500), necessitated by the finer level of detail needed for Metro studies. The second item involves purchasing rather than leasing other software, including the computer operating system, a word processor, a spreadsheet, a statistical package and a report generator. The actual computer lease cost is reduced from the budget level since it is included for six months rather than a full year. The FY 91-92 cost will be correspondingly higher. The maintenance costs are higher due to the delay in retirement of the Masscomp and the higher cost of maintenance for a larger machine.

The acquisition also includes a laser printer (\$2,100), allowing the travel forecasting section to retire an old Tektronix terminal and screen copier for an annual maintenance cost savings of \$2,489 per year.

2. RLIS - The budget included expansion of the memory and disk for the HP computer used for RLIS plus the addition of a work station. These acquisitions are complete or in process for a \$7,000 savings. In addition, a laser printer (\$2,100) is proposed to be added for the use of this section. The

existing printer in use by this section will be shifted to the Transportation Planning section (described in 3. below).

3. **Transportation Planning** - This section of the Department requires personal computers that can serve multiple functions, including high capacity and graphics quality for access to the travel forecasting and RLIS computers. In addition, stand alone functions involving spreadsheet applications, word processing, report generation and statistical analysis is needed for their studies and reports. The budget provided for two new computers and two upgrades to existing computers. The budget is proposed to be amended to allow instead for four new computers so that the section can standardize with Apple Macintosh and to allow one of the upgrades to continue to be used for the travel forecasting section as a stopgap until the Masscomp replacement is available. This change involves an increase in the budget from \$18,000 to \$24,500.
4. **Shared Equipment** - The adopted budget provided for two components of department-wide shared equipment. The budget amendment revises the cost on these two items plus proposes to add two new items, as follows:
 - a. **Network** - The budget included installation of a local area network to interconnect the three sections of the department and provide access to shared equipment. The budget is proposed to be increased from \$7,775 to \$22,210 based upon a more detailed specification of the installation.
 - b. **Optical Disk Drive** - The lease of a multiple disk drive was budgeted at \$13,670. The revised budget includes a single disk drive (to be leased at \$1,790) instead to meet short-term needs. Future evaluation will be given on the need for more capacity for future needs.
 - c. **Electrostatic Color Plotter** - Color plots are frequently produced using the RLIS and EMME/2 programs. The current method involves using a multi-pen plotter. This method is effective for line drawings (such as street maps) but is very inefficient for complicated plots involving shading of large portions of a map (typical of an RLIS map). An electrostatic color plotter is proposed to be added to provide a higher quality and faster method of plotting complex maps (typically reducing plot time from three hours to eight

minutes). This is proposed to be leased at \$8,591 for six months of FY 91. The total three-year lease will be \$51,546.

- d. Secretarial and General Access Printer - The existing NEC printer available to the secretaries is proposed to be retired and replaced with a new printer. It doesn't support some of the printing capabilities provided by the software in use in the department and requires frequent service. The replacement would be available to the full staff through the network rather than just the secretaries as is presently the case. The added cost is \$2,800.
- e. Surge protection devices have been added at a cost of \$5,500 to protect the department's equipment from power fluctuations.

The proposed budget amendment would revise the Materials and Services and Capital spending authority to allow for these changes. The overall spending authority remains unchanged as a result of a corresponding reduction in M&S costs associated with LRT consultant activity which has been either reduced or delayed. The actual consultant contract amounts will be established in the UMTA grants upon receipt and will carry forward into FY 91-92. The increased revenues for these added computer costs (\$74,000) are proposed to be from an unanticipated increase in the Transportation Department fund balance carried over from FY 89-90 to FY 90-91.

RLIS Marketing Consultant

At the direction of the IGR Committee, staff has initiated a consultant selection process to provide assistance in defining how to market and price RLIS services to the general public and business community. The IGR Committee has reviewed and concurred with the RFP. This task is estimated to cost \$35,000.

The proposed budget amendment would allow for this contractual service within existing M&S authority as a result of LRT consultant activity having been reduced or delayed. The revenues are proposed to be \$10,000 from an unanticipated increase in the Transportation Department fund balance plus \$25,000 increase in the transfer from the General Fund to the Transportation Department. The change in the transfer amount is included in this ordinance as a budget amendment which is offset by a corresponding reduction in the General Fund contingency.

Staff Report
Ordinance No. 90-374
Page 5

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the adoption of Ordinance No. 90-374, increasing and enhancing computer acquisitions for the Transportation Department and providing a marketing consultant for the RLIS program.

TRANSPORTATION DEPARTMENT STRATEGIC PLAN

Computer System Concept Overview

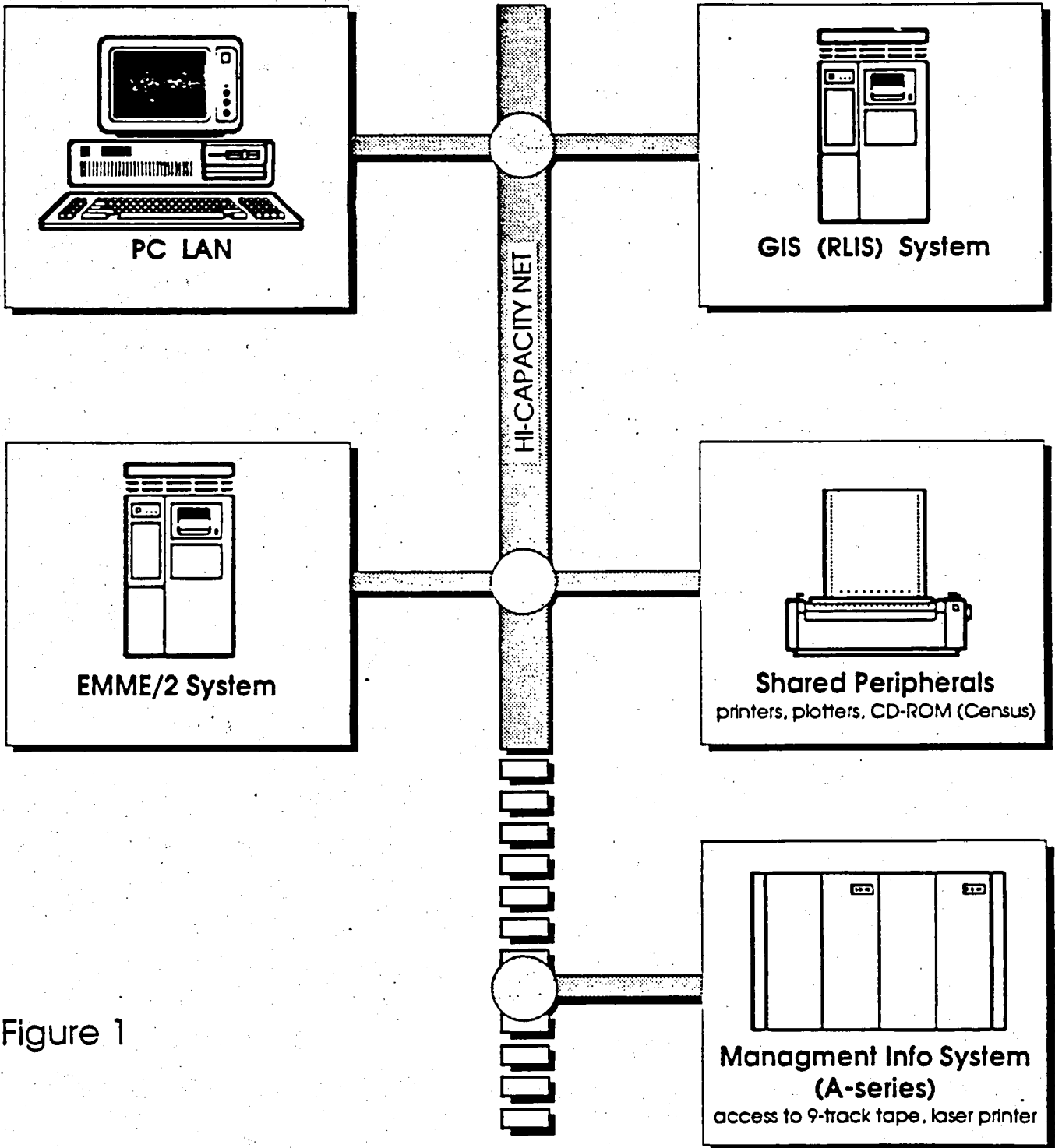


Figure 1

Attachment B

FY 90-91 Transportation Department Budget Amendment

<u>Account</u>	<u>Description</u>	<u>Adopted Budget</u>	<u>Change</u>	<u>Proposed Budget</u>
521110	Computer Software			
	EMME/2 License Upgrade	\$ 2,500	16,200	\$ 18,700
	New Computer Software	0*	26,900	26,900
	All Others	<u>12,500</u>	<u>0</u>	<u>12,500</u>
		\$ 15,000	43,100	\$ 58,100
	*See also under 531100 - Leased Furniture and Equipment			
525640	Maintenance and Repairs - Equipment			
	Masscomp/INRO/New Computer Maintenance	\$ 8,740	14,950	\$ 23,420
	Network	375	2,825	3,200
	Optical Disk	1,000	(400)	600
	Electrostatic Plotter	0	840	840
	All Others	<u>27,140</u>	<u>0</u>	<u>27,140</u>
		\$ 36,985	18,215	\$ 55,200
531100	Capital Lease - Furniture and Equipment			
	Optical Disk	\$ 12,670	(11,480)	\$ 1,190
	New Masscomp Replacement	40,044	(7,810)	32,234
	Masscomp Replacement Software	3,726	(3,726)	0
	Electrostatic Plotter	0	7,551	7,551
	All Others	<u>12,661</u>	<u>0</u>	<u>12,661</u>
		\$ 69,101	(15,265)	\$ 53,836
571500	Capital - Office Furniture and Equipment			
	New PCs (Macintosh)	\$ 14,000	8,000	\$ 22,000
	PC Upgrade	4,000	(1,500)	2,500
	Network	7,400	11,610	19,010
	HP-RLIS Expansion	37,000	(7,160)	29,840
	Switches, Cables; Surge Protection, etc.	1,500	5,500	7,000
	Printers	0	7,000	7,000
	New Computer Installation and Training	0	4,000	4,000
	All Others	<u>11,885</u>	<u>0</u>	<u>11,885</u>
		\$ 75,785	27,450	\$103,235

<u>Account</u>	<u>Description</u>	<u>Adopted Budget</u>	<u>Change</u>	<u>Proposed Budget</u>
524190	Miscellaneous Professional Services			
	RLIS Marketing			
	Consultant	\$ 0	35,000	\$ 35,000
	I-205/Milwaukie LRT	770,000	(51,100)	718,900
	Hillsboro LRT	132,000	(57,400)	74,600
	All Others	250,000	0	250,000
		<u>\$1,152,000</u>	<u>(73,500)</u>	<u>\$1,078,500</u>
All Other Categories		2,575,757	0	2,575,757
Total Department		\$3,924,628	0	\$3,924,628

Agenda Item No. 5.4
Meeting Date: November 29, 1990

ORDINANCE NO. 90-375

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ENHANCING THE)
PARKS AND NATURAL AREAS PROGRAM OF)
THE PLANNING & DEVELOPMENT)
DEPARTMENT)

ORDINANCE NO. 90-375

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered the need to modify the FY 1990-91 Budget; and

WHEREAS, The need for a modified budget plan has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in Exhibits A and B to this Ordinance for the purpose of enhancing the parks and natural areas program of the Planning and Development Department.

ADOPTED by the Council of the Metropolitan Service District this

_____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord90-91:p&d:ord
November 14, 1990

EXHIBIT A
ORDINANCE NO. 90-375

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND							
Urban Growth Management Program							
Personal Services							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Director of Planning & Develop	0.50	31,110			0.50	31,110
	Regional Planning Supervisor	1.00	47,268			1.00	47,268
	Senior Regional Planner	3.50	141,881			3.50	141,881
	Senior Management Analyst	1.00	40,121			1.00	40,121
	Assoc. Regional Planner	0.25	6,194	0.25	11,000	0.50	17,194
	Assoc. Management Analyst	1.00	34,662			1.00	34,662
	Administrative Assistant	0.50	14,250			0.50	14,250
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	0.50	11,730			0.50	11,730
	Secretary	0.50	8,748			0.50	8,748
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Help	0.50	7,200		1,000	0.50	8,200
512000	FRINGE		98,342		5,500		103,842
	Service Reimbursement-Workers' Compensation		6,601				6,601
	Total Personal Services	9.25	448,107	0.25	17,500	9.50	465,607
Materials & Services							
521100	Office Supplies		5,500				5,500
521110	Computer Software		3,080				3,080
521240	Graphics/Reprographic Supplies		2,500				2,500
521260	Printing Supplies		1,125				1,125
521290	Promotion Supplies		300				300
521310	Subscriptions		2,860				2,860
521320	Dues		2,000				2,000
524190	Misc. Professional Services		593,659		(21,500)		572,159
525640	Maint. & Repairs Services-Equipment		1,550				1,550
525710	Equipment Rental		750				750
526200	Ads & Legal Notices		2,200				2,200
526310	Printing Services		27,200				27,200
526320	Typesetting & Reprographics Services		4,500				4,500
526410	Telephone		3,210				3,210
526420	Postage		8,200				8,200
526440	Delivery Service		1,500				1,500
526500	Travel		12,350				12,350
526700	Temporary Help Services		1,000				1,000
526800	Training, Tuition, Conferences		9,200				9,200
529500	Meetings		8,050				8,050
	Total Materials & Services		690,734		(21,500)		669,234

EXHIBIT A
ORDINANCE NO. 90-375

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND (continued)							
Urban Growth Management Program							
Capital Outlay							
571400	Purchases-Equipment & Vehicles		6,750				6,750
571500	Purchases-Office Furniture & Equipment		350		4,000		4,350
Total Capital Outlay			7,100		4,000		11,100
TOTAL EXPENDITURES		9.25	1,145,941	0.25	0	9.50	1,145,941

EXHIBIT B
 ORDINANCE NO. 90-375
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
PLANNING & DEVELOPMENT FUND			
Urban Growth Management			
Personal Services	448,107	17,500	465,607
Materials & Services	690,734	(21,500)	669,234
Capital Outlay	7,100	4,000	11,100
Subtotal	1,145,941	0	1,145,941
Solid Waste Planning			
Personal Services	397,332	0	397,332
Materials & Services	394,835	0	394,835
Capital Outlay	11,550	0	11,550
Subtotal	803,717	0	803,717
General Expenses			
Interfund Transfer	346,328	0	346,328
Contingency	174,837	0	174,837
Subtotal	521,165	0	521,165
Total Planning & Development Fund Requirements	2,470,823	0	2,470,823

ALL OTHER APPROPRIATIONS REMAIN THE SAME AS PREVIOUSLY ADOPTED

NOTE: THIS ORDINANCE ASSUMES THE ADOPTION OF ORDINANCES 90-370, 90-373 AND 90-374.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-375 AMENDING ORDINANCE NO. 90-340A REVISING THE FY 1990-91 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF ENHANCING THE PARKS AND NATURAL AREAS PROGRAM OF THE PLANNING AND DEVELOPMENT DEPARTMENT

Date: November 16, 1990

Presented by: Rich Carson
Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

On June 8, 1988, the Council adopted Resolution No. 88-933 supporting continuation of a study in cooperation with local governments which identified aspects of parks functions that could best be provided on a regional basis and those best provided on a local basis, and calling for a plan to implement a regional/local parks system. Subsequently it became clear that the metropolitan area's greatest open-space planning deficiencies centered around the preservation and management of natural areas and the linkages between such areas, as opposed to active recreational facilities and highly developed parks. Thus, natural areas and regional linkages are now the focus of Metro's Parks and Natural Area Planning Program for the next several years.

INTERGOVERNMENTAL LOAN OF PARKS PLANNER

The adopted budget for FY 1990-91 established a new Associate Regional Planner position to assist on the Parks and Natural Areas Program. This position is being filled on a six month temporary basis by a senior parks planner on loan from the City of Portland Parks Bureau. The addition of this planner, who brings an extensive background to the program, has allowed the department to accelerate the Parks and Natural Areas Program to include production of studies and reports as well as the preliminary work on a functional plan. In effect, the department is proceeding with phases 3, 4 and 5 concurrently.

This budget amendment is made in response to a request from the Portland Parks Bureau to revise the intergovernmental agreement. The City is requesting that Metro fund a part-time replacement for the City of Portland Parks Bureau senior planner who is on loan to Metro. This action amends the FY 1990-91 budget and transfers half of the amount of the intergovernmental agreement to Personal Services to cover this replacement hire. Approximately \$16,500 will remain in the Materials & Services category to fund the revised intergovernmental agreement authorizing the loan of personnel. Metro's total expenditure commitment has not changed.

DATABASE SERVICES - PARKS & NATURAL AREAS

The FY 1990-91 budget also included \$5,000 for outside database services in support of the parks and natural areas program. These services can be provided by in-house staff in Metro's RLIS program at a savings to the Planning & Development Department. This action requests the transfer of \$1,000 of these identified funds from Materials & Services to Personal Services to allow for in-house staff to provide these services. The remaining \$4,000 is requested to be transferred to Capital Outlay to provide computers for parks and natural areas program staff to use in the production of the studies and reports outlined at the beginning of this staff report.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance 90-375, enhancing the Parks and Naturals Areas program of the Planning & Development Department.

kr:ord90-91:p&d:sr
November 16, 1990

Agenda Item No. 6.1
Meeting Date: November 29, 1990

ORDINANCE NO. 90-369

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

ORDINANCE NO. 90-369, ESTABLISHING AN OFFICE OF GOVERNMENT RELATIONS TO PROVIDE GOVERNMENT RELATIONS SERVICES TO THE METROPOLITAN SERVICE DISTRICT

Date: November 14, 1990

Presented by: Councilor McFarland

COMMITTEE RECOMMENDATION:

At the November 13, 1990 meeting of the Intergovernmental Relations Committee, Councilors Bauer, Devlin, Gardner, Hansen and myself voted unanimously to recommend Council adopt Ordinance No. 90-369, as previously amended.

COMMITTEE DISCUSSION/ISSUES:

None. This was the Committee's second review of Ordinance No. 90-369.

BACKGROUND & EXPLANATION

At their September 8, 1990 retreat, Councilors reviewed issues related to the 1991 State legislative session and reached consensus the Metro lobbyist position should be jointly responsible to the Administration and the Metro Council, similar to the General Counsel position.

The Intergovernmental Relations Committee (IGR) received the ordinance in draft form October 9 and asked the Government Relations Manager to prepare comments in writing for discussion. At the October 23rd IGR meeting, the Committee discussed Government Relations Manager McMurdo's written comments, dated October 18, 1990, and heard testimony from Mr. McMurdo. The Committee favored redrafting Ordinance No. 90-369 to include language suggested by Mr. McMurdo. Ordinance No. 90-369 received its first reading in this amended form at the Council meeting on October 25, 1990.

SUMMARY & ANALYSIS

Ordinance No. 90-369 would add a new chapter to the Metro Code to create an Office of Government Relations with these provisions:

- o The position will provide services to the Council, Executive Officer and Metro commissions;
- o The Executive Officer shall appoint the Government Relations Officer subject to the Council confirmation of the appointment;
- o Either the Executive Officer or the Council may remove the Government Relations Officer;
- o The duties of the Office shall include managing the District's

State legislative program; communicating District programs and policies to other local, state and federal government bodies and representatives and appropriate special interest groups; and monitoring and keeping the Council and Executive Officer abreast of programs and policies of other local, state and federal government bodies and and special interest groups;

- o The Office shall advocate only on behalf of Metro as a whole: that is, on matters which have been approved or adopted by the Council (and any task force or committee it authorizes to act in its stead) and also by the Executive Officer.
- o If the Council and Executive Officer disagree, the Office shall not represent or advocate for either the Council or the Executive.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING AN)
OFFICE OF GOVERNMENT RELATIONS)
TO PROVIDE GOVERNMENT RELATIONS)
SERVICES TO THE METROPOLITAN)
SERVICE DISTRICT)

ORDINANCE NO. 90-369

Introduced by Councilor
Gardner

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The following Chapter is added to the Code of
the Metropolitan Service District:

CHAPTER 2.11

OFFICE OF GOVERNMENT RELATIONS

2.11.010 Purpose: The purpose of this Chapter is to establish
an Office of Government Relations to provide government relations
services to the District and its Council, Executive Officer and
any Metro commissions.

2.11.020 Government Relations Office Created: There is hereby
created an Office of Government Relations consisting of the
Government Relations Officer and such subordinate employees as
the Council may provide. The Government Relations Officer and
any subordinate employees shall be employed by the District
subject to Personnel Rules adopted by the Council. The
Government Relations Officer shall be appointed by the Executive
Officer subject to the confirmation of a majority of the members
of the Council. The Government Relations Officer may be removed
by the Executive Officer or by a vote of a majority of the
members of the Council. The Office of Government Relations is

not a department of the District. All contracts authorized for Government Relations Services shall be managed through the Office of Governmental Relations.

2.11.030 Duties: The Government Relations Officer shall have the following duties:

(a) Responsibility for managing the District's State Legislative Program including:

(1) Assembling the District's legislative program for review and approval by the Council following a process established by the Council;

(2) Insure District representation before legislative committees with individual legislators both during a legislative session and in interim periods and with other interested persons;

(3) Development and implementation of a system to monitor and inform the Council and Executive Officer of District related-legislation; and

(4) Preparation of a final legislative report analyzing District related legislation.

(b) Responsibility for communicating District programs and policies to local, state and federal governmental officials, and task forces, commissions, and rule making bodies.

(c) Responsibility to monitor and communicate to the Council and Executive Officer programs and policies of other governments and special interest groups which affect or impact functions or activities of the District.

2.11.040 Advocate for District Policies: In carrying out the duties of the Office, the Government Relations Officer or subordinate employees shall not represent or advocate the position of any single Metro elected official or group of elected officials. ~~[The Government Relations Officer or subordinate employees shall advocate only on matters which have been approved or adopted by the Metro Council or any task force or committee authorized by the Council to represent the District on legislative matters. For any matter relating to the separation of powers and authority between the Metro Council and Executive Officer in which the Council and Executive Officer disagree, the Government Relations Officer and subordinate employees shall not represent or advocate for either the Metro Council or Executive Officer.]~~ The Government Relations Officer or subordinate employees shall advocate only on matters which have been approved or adopted by the Metro Council or any task force or committee authorized by the Council to represent the Council on legislative matters and which have been approved by the Executive Officer. For any matter in which the Council or any task force or committee authorized to represent the Council on legislative matters and the Executive Officer disagree, the Government Relations Officer and subordinate employees shall not represent or advocate for either the Metro Council or the Executive Officer.

ADOPTED by the Council of the Metropolitan Service District this
_____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

90-369.ORD/aeb
2002
Revised 10/24/90

Agenda Item No. 6:2
Meeting Date: November 29, 1990

ORDINANCE NO. 90-368

SOLID WASTE COMMITTEE REPORT

ORDINANCE NO. 90-368, FOR THE PURPOSE OF AMENDING ORDINANCE NO. 88-266B ADOPTING THE REGIONAL SOLID WASTE MANAGEMENT PLAN TO INCORPORATE THE SPECIAL WASTE CHAPTER

Date: November 23, 1990 Presented by: Councilor David Saucy

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin, Saucy and Wyers voted unanimously (Collier; 4/0 vote) to recommend Council adoption of Ordinance No. 90-368 as amended. Councilor Buchanan was excused.

Committee Discussion/Issues: Rich Carson, Director of Planning & Development and Becky Crockett, Solid Waste Planning Supervisor, gave staff's report.

Ms. Crockett said the ordinance would amend the Regional Solid Waste Management Plan (RSWMP) to include the Special Waste Chapter which includes long-term management options for special waste into the RSWMP. Ms. Crockett said the agenda included two other items related to solid waste issues: Resolution No. 90-1329, For the Purpose of Closing St. Johns Landfill as a General Purpose Landfill but Continuing to Accept Limited Types of Solid Waste for a Limited Time to Ensure Proper Closure and Agenda Item No. 7, Proposed Metro Procurement for Regional Special Waste Facilities. She said it was unusual for staff to introduce planning and implementation items concurrently, but the schedule of events was such that both issues had to be addressed concurrently.

Ms. Crockett introduced Robert Newman of SCS Engineers, Inc., formerly of the Planning & Development Department, and explained he wrote the Special Waste Chapter and was present to explain the Chapter to the Committee. Mr. Newman gave staff's report on the Special Waste Chapter and gave the Chapter's key points. Mr. Newman pointed out that the Special Waste Chapter established the Special Waste Permit Program, the Load Checking Program, the Waste Exchange Program, and the Technical Assistance Program. It also recommends the following items: A Demonstration Depot; A Construction and Demolition Debris and Land-Clearing Debris Processing System; Special Waste Landfill Capacity; Dewatering Capability for Non-Hazardous Industrial Sludges; Regional Disposal Restrictions on Petroleum Sludge; and Treatment Capability fo/r Petroleum Contaminated Soil.

Ms. Crockett discussed actions that would result from adoption of the Special Waste Chapter such as an application for amendment of the EQC order. Ms. Crockett distributed amendments to the Special Waste Chapter. She said the amendments were specific. Staff removed every Chapter reference that could be construed as inconsistent with Resolution No. 90-1329 because four substreams

SOLID WASTE COMMITTEE REPORT

Ordinance No. 90-368

November 23, 1990

Page 2

would not be considered appropriate for disposal at St. Johns Landfill after February 1991.

Councilor Wyers asked staff to explain issues related to procurement. Ms. Crockett said how the Council decided on procurement would not affect the Solid Waste Chapter. She said the Chapter could be adopted and then work out the procurement on special waste substreams.

The Committee opened the public hearing and heard testimony on the issues.

Rod Grimm, Grimm's Fuel Company, discussed how Grimm's processed construction/demolition/wood waste. He said last year they marketed 5,000 tons of recycled material. He said they received an order from the paper industry for 9,000 tons of recycled tons. He said a market was developing that could contribute to the cost of processing. He said Grimm's could currently process 60,000 tons of material and that they had invested in capital equipment to do so. He said with shearing equipment they could process stumps to acceptable sizes for customers and some that materials could be used for pellets and the market could be diversified. He said all issues led back to the market. Mr. Grimm said he hated to be told he had to bid on his own business. He said Grimm's was the only business for years to process these materials. He noted Grimm's had plans for rock recycling. He said it was previously mentioned at this meeting that sheet rock could not be recycled, but said Grimm's could use it for their processing techniques and could also use mixed paper.

Councilor Collier asked if Mr. Grimm's testimony on having to bid on his own business required an amendment. Ms. Crockett said the issues raised by Mr. Grimm spoke to the heart of procurement issues. She said he and others in the private sector that had invested in equipment to manage/process construction/demolition debris in the market to create hog fuel and other products. To Councilor Wyers' question, Ms. Crockett said the Chapter identified Metro had to put on-line some type of recovery system for construction demolition debris and that it was economically feasible.

The Committee had no further questions or comments and voted unanimously to recommend the full Council adopt Ordinance No. 90-368 as amended.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING	)	ORDINANCE NO. 90-368
ORDINANCE NO. 88-266b ADOPTING)	
THE REGIONAL SOLID WASTE	)	Introduced by: Rena Cusma
MANAGEMENT PLAN TO INCORPORATE	)	Executive Officer
THE SPECIAL WASTE CHAPTER)	

WHEREAS, Metropolitan Service District Ordinance No. 88-266B adopted the Regional Solid Waste Management Plan as a functional plan; and

WHEREAS, There is a need to develop solutions for Special Wastes as a component of the Regional Solid Waste Management Plan; now therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That the Regional Solid Waste Management Plan is amended to correct Policies 3.0, 3.1 and 3.2 on special waste and to include the expanded Chapter 3, Special Waste, shown as Exhibit A to this Ordinance.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: November 20, 1990

TO: Metro Council Solid Waste Committee

FROM: *RC* Richard Carson, Director
Planning and Development Department

RE: Attached Amendments to the Special Waste Chapter

Based on recent discussions with DEQ and the Solid Waste Department staff, I proposed the attached changes to the Special Waste Chapter. These changes reflect recommendations made to exclude the following materials from the St. Johns Landfill after February, 1991:

- non-hazardous industrial sludges
- non-hazardous petroleum sludges
- petroleum contaminated soils
- asbestos

disposal practices of waste containing hazardous substances in order to assist in encouraging waste reduction.

Special Waste Management Options

- Construction/Demolition and Land-Clearing Debris
(estimated 1990 generation - 259,500 tons)

A number of potential management options were explored for construction and demolition debris and land-clearing debris. From the options developed it is apparent that the processing and recovery of the waste stream is both economically and technically viable and is the preferred means to manage this material. A combination of three options are recommended; a salvageable building material demonstration project, a processing system, and continuation of in-region limited-purpose landfilling for residual and non-processable material.

- Non-Hazardous Industrial Sludges
(estimated 1990 generation - 2,700 tons or 750,000 gallons)

With greater awareness of the problems caused by liquids in landfills and stricter land disposal regulations under Subtitle D of RCRA, there is a need to prevent the disposal of free liquids within the solid waste system. ~~Short term options are limited to current techniques (i.e., landfilling at the St. Johns Landfill) until alternatives can be developed.~~ Long term options would involve encouraged recovery through a waste exchange and development of regional dewatering capability.

- Non-Hazardous Industrial Waste Dusts and Ash
(estimated 1990 generation - 920 tons)

The dusts and ash are diverse and one of the smallest waste streams in terms of annual volume. These two factors taken together limit the choice of possible management options, while at the same time the diversity of the material denies a single approach to their management. Short term options are limited to current techniques (i.e., landfilling at the St. Johns Landfill) until alternatives can be developed. Long term options would involve encouraged recovery through a waste exchange and land disposal at a properly permitted limited purpose landfill.

- Sewage Grit and Screenings
(estimated 1990 generation - 5,300 tons)

Management options for sewage grit and screenings include both a short and long-term solution. For the short-term the material is to be directly hauled to a permitted landfill by waste water treatment plant operators. For the long-term a further assessment of the feasibility of developing a reload facility to provide for

consolidation of grit and screenings prior to transport to a land disposal facility needs to occur. This assessment will need to include determining the future increases in quantities of this material due to state policy to eliminate cesspools as a method of sewage disposal in urban areas.

- Non-Hazardous Petroleum Sludges
(estimated 1990 generation - 550 tons)

~~Short term options are limited to current techniques i.e., landfilling at the St. Johns Landfill.~~ The long term option would involve a solid waste system disposal ban to encourage recovery of the material. Currently petroleum sludge is processed within the region to recover hydrocarbons which are removed from the sludge through gassification and converted into alternative fuels.

- Soils Contaminated with Petroleum Products
(estimated 1990 generation - 40,000 tons)

~~As a short term solution, use of these soils for cover at the St. John's Landfill should continue. Contaminated soil used as daily or intermediate cover would allow for volatilization thus reducing the amount of petroleum contaminants to a safe level.~~ In the long term treatment facilities which remove and destroy the hydrocarbons contained in the soil should be developed.

- Asbestos Wastes
(estimated 1990 generation - 1,600 tons)

The only options that were viewed as feasible for managing asbestos involve landfilling. Landfilling is well-suited for asbestos because the asbestos fibers are immobile when buried and this method is the best overall at limiting human exposure to the material. ~~Short term options are limited to current techniques (i.e., monofilling at the St. Johns Landfill) until long term alternatives can be developed.~~ Long term options include asbestos clean-up contractors to direct haul to land disposal sites. This practice will prevent the unnecessary rehandling of asbestos waste.

Non-Hazardous Industrial Sludges
(estimated 1990 generation - 2,700 tons or 750,000 gallons)

With greater awareness of the problems caused by liquids in landfills and stricter land disposal regulations proposed under Subtitle D of RCRA, Metro must move to prevent the disposal of free liquids within the solid waste system. ~~Short term options are limited to current techniques (i.e., landfilling at the St. Johns Landfill and the Hillsboro Landfill) until alternatives can be developed.~~ Long term options would involve regional dewatering facilities developed by the private sector.

Waste Exchange

Some of the wastes in this waste stream may be amenable to reuse or recycling through a waste exchange. For instance, any one of the chemical sludges may be reused in other manufacturing processes. Some of the organic sludges included in this category may also be reused.

Technical Assistance

Technical assistance provided by Metro and DEQ would be directed at reducing the amount of waste generated, finding alternative uses for the sludges, and changing or improving disposal practices through on-site dewatering.

Dewatering Capability (2,700 tons)

The primary means of managing industrial sludges would involve dewatering on-site or at dewatering facilities followed by disposal of residual at a landfill. To the extent possible, existing or planned private sector facilities should be used for dewatering the sludges to the degree required by landfill operators and/or federal regulations. Currently the Columbia Ridge Landfill (Gilliam County) will require all waste materials to be a minimum 20% solids and must pass the paint filter test. Transport of residual to the landfill should be by the dewatering facility directly to an appropriate landfill. Metro transfer stations will not accept industrial waste sludges.

Non-Hazardous Industrial Waste Dusts and Ash
(estimated 1990 generation - 920 tons)

The non-hazardous industrial waste dusts and ash are not as diverse as the industrial sludges, but some variety is contained in this group of wastes. The dusts and ash are also one of the smallest waste streams in terms of annual volume. These two factors taken together limit the choice of possible management options, while at

**Non-Hazardous Petroleum Sludges
(estimated 1990 generation - 550 tons)**

~~Short term options are limited to current techniques i.e., landfilling at the St. Johns Landfill. The long term option should involve a land disposal ban to encourage recovery.~~

Ban Petroleum Sludges from Metro Waste Disposal System

Currently petroleum sludge is processed within the region to recover hydrocarbons which are removed from the sludge through gassification and converted into alternative fuels. However, since the process may charge anywhere between \$1.00 to \$2.50 a gallon, many generators prefer to dispose of this material at the St. John's Landfill, which charges approximately \$.25 a gallon. Since there are existing facilities which can effectively process this material, it is recommended that Metro ban the material from the solid waste system with the intent of encouraging recovery. Recovery of hydrocarbons from petroleum sludges would allow recycling of a valuable resource and should decrease future risks to the environment.

**Soils Contaminated with Petroleum Products
(estimated 1990 generation - 40,000 tons)**

~~As a short term solution, use of these soils for cover at the St. John's Landfill should continue. Contaminated soil used as daily or intermediate cover would allow for volatilization reducing the amount of petroleum contaminants to a safe level. The volatilization of the soils are a concern since the hydrocarbons are being transferred from the soil to the air. Philosophically this is not a desired means to treat contaminated soil since the pollutant is only being transferred from one medium to another. Therefore, beginning immediately Metro should increase land disposal fees for petroleum contaminated soil in order to encourage the development of treatment options. In the long term, Metro and DEQ should encourage or require the development of treatment facilities which remove and destroy the hydrocarbons contained in the soil.~~

Treatment Facility in Metro Region

Joint efforts by Metro and DEQ should explore developing a treatment facility for petroleum contaminated soil. Recently DEQ formed an internal workgroup to examine various options for treating contaminated soils and streamlining the permitting process for treatment facilities. Should a treatment facility be developed Metro should work to encourage its use over land disposal through the use of rate incentives or flow control.

A treatment facility would remove and destroy the petroleum contaminants from the soil to the point where the soil could be used as clean fill. Treatment would be achieved by heating the soil to remove the petroleum product through volatilization. The volatilized product would have to be captured by emission control systems or sent through a furnace for combustion. It is possible that existing or planned gassification facilities could fulfill this function. However until the region can rely on such new technology land disposals will remain as the only viable option.

Landfill

Metro should develop agreements with "nearby" permitted landfills to assure receipt of petroleum contaminated soil from contractors within the Metro region. Metro should review the merits of developing agreements with more than one landfill to provide contractors the maximum amount of flexibility in deciding which facility to utilize. No special treatment is assumed, although the soils should be spread thinly at the disposal site to allow volatilization prior to burial. While there are many specific design and operating specifications for landfills, at a minimum a landfill receiving permitted petroleum contaminated soil should contain a single liner, single leachate/collection system, and groundwater monitoring. ~~The St. John's Landfill could be used as a disposal site for petroleum contaminated soil after February 1991. Material received would be used to provide necessary contours for closure.~~

Asbestos Wastes

(estimated 1990 generation - 1,600 tons)

Landfilling is well-suited for asbestos because the asbestos fibers are immobile when buried and this method is the best overall at limiting human exposure. ~~Short term options are limited to current techniques (i.e., monofilling at the St. Johns Landfill) until alternatives can be developed.~~ Long term options would involve Metro developing agreements with "nearby" permitted landfills to accept asbestos waste directly from asbestos clean-up contractors. Metro should encourage the direct haul of asbestos to disposal sites in order to prevent the rehandling of asbestos waste.

Landfill

Metro should develop agreements with nearby permitted landfills (in-region or out-of-region) to assure receipt of asbestos from contractors within the Metro region. Metro should review the merits of developing agreements with more than one landfill which can guarantee the disposal of asbestos waste in a safe and reliable manner and to provide contractors the maximum amount of flexibility in deciding which facility to utilize. Currently several existing permitted nearby landfills may be capable of disposing of asbestos waste. The River Bend Landfill in Yamhill County, and the

Regional Disposal Restrictions on Petroleum Sludge

Description: Metro should encourage the conversion of petroleum sludge into alternative fuels. It is recommended that Metro initially restrict the disposal of petroleum sludge generated within the region by increasing the charge for disposal to a level comparable to the cost for recovery. Periodically, Metro should review the performance and needs of existing petroleum sludge recovery facilities to determine whether they have the capacity to absorb the effects of a disposal ban.

Timeframe: January 1, 1991.

Implementation: Metro.

Treatment Capability for Petroleum Contaminated Soil

Description: Metro should encourage the treatment of petroleum contaminated soil by increasing the disposal charge for petroleum contaminated soil generated within the Metro region to a level comparable to the cost of treatment. Metro and DEQ should work closely to bring about treatment capability which remove and destroy the hydrocarbons contained within the soil. ~~Prior to the development of a treatment capability all petroleum contaminated soil should be used as daily or intermediate cover to allow for volatilization.~~

Timeframe: January 1, 1991.

Implementation: Metro.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-368 FOR THE PURPOSE OF AMENDING ORDINANCE NO. 88-266B ADOPTING THE REGIONAL SOLID WASTE MANAGEMENT PLAN TO INCORPORATE THE SPECIAL WASTE CHAPTER

Date: November 20, 1990

Presented by: Richard Carson
Becky Crockett
Robert Newman

PROPOSED ACTION

Ordinance No. 90-368 amends the Regional Solid Waste Management Plan to incorporate the Special Waste Chapter. The Chapter establishes a system for the long-term management of special wastes consistent with the state hierarchy and the operational needs of the Metro solid waste system.

FACTUAL BACKGROUND AND ANALYSIS

The Regional Solid Waste Management Plan was adopted by Council as a policy framework which will incorporate additional chapters upon completion of technical analysis and recommendations to the Council by solid waste policy and technical committees.

The need for the development of solutions for the management of special waste was acknowledged with initial adoption of the Plan, which included policies for Chapter 3, Special Waste (Low-Grade Waste).

The Special Waste Chapter recognizes that the Metro solid waste system is in transition. With the eventual closure of the St. Johns Landfill, and the long haul transfer of waste to the Columbia Ridge Landfill, the solid waste system will experience increased difficulty in managing special wastes. Due to their unique characteristics, special wastes are not conducive to processing and compaction at regional transfer stations. Since the primary solid waste system is not designed to handle these materials it is necessary to develop specific management strategies for each special waste substream. In addition, a focus of the special waste chapter has been to investigate waste reduction and recovery methods where feasible.

In addressing each special waste substream individually the chapter establishes the following:

- Special Waste Permit Program - Provide for testing and ensure compliance with the special waste chapter.
- Load Checking Program - Develop a comprehensive load checking program at all Metro solid waste facilities accepting regional waste.
- Waste Exchange Program - Promote the use of an existing multi-state waste exchange.
- Technical Assistance Program - Provide special waste generators with up to date technical information relevant to recovery methods, treatment systems and waste minimization techniques.
- Demonstration Depot - Develop a demonstration depot for self-haul/residential material only at the St. Johns Landfill to test the usefulness of a salvageable building material depot.
- Construction and Demolition Debris and Land-Clearing Debris Processing System - Develop a processing and recovery system for construction and demolition debris and land-clearing debris generated in the Metro region
- Special Waste Landfill Capacity - Develop long term agreements (beyond 5 years) with landfills which can take specific types of special wastes or all special waste materials requiring disposal.
- Dewatering Capability for Non-Hazardous Industrial Sludges - Ensure the development of dewatering capability for non-hazardous industrial waste sludges through agreements with private dewatering facilities.
- Regional Disposal Restrictions on Petroleum Sludge - Encourage the conversion of petroleum sludge into alternative fuels by restricting the disposal of petroleum sludge generated within the region by increasing the charge for disposal to a level comparable to the cost for recovery.
- Treatment Capability for Petroleum Contaminated Soil - encourage the treatment of petroleum contaminated soil by increasing the disposal charge for petroleum contaminated soil generated within the Metro region to a level comparable to the cost of treatment.

DECISION PROCESS

The Technical and Policy Committees of the Regional Solid Waste Management Plan project have reviewed and approved the draft Special Waste Chapter. The draft chapter incorporates the amendments requested by these committees.

The policy Committee approved the Special Waste Chapter with the proviso that input from the private sector be considered when the chapter is brought before the CSWC. The Policy Committee requested that staff note that they have concerns about the private sector having the sole responsibility in establishing a processing and recovery system for construction and demolition debris. While the private sector may be able to perform the service more quickly and cheaper, Metro must at a minimum establish performance goals and drive the procurement process to ensure long term regional management consistent with the Special Waste Chapter.

SUPPORTING REPORTS

Accompanying the Special Waste Chapter are two supporting reports, the Special Waste Technical Report and the Special Waste Background Documents. The Special Waste Background Documents contain the results of specific tasks of the study which provided data and information critical to the development of the Technical Report and Chapter. The Special Waste Technical Report characterized each special waste substream in detail and evaluated a wide range of management options. The Special Waste Chapter takes precedence over the supporting reports.

IMPLEMENTATION ISSUES

Specific implementation issues have been raised by the planning committees. The implementation issues are shown as Attachment A and contain comments from the planning committees.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 90-359, adopting the Special Waste Chapter of the Regional Solid Waste Management Plan.

ATTACHMENT "A"

Date: October 4, 1990
To: Metro Council
From: Richard Carson, Director
Planning & Development Department
Re: Special Waste Chapter Implementation Issues

The Special Waste Chapter of the Regional Solid Waste Management Plan includes a management plan for special waste generated in the Metro region.

This staff report identifies several implementation issues that are not included in the Special Waste Chapter. These issues will be discussed at the CSWC meeting and will be addressed by the Planning and Development Department and the Solid Waste Department

a. **Timing**

Both DEQ and Metro have established specific timeframes for development of a system to process construction and demolition debris in accordance with negotiations on the EQC waste reduction order.

b. **Procurement**

Three alternative procurement strategies are identified for developing the construction/demolition and land-clearing debris processing system.

c. **Washington County Landfills**

Washington County has requested that the Hillsboro Landfill and the Lakeside Reclamation Landfill be allowed to diversify into providing material recovery capabilities in order to ensure financial stability. Please see attached memorandum from Washington County.

d. **St. Johns Landfill Closure**

After its closure as a general-purpose landfill the facility may continue to accept limited types of solid waste in limited quantities for a limited time to ensure proper closure.

Timing

The EQC order identifies specific actions and timeframes for developing material recovery centers. Based on economic and technical analysis, Metro is to determine if specific geographic areas can support a facility or facilities for the recovery of salvageable construction materials. Based on this determination Metro is to assure that this recovery system will be developed.

Metro has conducted an extensive technical and economic analysis to determine the feasibility of developing a system to process and recover construction and demolition debris. The analysis strongly indicates that recovery is economically viable and can provide the region with reliable long-term management of significant portions of the material. Although this report fully analyzed three different configurations of a processing facility, a processing system can take many forms. A procurement process will be used to determine what type of a system is eventually developed.

The proposed schedule for proceeding with the development of recovery facility(ies) for construction and demolition debris as follows:

December 1990	Council approves Special Waste Chapter.
July 1991-January 1992	Procurement ¹
July 1992	Start facility(ies) construction if new facilities needed.
January 1994	Processing and recovery system for construction and demolition debris and land-clearing debris is fully operational.

¹ Procurement in this context includes all forms of facility development from independent private sector implementation to an open competitive process.

Prior to and in conjunction with the construction/demolition debris and land-clearing debris processing and recovery system, the processing of source separated and high quality mixed wood debris will take place at Metro East, OPRC, Grimms Fuel Inc., East County Recycling, and Lakeside Reclamation Landfill.

Procurement

Three alternative procurement strategies are identified for developing the recommended management strategy for construction/demolition and land-clearing debris as follows:

1. **Independent Private Sector Implementation - Allow the private sector to independently provide for the management of these wastes. This alternative would largely be a no action policy. In this alternative, Metro would take no direct role in providing for special waste management.**
2. **Closed Private Sector Facility Implementation through Metro Controlled Procurement - Develop a Metro procurement process to establish a franchise or contract agreement with existing facilities for the management of the material. The goal of this alternative is to stimulate existing private sector facilities to provide for the processing and disposal of the material beyond what may occur without any Metro involvement. Planned implementation through existing operators would ensure the development of the recommended system. It may also allow for an accelerated schedule if it appears the private sector on its own will not be able to provide needed services.**
3. **Open Private Sector Facility Implementation through Metro Controlled Procurement - To select a vendor(s), Metro could carry out a negotiated procurement process. The negotiated procurement process could begin with issuing a Request for Qualifications or Request for Proposals (RFQ/RFP) from interested contractors. The basis for evaluation of contractor qualifications and proposals would likely include: the contractor's experience and financial capabilities; site evaluation factors such as traffic, aesthetics, noise, environmental control, etc.; the proposed design of the site; the proposed services to be offered; and the cost. Once the qualifications and proposals have been evaluated, a recommended ranking of the vendors would be developed. Negotiation with the top ranked vendor would proceed and contract documents would be agreed upon.**

Existing facility operators who currently provide for the management of construction and demolition debris have expressed opposition to an open procurement process. Existing facility operators have requested a period of time to develop a processing system prior to an open procurement process arguing that they have initiated efforts to recover the material. In order to ensure development of a processing system which achieves the maximum level of

processing, existing facility operators have requested that Metro develop a goal indicating desired levels of processing. If the goal is met, Metro would not need to enter into an open procurement process.

The advantage of a decentralized system of existing facilities is in its ability to provide a degree of redundancy and backup should breakdowns occur. Equipment used for the processing of construction and demolition debris could also be used for other materials.

The disadvantages of this approach is that existing facilities will not likely expand to provide uniform levels of service region-wide commensurate with rates of generation for their service areas. This may result in the flow of material to those facilities which charge less by providing limited processing. In addition, it is not known whether the existing facility operators will make efforts to process the full waste stream. Planned modifications to date appear to focus on the processing of wood waste only (25%) as a result of recent increases in the market value of hog fuel. Removal of wood waste would certainly be beneficial but would not meet the goals of 80% recovery identified in the Special Waste Chapter. Also, basing long-term processing and recovery of the material on short term hog fuel markets may not result in the existing facility operators providing continuously available processing capacity.

Washington County Landfills

Washington County staff has raised a concern regarding the long-term viability of their two limited-purpose landfills, the Hillsboro Landfill and the Lakeside Reclamation Landfill. With the processing of construction and demolition debris and land-clearing debris, volumes requiring disposal will be diminished, potentially reducing the total volumes received by these two facilities.

Washington County staff has requested that the two facilities be allowed to diversify to provide disposal and material recovery and processing functions. Washington County has provided financial support for programs at both facilities with the stated purpose of enhancing waste recovery and recycling capacity. Should the Hillsboro Landfill and Lakeside Reclamation Landfill not be authorized to become the principle regional processing and recovery facilities for construction and demolition debris, Washington County will seek to negotiate a long-term agreement with Metro that will assure financial security for continued operation of both facilities as disposal sites.

St. Johns Landfill Closure

In order to achieve proper slopes for closure and compensate for settlement, a significant amount of material will be needed at the St. Johns Landfill after early 1991. It is estimated that between 700,000 and 1,000,000 cubic yards of subgrade fill material must be added. The material could be soil only, or soil plus specific waste materials.


A possible alternative would be to stop operating the St. Johns Landfill as a general-purpose landfill but continue operation as a limited-purpose landfill. As a limited-purpose landfill the St. Johns Landfill would receive construction and demolition debris and land-clearing debris. Flows of this material could reach as high as 150,000 tons per year. Over 3.5 years this would total about 525,000 tons and fill approximately 400,000 cubic yards of air space. Any remaining fill needed to achieve the required slopes would be imported fill material.

The acceptance of construction and demolition debris and land-clearing debris at the St. Johns Landfill may present problems for the Hillsboro Landfill and Lakeside Reclamation Landfill. Continued acceptance of some solid waste at the St. Johns Landfill could deny these facilities volume that they may have been expecting. However it is far more likely that volumes would not be reduced substantially since St. Johns would receive material it currently receives and that which currently goes to Metro South. Alternatively, the use of the St. Johns Landfill as a limited-purpose landfill until 1994 would expand the useful life of the Hillsboro and Lakeside Landfills.



WASHINGTON
COUNTY,
OREGON

September 14, 1990

To: Robert Newman
From: Bill Martin 
Subject: Special Waste Chapter

After reviewing the Special Waste Chapter of the Regional Solid Waste Management Plan, Washington County has two main concerns. I will address each and offer proposed language changes where appropriate.

On pages 57, 58 and 59, local governments are mentioned under "Roles and Responsibilities" but are not defined. Under Section 1, local governments need to be included with the following:

Local government's role is to manage the proper collection, transport and, where it is applicable, disposal of special wastes.

A new section should be added after Section 6 with the following:

Local governments shall regulate and implement the collection, transportation and, where appropriate, the disposal of solid waste.

- Local governments shall assure that the collection of special waste is conducted in a cost efficient and reliable manner in full compliance of Metro Policy 6.0 of the Regional Solid Waste Management Plan.

- Local governments, where applicable, will provide spot checks at disposal facilities to ensure that permitted material is comparable to tested material.

- Local governments shall evaluate the need for additional regulation of special waste collection and, where applicable, disposal to ensure proper management.

- Local governments shall be involved in the promotion of source reduction, recycling, energy recovery and environmentally sound land disposal of special waste.

- Local governments should assist Metro in providing technical assistance to waste generators to both reduce the volume and minimize toxicity of the waste stream.

Department of Health & Human Services
155 North First Avenue
Hillsboro, Oregon 97124

WIC Nutrition Program: (503) 640-3555
Health Services: (503) 648-8881

Administration & Planning: (503) 693-4402

TDD: (503) 648-8601
Environmental Health: (503) 648-8722

On pages 66 through 73, Metro refers to the use of in-region landfill capacity. Assuming that this reference is to the Washington County regulated Hillsboro Landfill and Lakeside Reclamation Landfill, Washington County has strong concerns with Metro proposed plans as listed.

Washington County landfills presently accept approximately 200,000 tons of material for disposal. The operators and Washington County have worked hard to accommodate the closing of other in-region landfills and have made the necessary investments in additional land and equipment. Further, both landfills have initiated plans for extending the operational life of both landfills out to the year 2010.

With Metro's stated waste reduction programs, the amount of material for disposal will be reduced by up to 75%, or 55,400 tons. This will severely affect the financial stability of these two landfills unless they are allowed to provide both disposal and material recovery and processing functions.

Metro understands the need for a base level of financial support to solid waste facilities and has established "put or pay" agreements at both Metro East and at Columbia Ridge Landfill. Washington County is concerned that the two landfills have adequate financial resources to operate properly, provide area consumers with a valuable service and contribute to the established closure and post closure accounts.

Washington County has supported both landfill's programs to enhance their waste recovery and recycling capacity. By diversifying the operations of the landfills to include both disposal and processing, the operators can spread the scope of operations and enhance their financial security while providing necessary services for the region.

Washington County will look for support from Metro in support of the continued diversification of Hillsboro and Lakeside Landfills into multi-use facilities. If the landfills are not able to diversify their operations, Washington County, Metro and the operators of the landfills need to work out a long term agreement that will assure the financial security for continued operation of these facilities as disposal sites.

Washington County has additional concerns that will be addressed at the Facilities Subcommittee meeting on September 14. If you have any questions, please call me at 648-8722 for further explanation.

EXHIBIT "A"

**(The Special Waste Chapter can be obtained from the
Planning and Development Department or
the Metro Council Office)**

Agenda Item No. 6.3
Meeting Date: November 29, 1990

ORDINANCE NO. 90-372

SOLID WASTE COMMITTEE REPORT

ORDINANCE NO. 90-372, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 ESTABLISHING TONNAGE BASED SOLID WASTE DISPOSAL RATES AT METRO FACILITIES

Date: November 21, 1990 Presented by: Councilor Judy Wyers

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin and Saucy voted unanimously (Collier; 4/0 vote) to recommend Council adoption of Ordinance No. 90-372 as amended. Councilors Buchanan and Wyers were excused.

Committee Discussion/Issues: Roosevelt Carter, Budget & Finance Manager, gave staff's report. He said the Metro Council adopted Resolution No. 90-1248 April 26, 1990 to state a policy of weighing all vehicles at Metro-owned facilities. He said the policy was directed at implementing weighing "self-haul" Metro facility customers who have historically been charged on a flat rate or yardage basis.

Mr. Carter said the ordinance would implement the policy. He said staff proposed, consistent with the opening of Metro Northwest Station, to start weighing all waste haulers and set the current minimum charge of \$15 for those haulers who had less than 550 pounds of waste because the scales would not weigh below that weight.

Mr. Carter said the ordinance changed definitions of "self-haul" and "private" in favor of "cash account customers" for those haulers who did not have Metro credit accounts and eliminated the "commercial" designation and replaced it with the "credit account customer" designation. He said the new designations would assist staff for statistical purposes and would align with current data collected by staff. He indicated the ordinance would affect 74,000 annual trips to Metro facilities and the revenue impact would be an additional \$180,000 in revenue for FY 1990-91.

Mr. Carter noted amendment language distributed by staff to amend Ordinance No. 90-372 Section 7 to make the ordinance effective date January 12, 1991 as opposed to the normal 65 working days. He said the effective date was made pursuant to a declaration of emergency in conformity with ORS 268.515(7) requirements.

The Committee had no comments or questions and voted unanimously to recommend Ordinance No. 90-372 to the full Council for adoption as amended.

**BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 90-372
METRO CODE CHAPTER 5.02,)
ESTABLISHING TONNAGE BASED) Introduced by Rena Cusma,
SOLID WASTE DISPOSAL RATES) Executive Officer
METRO FACILITIES)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

CHAPTER 5.02

DISPOSAL CHARGES AND USER FEES

SECTIONS

5.02.010	Purpose
5.02.015	Definitions
5.02.020	Disposal Charges at St. Johns Landfill
5.02.025	Disposal Charges at Metro South Station
5.02.030	Waiver of Disposal Charges at St. Johns Landfill
5.02.035	Litter Control at St. Johns Landfill and the Metro South Station
5.02.040	Excess Weight Charge at St. Johns Landfill
5.02.045	User Fees
5.02.050	Regional Transfer Charge
5.02.060	Payment of Disposal Charges and Surcharges; Credit Policy
5.02.065	Special Waste Surcharge and Special Waste Permit Application Fees
5.02.070	Source Separated Yard Debris Disposal Charge
5.02.075	Certification Non-Compliance Fee
5.02.080	Post-Collection Recycling Incentive
5.02.085	Out-of-District Waste

Section 1 - Metro Code Section 5.02.015, Definitions, is amended as follows:

5.02.015 Definitions: As used in this chapter, unless the context requires otherwise:

~~{(a) "commercial" means those persons who dispose of waste and who~~

~~(1) pay for disposal of wastes on the basis of weight at St. Johns Landfill, Metro South Station,~~

~~Metro East Station, and Metro/Riedel Compost Facility, or~~

~~(2) pay for disposal of wastes through a charge account at St. Johns, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility, or~~

~~(3) dispose of wastes as an activity of their business, or~~

~~(4) any disposer whose load does not qualify as Residential Self-Haul as defined in Metro Code Section 5.02.015(i).}~~

(a) "Cash Account Customer" means those Persons who pay cash for disposal of Solid waste at Metro South Station, Metro East Station, or the Metro/Riedel Compost Facility.

(b) "Credit Account Customer" means those Persons who pay for disposal of Solid Waste through a charge account at Metro South Station, Metro East Station, or the Metro/Riedel Compost Facility.

~~{(b)}~~ (c) "Metro South Station" is that solid waste transfer station owned and operated by Metro and located at 16101 S. E. 82nd Drive, Oregon City, Oregon, 97045.

~~{(e)}~~ (d) "Metro East Station" is that Metro solid waste transfer and recycling station located at 6161 N.W. 61st Avenue, Portland, Oregon, 97201.

~~{(d)}~~ (e) "Metro/Riedel Compost Facility" is that solid waste mass compost facility located at 5437 N.E. Columbia Boulevard, Portland, Oregon, 97232

~~{(e)}~~ (f) "Mixed Paper" means uncontaminated, recyclable paper exclusive of newspaper and cardboard.

~~{(f)}~~ (g) "Person" means any individual, partnership, association, corporation, trust, firm, estate, joint venture or any other private entity or any public agency.

~~{(g)} "Private" means those persons who dispose of waste and who:~~

~~(1) Do not pay for disposal of wastes on the basis of weight at the St. Johns Landfill or the Metro South Station, and~~

~~(2) Do not pay for disposal of wastes through a charge account at the St. Johns Landfill or the Metro South Station, and~~

~~(3) Do not dispose of wastes as an activity of their business.]~~

(h) "St. Johns Landfill" is that landfill owned by the City of Portland, Oregon, operated by Metro and located at 9363 N. Columbia Boulevard, Portland, Oregon 97203.

~~{(i) "Self-Haul" means loads of mixed waste transported inside a passenger car, or in a pickup truck of up to a three-quarter ton capacity, or transported inside a passenger car or in a pickup truck of up to a three-quarter ton capacity and disposed at authorized disposal sites or transfer stations by the generator of that waste. Loads in any other vehicle configuration shall not be considered Residential Self-Haul.}~~

{(j)} (1) "Solid Waste" means all putrescible and nonputrescible wastes, including without limitation, garbage, rubbish, refuse, ashes, paper and cardboard; vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction waste; home and industrial appliances; and all other waste material permitted by ordinance to be disposed of at the St. Johns Landfill.

{(k)} (2) "Source Separated Yard Debris" means twigs, branches, grass clippings, leaves, and tree limbs in a form appropriate for mechanical processing for reuse or sale. Source separated yard debris does not include yard or construction debris that is not appropriate for mechanical processing for reuse or sale or that has unacceptable types or amounts of contaminants mixed with it. The operator or person in charge of accepting this waste shall make the final determination of what is source separated yard debris based on the capability of available machinery to process it. The Director of Solid Waste may establish guidelines for determining what is source separated yard debris within the meaning of this chapter.

{(l)} (3) "Special Waste" means:

- 1) Solid waste which is any unusual component of municipal solid waste;
- 2) Solid waste which could potentially contain substantial quantities of waste defined as hazardous waste by the Oregon Department of Environmental Quality or the U.S. Environmental Protection Agency; or

3) Solid waste which requires extraordinary management.

Examples of special wastes are: Chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; tannery wastes, empty pesticide containers, dead animals or by-products; and wastes containing asbestos.

~~[(m)]~~ (1) "Tier One User Fee" means that fee collected through the regional waste disposal system which consists of fixed expenses associated with the administration and planning of programs from which the entire region benefits. This fee is collected at all regional facilities which includes facilities owned and operated by Metro.

~~[(n)]~~ (m) "Tier Two User Fee" means that fee collected at St. Johns Landfill, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility which consists of fixed expenses particular to those facilities.

(Ordinance No. 82-146, Sec. 2; amended by Ordinance No. 86-210, Sec. 1; Ordinance No. 88-257, Sec. 2; Ordinance No. 88-278, Sec. 1; Ordinance No. 89-269, Sec. 2; Ordinance No. 89-295, Sec. 1; and Ordinance No. 90-337, Sec. 2)

5.02.020 Disposal Charges at St. Johns Landfill:

(a) A commercial base disposal fee of \$26.00 per ton of solid waste delivered is established for disposal at the St. Johns Landfill. Said rate shall be in addition to other fees, charges and surcharges established pursuant to this chapter.

(b) Notwithstanding the provisions of 5.02.020(a), the base disposal rate for Self-Haul trips of two and one-half cubic yards or less of garbage shall be \$3.50 per cubic yard if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables (except Source Separated Yard Debris). This rate shall be in addition to other fees and charges established pursuant to this chapter.

(c) The following table summarizes the disposal charges to be collected by the Metropolitan Service District from all persons disposing of solid waste at the St. Johns Landfill. The minimum charge for commercial vehicles shall be \$15.00.

(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 1; Ordinance No. 85-191, Sec. 2; Ordinance No. 86-214, Sec. 2; Ordinance No. 88-257, Sec. 3; Ordinance No. 88-278, Sec. 2; Ordinance No. 89-295, Sec. 2; and Ordinance No. 90-337, Sec. 3)

ST. JOHNS LANDFILL

<u>Vehicle Category</u>	<u>Fee Component</u>	<u>Tonnage Rate \$/Ton</u>
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Commercial

Disposal Fee	\$26.00
Regional Tier One User Fee	7.00
Metro Tier Two User Fee	<u>14.00</u>
Total Rate	\$47.00*

<u>Vehicle Category</u>	<u>Fee Component</u>	<u>Trip Rate</u>
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Residential Self-Haul

Flat Fee	\$15.00
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<u>Tires</u>	<u>Type of Tire</u>	<u>Per Unit</u>
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Car tires off rim	\$.85
Car tires on rim	2.30
Truck tires off rim	2.30
Truck tires on rim	7.00
Any tire 21 inches or larger diameter off or on rim	12.00

* Total Rate does not include state imposed fees which are currently for commercial, \$.50 DEQ Promotion Program Fee and \$.50 DEQ Orphan Site Program Fee and enhancement fees established pursuant to Metro Code or State law.

Section 2 - Metro Code Section 5.02.025, Disposal Charges at Metro South Station, is amended as follows:

5.02.025 Disposal Charges at the Metro South Station, Metro East Station and the Metro/Riedel Compost Facility.

(a) A ~~{commercial}~~ base disposal rate of \$26.00 per ton of solid waste delivered is established for disposal at the Metro South Station, Metro East Station and the Metro/Riedel Compost Facility.

(b) An enhancement fee of \$.50 per ~~{commercial}~~ ton is established to be charged at the Metro South Station, Metro East Station and the Metro/Riedel Compost Facility.

~~{(c) Notwithstanding the provisions of Sections 5.02.025 (a) and (b), the following charges apply for Residential Self-Haul trips of two and one-half cubic yards or less of garbage if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables. The base disposal fee shall be \$3.50 per cubic yard.}~~

~~{(c) Notwithstanding the provisions of Sections 5.02.025 (a) and (b), Persons other than Credit Account Customers who have separated and included in their loads at least one-half cubic yard of recyclables shall receive a \$3.00 credit toward their disposal charge if their load is transported inside a passenger car or in a pickup truck of up to a 3/4 ton capacity.}~~

(d) The disposal fee and enhancement fee established by this section shall be in addition to other fees, charges and surcharges established pursuant to this chapter.

(e) The following table summarizes the disposal charges to be collected by the Metropolitan Service District from all persons disposing of solid waste at the Metro South Station, Metro East Station and the Metro/Riedel Compost Facility. The minimum charge for ~~{commercial}~~ all vehicles shall be \$15.00.

(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 2; Ordinance No. 85-191, Sec. 3; Ordinance No. 86-214, Sec. 3; Ordinance No. 88-257, Sec. 4; Ordinance No. 88-278, Sec. 3; Ordinance No. 89-269, Sec. 2; Ordinance No. 89-295, Sec. 3.; and Ordinance No. 90-337, Sec. 4)

METRO SOUTH STATION
 METRO EAST STATION
 METRO/RIEDEL COMPOST FACILITY

Vehicle Category	Fee Component	Tonnage Rate \$/Ton
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~~{Commercial}~~

Disposal Fee		\$ 26.00
Regional Tier One User Fee		7.00
Metro Tier Two User Fee		14.00
Regional Transfer Charge		<u>7.00</u>
Total Rate		\$ 54.00*

Minimum Charge per Vehicle **\$ 15.00**

<u>{Vehicle</u> <u>Category</u>	<u>Fee Component</u>	<u>Trip</u> <u>Rate</u>
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~~Residential Self-Haul~~
~~(Does not apply to Metro/~~
~~Riedel Compost Facility)~~

~~Flat Fee~~ ~~\$15.00~~

<u>Tires</u>	<u>Type of Tire</u>	<u>Per Unit</u>
	Car tires off rim	\$.85
	Car tires on rim	2.30
	Truck tires off rim	2.30
	Truck tires on rim	7.00
	Any tire 21 inches or larger diameter, off or on rim	12.00

* Total Rate does not include state imposed fees which are currently ~~{for commercial}~~, \$.50 DEQ Promotion Program Fee and \$.50 DEQ Orphan Site Program Fee and enhancement fees established pursuant to Section 5.02.025 (b).

5.02.030 Waiver of Disposal Charges at St. Johns Landfill: A waiver of disposal charges may be made by the operator of the St. Johns Landfill for disposal of inert material including but not limited to earth, sand, stone, crushed concrete and broken asphaltic concrete and wood chips, if, at the discretion of the operator of the landfill, such material is needed at the landfill for cover, road base or other internal use.

(Ordinance No. 82-146, Sec. 5)

5.02.035 Litter Control: All vehicles entering Metro operated solid waste disposal facilities, transfer stations, recycling centers, or compost facilities with loads that are not covered with a secure tarp or solid tight fitting cover that prohibits material from being blown from the vehicle while in motion shall be charged double the total disposal charge which would otherwise be charged.

(Ordinance No. 82-146, Sec. 6; amended by Ordinance No. 89-269, Sec. 2; and Ordinance No. 90-337, Sec. 5)

5.02.040 Excess Weight Charge at St. Johns Landfill: All vehicles entering the St. Johns Landfill with gross weights in excess of the Incinerator Road Bridge weight limits established by the City of Portland shall be charged double the normal disposal rate per ton for the amount of weight in excess of the bridge weight limit. Said weight limit shall be posted at the gatehouse of the landfill.

(Ordinance No. 82-146, Sec. 7)

Section 3 - Metro Code Section 5.02.045, User Fee, is amended as follows:

5.02.045 User Fees: The following user fees are established and shall be collected and paid to Metro by the operators of solid waste disposal facilities, whether within or without the boundaries of Metro, for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries in accordance with Metro Code Section 5.01.150:

(a) Tier One User Fee

(1) For noncompacted ~~{commercial}~~ solid waste, ~~{\$.75 per cubic yard delivered, or}~~ \$7.00 per ton delivered.

(2) For compacted ~~{commercial}~~ solid waste, ~~{\$.25 per cubic yard delivered, or}~~ \$7.00 per ton delivered.

~~(3) For self-haul solid waste, \$0.75 per cubic yard delivered at franchised or contracted facilities that are not otherwise exempt from such charge, excluding waste delivered to St. John's Landfill, Metro South Station, Metro East Station and the Metro Riedel Compost facility.~~

(b) Tier Two User Fee: \$14.00 per ton for all ~~commercial~~ solid waste delivered.

(c) ~~Insert~~ **Inert** material, including but not limited to earth, sand, stone, brushed stone, crushed concrete, broken asphaltic concrete and wood chips used at a landfill for cover, diking, road base or other internal use and for which disposal charges have been waived pursuant to Section 5.02.030 of this chapter shall be exempt from the above user fees.

(d) User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(Ordinance No. 82-146, Sec. 8; amended Ordinance No. 85-191, Sec. 4; Ordinance No. 86-214, Sec. 4; Ordinance No. 88-257, Sec. 6; Ordinance No. 88-278, Sec. 4; Ordinance No. 89-269, Sec. 2; and Ordinance No. 90-337, Sec. 6; Ordinance No. 90-351, Sec. 1)

Section 4 - Metro Code Section 5.02.050, Regional Transfer Charge, is amended as follows:

5.02.050 Regional Transfer Charge:

(a) There is hereby established a regional transfer charge which shall be a charge to the users of Metro South Station, Metro East Station and Metro/Riedel Compost Facility. Such charge shall be collected and paid in the form of an add-on in addition to user fees established by Section 5.02.045 of this chapter.

(b) The following regional transfer charges shall be collected and paid to Metro by the users of Metro South Station, Metro East Station and the Metro/Riedel Compost Facility for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries:

For all ~~commercial~~ solid waste \$7.00 per ton delivered.

(c) Regional transfer charges shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 3; Ordinance No. 85-191, Sec. 5; Ordinance No. 86-212, Sec. 1; Ordinance No. 86-214, Sec. 5; Ordinance No. 88-257, Sec. 8; Ordinance No. 88-278, Sec. 5; Ordinance No. 89-269, Sec. 2; and Ordinance No. 90-337, Sec. 7)

5.02.060 Payment of Disposal Charges and Surcharges; Credit Policy:

(a) Disposal charges and out-of-state surcharges established pursuant to Sections 5.02.020, 5.02.025 and 5.02.055 of this chapter may be paid in cash or check at the time of disposal, or may be paid pursuant to the credit policy established in this section.

(b) For purposes of this section, the following definitions shall apply:

(1) Account charges are "due" on or before the last day of the month billed and are "past due" thereafter.

(2) Account charges are "30 days past due" on the first day of the month following billing.

(3) Account charges are "45 days past due" on the fifteenth day of the month following billing.

(4) Account charges are "60 days past due" on the first day of the second month following billing.

(c) Persons wishing to dispose of solid waste at Metro disposal facilities on a credit basis shall be required to first submit and have approved an application for credit on a form provided by Metro. That application shall include such provisions as the Metro Executive Officer deems necessary to secure prompt payment. Approval shall be consistent with prudent credit practices.

(d) A finance charge of one and one-half (1-1/2) percent per month (18 percent per annum), computed from the date an account becomes thirty (30) days past due, will be assessed on all accounts which become sixty (60) days past due and will be added to the oldest months charges past due. Finance charges will continue to be assessed on negotiated repayment schedules.

(e) Accounts 45 days past due may be placed on a "cash only" basis until the account is paid in full or brought to within 30 days past due. If an account is allowed to become 60 days past due, permission to dispose of waste at the facility may be denied until the account and finance charges are paid in full.

(f) If, pursuant to subsection (e) of this section, an account is placed on a "cash only" basis more than once during any consecutive 12-month period, or if service is denied because the account is allowed to become 60 days past due, the account may be required to submit a new application for credit. Such new application must be accompanied by a satisfactory payment guarantee bond, or other payment guarantee acceptable to the Executive Officer, which is:

- (1) Effective for one year; and
- (2) Collectable if the account again becomes 60 days overdue during the period of the bond; and
- (3) In an amount equal to 150 percent of the amount due when credit was last suspended or service was denied, whichever is greater.

(g) If a credit customer sells, terminates or makes substantial changes in the scope of their business after their application for credit was approved, they must notify Metro of this sale, termination or substantial change immediately. Credit may be discontinued until and unless an application containing the new information is approved.

(h) Adjustment of accounts receivable and reversing of finance charges will follow prudent credit practices; adjustments over \$500 will be reported to the Council in writing on a monthly basis, and adjustments over \$10,000 will require Council approval.

(i) The Executive Officer may end pursuit of accounts receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such actions will be reported to the Council in writing on a monthly basis when the amount exceeds \$500, and amounts over \$10,000 will require Council approval.

(Ordinance No. 82-146, Sec. 11; and Ordinance No. 90-350)

5.02.065 Special Waste Surcharge and Special Waste Permit Application Fees:

(a) There are hereby established a Special Waste Surcharge and a Special Waste Permit Application Fee which shall be collected on all special wastes disposed at the St. Johns Landfill and on all Special Waste Permit Applications. Said Surcharge and fee shall be in addition to any other charge or fee established by this chapter. The purpose of the surcharge and permit application fee is to require disposers of special waste, including asbestos, to pay the cost of those services which are

provided at the St. Johns Landfill and by the Metro Solid Waste Department to manage special wastes. The said surcharge and fee shall be applied to all special wastes as defined in Metro Code Section 5.02.015.

(b) The amount of the Special Waste Surcharge collected at the St. Johns Landfill shall be \$4.00 per ton of special waste (excluding asbestos) delivered. The amount collected at the St. Johns Landfill for asbestos shall be \$100.00 per ton delivered.

(c) The minimum charge collected through all fees for each special waste (excluding asbestos) disposal trip shall be \$15.00. The minimum charge for each asbestos trip shall be \$100.00.

(d) The amount of the Special Waste Permit Application Fee shall be \$25.00. This fee shall be collected at the time Special Waste Permit Applications are received for processing.

(e) Lab or testing costs which are incurred by Metro for evaluation of a particular waste may be charged to the disposer of that waste.

(f) The fees listed in this section shall not be collected from any person who obtains a special waste permit to dispose of waste containing asbestos or other special waste which is removed from a dwelling or apartment building of three or fewer units owned or rented by that person and not disposed of by a commercial hauler or asbestos remover. The purpose of this exemption is to encourage such persons to separate Special Waste from the residential waste stream so that it is disposed of properly.

(Ordinance No. 85-191, Sec. 6; amended by Ordinance No. 86-214, Sec. 6; Ordinance No. 88-257, Sec. 9; and Ordinance No. 90-337, Sec. 8)

Section 5 - Metro Code Section 5.02.070, Source Separated Yard Debris Disposal Charge, is amended as follows:

5.02.070 Source Separated Yard Debris Disposal Charge:

(a) There is hereby established a reduced disposal fee for Source Separated Yard Debris which shall be collected on all source separated yard debris disposed at the St. Johns Landfill, Metro South Station or Metro East Station. ~~{by Commercial and Self-Haul disposers.}~~ Said disposal charge is in lieu of other Base Disposal charges, User Fees, Regional Transfer Charges, Rehabilitation and Enhancement Fees, and Certification Non-Compliance Fees which may be required by Sections 5.02.020, 5.02.025, 5.02.041, 5.02.045, 5.02.046, 5.02.050 and 5.02.075 of

this chapter. These other fees shall not be collected on waste which is accepted as Source Separated Yard Debris, under the definition of 5.02.015(d). The purpose of the Source Separated Yard Debris Charge is to encourage greater source separation of yard debris so that material is diverted from land disposal at St. Johns Landfill or the ~~{Gilliam County}~~ Columbia Ridge Landfill and is made available for reuse.

(b) The amount of the Source Separated Yard Debris charge to be collected at the St. Johns Landfill, Metro South Station and Metro East Station shall be \$25.00 per ton for Source Separated Yard Debris delivered by ~~{commercial disposers}~~ Credit Account Customers; and \$10.00 per trip for Source Separated Yard Debris delivered by ~~{Self-Haul disposers}~~ Persons other than Credit Account Customers.

(c) The minimum charge for ~~{commercial vehicles}~~ Credit Account Customers delivering Source Separated Yard Debris shall be \$25.00. The minimum charge for the delivery of a single Christmas tree as Source Separated Yard Debris shall be \$.50.

(Ordinance No. 86-210, Sec. 2; amended by Ordinance No. 86-211, Sec. 1; Ordinance No. 86-214, Sec. 7; Ordinance No. 88-257, Sec. 10; Ordinance No. 88-278, Sec. 6; Ordinance No. 89-295, Sec. 4.; and Ordinance No. 90-337, Sec. 9)

Section 6 - Metro Code Section 5.02.015, Certification Non-Compliance Fee, is amended as follows:

5.02.075 Certification Non-Compliance Fee: There is hereby established a Certification Non-Compliance Fee. The purpose of this fee is to pay for the cost of implementing remedial programs to bring non-certified areas or jurisdictions in compliance with current certification standards, and to support other programs which are directed at accomplishing the recycling goals of the certification program. This fee shall be collected on all waste generated in non-certified areas and delivered to Metro facilities by specifically identified ~~{commercial}~~ disposers and shall be in addition to other fees collected. The Certification Non-Compliance Fee shall be set by the Metropolitan Service District Council when the following conditions have been met:

(a) The Metro Council has adopted a Waste Reduction Certification Program which provides criteria and a process for designating local areas or jurisdictions and/or ~~{commercial}~~ waste disposers as either certified or non-certified for the purpose of collecting this fee; and

(b) The Metro Council has made the determination that a local jurisdiction is not in compliance and that implementation of the fee is needed to achieve the purposes stated above.

(Ordinance No. 86-214, Sec. 8)

5.02.080 Post-Collection Recycling Incentive: The Executive Officer shall enter into agreements with franchised processing centers that accomplish materials recovery and recycling as a primary operation, to pay two dollars per ton of Mixed Paper disposed in mixed loads of 50 percent to 79 percent Mixed Paper.

(Ordinance No. 88-257, Sec. 11)

5.02.085 Out-of-District Waste:

(a) Solid Waste generated outside of the District shall not be accepted at the St. Johns Landfill, Metro South Station, Metro East Station or Metro-Riedel Compost Facility for disposal unless a special permit to do so is issued by the Metro Executive Officer. Any permit issued shall specify the circumstances justifying such exception. Any permit issued shall be subject to:

(1) Available landfill or facility capacity considering the capacity needs for disposal of Solid Waste generated within the District;

(2) No adverse impact upon District rate payers;

(3) Any Solid Waste authorized to be disposed under this ordinance shall be subject to the same standards and conditions pertaining to "Acceptable Waste" deliveries to the above named facilities; and

(4) Any additional conditions as specified by the Executive Officer which may be necessary for the safe, efficient or cost effective operation of Metro facilities.

(b) Any special permit issued under Paragraph 1 shall expire in a period of time not to exceed 12 months from date of issuance unless a longer period of time is authorized by the Metro Council. Any renewals or extensions of a permit resulting in a cumulative permit period exceeding 12 months shall require the approval of the Metro Council.

(c) Any special permit issued by the Executive Officer may be revoked upon thirty (30) days notice to the permit holder.

(d) Any permit for a monthly tonnage in excess of one thousand tons (1,000) per month must be referred to Council prior to the approval.

Section 7 - Effective Date

The effective date of the ordinance amendments contained herein shall be January 12, 1991. This effective date is made pursuant to a declaration of emergency in conformity with the requirements of ORS 268.515 (7) requiring user or service charges not to become effective until 65 working days after passage of the ordinance "Except in emergency ...". The need for an earlier effective date than March 6 is to assure that the new Metro East Station upon first operation will not be required to initiate a flat fee rate structure for public haulers for a short period of time and then convert to a total weight based system as provided in this ordinance.

(Ordinance No. 90-352, Sec. 2)

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ATTACHMENT A

ANNUAL WASTE REDUCTION PROGRAM FOR LOCAL GOVERNMENT

Year 1 of A Five Year Plan (1990-1995)

Regional Reduce, Reuce, Recycle, Recover Standards

II. Residential Curbside

K. Each local government shall develop a rate structure that provides an incentive to reduce waste. The rate structure shall specify that the per unit disposal charge for high-volume service is equal to or greater than the per-unit charge for low-volume service ~~higher per unit disposal charges for higher volume setouts.~~ This includes:

1. a mini-can option for which the disposal charge per unit volume for a mini-can is equal to or less than the disposal charge per unit volume for a standard 32 gallon can, or
2. a weight based disposal rate that makes use of a sliding rate scale such that the disposal charge per unit of weight for garbage setouts of greater weight is equal to or greater than the per unit charge for setouts of lesser weight ~~is less for garbage setouts of lesser weight than for garbage setouts of greater weight.~~
3. ~~The disposal rate for two 32 gallon cans or a single 60 gallon can shall be at a higher charge per unit volume than for one 32 gallon can. The disposal rate for a third can or for a single 90 gallon can shall be at a higher charge per unit volume than for two cans or a single 60 gallon can.~~
3. Local governments that establish rate structures with the same per unit charge regardless of level of service shall evaluate the potential for switching to variable rates after curbside collection is weekly with containers.

ATTACHMENT A
RATE REVIEW COMMITTEE

October 24, 1990

Meeting Summary

MEMBERS PRESENT: Charles O'Connor, Jonathan Block, and
Ross Hall (via telephone)

METRO STAFF PRESENT: *R. Carter* Roosevelt Carter, Neil Saling, Phil
North, Jeff Stone, Kate Babbitt, and
Julie Cash

Roosevelt Carter introduced Kate Babbitt (Metro's new bottom line person) and Neil Saling, Acting Finance and Administration Director, to the committee members. Mr. Carter also explained that we had faxed all the information to Mr. Hall so he could read and make a decision in case he couldn't physically be here.

Mr. Carter went over the attached schedule for the next 5 months regarding the Rate Review Committee and deadlines we will be encountering.

Mr. Carter explained that this meeting was called on such short notice due to the time frame available to present the proposed rate adjustment and revamp of the recycling credit. The main proposed adjustment is weighing all vehicles at Metro East Station and Metro South Station. After evaluating the recycling credit we propose a flat \$3/trip credit for a minimum of 1/2 cubic yards of recyclables.

Mr. O'Connor noted this presentation of the ordinance and proposed changes was very clear and precise. He then asked what is the bottom line?

Ms. Babbitt explained the bottom line was roughly \$80,000 on the positive side of the ledger.

Mr. O'Connor estimated that \$80,000 at an estimated 1 million tons is roughly \$.08/ton.

Mr. North explained the ordinance change would not be effective until March 6, 1991. He also noted, while reading the ordinance, that it may be somewhat confusing regarding St. Johns Landfill. He did not think the verbiage relating to St. Johns Landfill all had to be changed in that it will be closing February 1991. He explained that we tried just to change the verbiage that dealt with those facilities coming on line (i.e. Metro East Station and the Composter).

Mr. Stone explained the new proposal of changing the now existing titles of commercial/self-haul to credit/cash accounts.

Mr. O'Connor asked, after reading proposed Section 5 - Metro Code Section 5.02.070(b), if we could change the words "Cash Account Customers" to "Persons other than credit account customers" in that it was confusing.

Mr. Saling asked if we would be defining construction and demolition debris this round.

Mr. North explained not right now.

There was general discussion about the ordinance and both Mr. Block and Mr. O'Connor stated they were in favor of our proposed changes. We then got Ross Hall on the telephone, for a quorum, wherein Mr. Hall noted to Mr. O'Connor he was in favor - giving 3 members in favor of the proposed changes.

We also discussed the next meeting, because of availability, would be either November 14th or 15 at 3:30 or 4:00 p.m.

Meeting adjourned.

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AMENDED STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-372 FOR THE PURPOSE OF
AMENDING METRO CODE CHAPTER 5.02 ESTABLISHING TONNAGE
BASED SOLID WASTE DISPOSAL RATES AT METRO FACILITIES

November 20, 1990

Presented by Bob Martin
Phil North

FACTUAL BACKGROUND AND ANALYSIS

On April 26, 1990 the Metro Council adopted Resolution No. 90-1248. This Resolution adopted a policy to require weighing of all vehicles at Metro owned facilities. This policy is directed at implementing weighing of "self-haul" customers of Metro facilities who have historically been charged on a flat rate or yardage basis.

The ordinance presently before the Council will amend the Metro Solid Waste Rate Ordinance Chapter 5.02 to establish a uniform rate for solid waste disposal at Metro facilities for "commercial" and "self-haul". It is anticipated that charging under the new weighing policy will begin with the opening of the Metro Northwest Station and closure of St. Johns Landfill.

Also this ordinance will be a bridge or interim rate pending examination and complete rate recommendations by the Rate Review Committee for FY 91-92. A copy of the minutes of the Rate Review Committee meeting of October 24, 1990 with respect to this current ordinance proposal are shown as ATTACHMENT A.

With uniformity of rates, the terminology "commercial" and "self-haul" became unnecessary distinctions. These terms have been replaced in the ordinance with the terms "Credit Account Customer" and "Cash Account Customer" respectively. This new terminology allows continuation of tracking of 'commercial' and 'self-haul' disposers for database purposes and provides a more uniform terminology for coordination between the Solid Waste Department and the Accounting Department.

With respect to the declaration of emergency to accelerate the effective date of the ordinance, this need has arisen in order that the Metro East Station not be required to initiate one manner of rate collection (flat fees for self-haulers) and shortly thereafter introduce a new rate structure (weighing of all vehicles). It is believed that the natural confusion surrounding rate changes such as will occur at Metro South Station would be exacerbated at the Metro East Station by initiating one rate structure and then shortly replacing it with another.

BUDGET IMPACT

The impact of the proposed rate changes on the 1990-91 budget has been analyzed. Total revenues are expected to increase by approximately \$160,000 through June of 1991-- \$80,000 from Metro South Station and \$80,000 from Metro Northwest Station. The analysis assumed current recycling levels and that 40 percent of self-haul trips will be subject to the minimum charge of \$15.00. Because these funds have not been appropriated in the current year, they will be carried over as part of the Solid Waste Revenue Fund's 1991-92 beginning balance.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 90-372.

Agenda Item No. 7.1
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1347

FINANCE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 90-1347 APPROVING A FISCAL YEAR 1990-91 SUPPLEMENTAL BUDGET AND TRANSMITTING THE APPROVED BUDGET TO THE TAX SUPERVISING AND CONSERVATION COMMISSION (TSCC)

Date: November 23, 1990

Presented by: Councilor Van Bergen

Committee Recommendation: At its November 15, 1990 meeting the Solid Waste Committee voted unanimously to recommend that the Council adopt Resolution No. 90-1347. All Committee members were present and voted aye.

Committee Discussion/Issues: Jennifer Sims, Financial Services Manager, presented the staff report. She indicated that the purpose of this resolution is to approve the proposed Supplemental Budget for submission to the Tax Supervisory Conservation Commission (TSCC). The resolution is a companion measure to Ordinance No. 90-370 which is the actual instrument to adopt the Supplemental Budget and Revised Schedule of Appropriations. Ms. Sims reviewed the Supplemental Budget Schedule which is attached as Attachment 1 to this report.

Ms. Sims presented information on the proposed budget actions, particularly the financing plan for the proposed Sears Building acquisition and renovation. She indicated the Supplemental Budget for the Sears Building project provided among other things external borrowing of \$7,920,000 in Bond Anticipation Notes and internal borrowing of \$4,744,339 from the Solid Waste Revenue Fund. These loans will be paid back during the next fiscal year once final financial plans are developed for long term financing of the project.

She responded to specific questions from Committee members and Council staff regarding the consolidation of Workers' Compensation costs into the Insurance Fund; the extent of the costs for the Convention Center Grand Opening; and the staffing requirements for the Sears Building project and its impact on the Regional Facilities project.

GVB:DEC:lr
A:\90-1347.SR

Supplemental Budget Meeting Schedule

Resolution No. 90-1347

Finance Committee, Thursday, November 15, 1990.

Review and discuss Supplemental Budget. Recommend approval of Resolution No. 90-1347, approving Supplemental Budget, to Council.

Council Meeting, Thursday, November 29, 1990.

Approve Resolution No. 90-1347, approving Supplemental Budget and transmitting it to the TSCC

Ordinance No. 90-370

Council Meeting, Thursday, November 29, 1990.

First reading of Ordinance. Conduct public hearing on budget.

Finance Committee, Thursday, December 20, 1990

Conduct public hearing on Supplemental Budget

Council Meeting, Thursday, December 27, 1990

Adopt Ordinance 90-370, Supplemental Budget. This is a required date to meet terms of building purchase

TSCC hearing will be held sometime in December. Hopefully, the week of December 10th.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING A)
FISCAL YEAR 1990-91 SUPPLEMENTAL)
BUDGET AND TRANSMITTING THE)
APPROVED BUDGET TO THE TAX)
SUPERVISING AND CONSERVATION)
COMMISSION)

RESOLUTION NO. 90-1347

Introduced by Rena Cusma,
Executive Officer

WHEREAS, A Supplemental Budget is necessary as provided in ORS 294.480 (1)(a) due to "an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial planning;" and

WHEREAS, The Council of the Metropolitan Service District convened as Budget committee has reviewed the Proposed Supplemental Budget and held a public hearing on the proposed Budget and considered overall issues affecting the FY 1990-91 Supplemental Budget; and

WHEREAS, Pursuant to Oregon Budget Law, the Council convened as Budget Committee must approve the FY 1990-91 Supplemental Budget and said approved budget must be transmitted to the Tax Supervising and Conservation Commission (TSCC) for public hearing and review; now, therefore,

BE IT RESOLVED,

1. That the Proposed FY 1990-91 Supplemental Budget as amended by the Council of the Metropolitan Service District convened as Budget Committee, which is on file at the Metropolitan Service District offices, is hereby approved.

2. That the Executive Officer is hereby directed to submit the Approved FY 1990-91 Supplemental Budget to the Tax Supervising and Conservation Commission for public hearing and review.

Resolution No. 90-1346
Page 2

ADOPTED by the Council of the Metropolitan Service District this
29th day of November, 1990.

Tanya Collier, Presiding Officer

kr:ord90-91:supp:res
November 5, 1990

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1347 APPROVING A SUPPLEMENTAL BUDGET AND TRANSMITTING THE APPROVED BUDGET TO THE TAX SUPERVISING AND CONSERVATION COMMISSION AND ORDINANCE NO. 90-370 AMENDING ORDINANCE NO. 90-340A REVISING THE FY 1990-91 BUDGET AND APPROPRIATIONS FOR THE PURPOSE OF ADOPTING A SUPPLEMENTAL BUDGET, CREATING THE SMITH AND BYBEE LAKES TRUST FUND AND AUTHORIZING AN INTERFUND LOAN

Date: November 5, 1990

Presented by: Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

A Supplemental Budget is necessary due to unforeseen circumstances that require changes in our financial planning. Two actions are presented toward adopting a Supplemental Budget for FY 1990-91. Ordinance No. 90-370 revises the FY 1990-91 Budget Appropriations Schedule, creates the Smith and Bybee Lakes Trust Fund and authorizes an interfund loan. This action is presented for consideration at this time but is not intended to be adopted until after the Tax Supervising and Conservation Commission (TSCC) conducts a public hearing. TSCC review is required under Oregon Budget Law because a new fund is being created and total fund appropriations are increased. Resolution No. 90-1347 approves the Supplemental Budget and transmits the approved budget to the TSCC. Specific actions requested under this proposal are explained below.

Reidel Compost Facility Revenue Bond Issue - In FY 1989-90 Metro issued Industrial Development Revenue Bonds for the Reidel Compost Facility construction project. At that time it was indicated that, under the terms of the bond sale and the Metro-Reidel service agreement, Metro's only budgetary obligation pertained to the service agreement payments to begin at the time of final acceptance, estimated to be June, 1991. Bond Counsel has now advised us that all debt service payments for both the Series "A" and Series "One" bonds must be budgeted. Metro's obligation to pay debt service on both series of bonds is limited to the amount of "loan repayments" received from Reidel.

Both Series of bonds bear interest at a floating rate. The debt service has been estimated with an average interest rate of 7 percent. A copy of the estimated debt service schedule is attached to the Ordinance (Appendix A). To compensate for fluctuations in the interest rate, an additional 10 percent of the estimated FY 1990-91 debt service has been included in the budgeted amount. Additional revenue, in the form of a pass through receipt from Reidel, will be received in an amount exactly equal the amount of debt service to be paid. The estimated debt service for FY 1990-91 is \$2,318,085. Refer to Exhibit A, pages A-15 and A-18.

Washington Park Zoo Capital Fund - During the last quarter of FY 1989-90, the Zoo did not expend the funds for the Africa Rainforest Exhibit at the rate that was anticipated. As a result, these funds were carried forward into FY 1990-91 as beginning fund balance. However, the expenditures that were planned for FY 1989-90 are now being charged to FY 1990-91. The FY 1990-91 budget did not anticipate these expenses. This action calls for the recognition of \$535,000 in additional fund balance plus \$20,000 in additional interest earned on the fund balance to support the increased FY 1990-91 expenditures. Refer to Exhibit A, pages A-13 to A-14.

Stagehand Labor Agreement - Metro ERC - The Metro ERC renegotiated the Stagehand labor agreement after July 1, 1990. The old agreement provided that stagehand salaries were to be paid to the employee by the event promoter. The new agreement requires the Metro ERC to pay wages directly to these employees. The Metro ERC will be reimbursed for the expense from the promoter. Unanticipated revenue will be received in the amount of \$270,756. The Performing Arts Center Personal Services line items 511235 - Wages, Temporary Employees and 512000 - Fringe will be increased \$225,630 and \$45,126 respectively. Refer to Exhibit A, pages A-33 and A-36 to A-38.

Oregon Convention Center Grand Opening Expenditures - At the time the FY 1990-91 budget was prepared, the exact method of conducting the Oregon Convention Center Grand Opening had not been determined. It was anticipated that the event would be promoted, managed and operated by a third party. All event sponsorships, donations and expenditures would be handled by this third party. Metro's obligation was to have extended only to the amount of expenditures in excess of revenues received, estimated to be approximately \$200,000. Subsequently, a decision by the Metro Exposition-Recreation Commission retained management and operation of the Grand Opening event. All revenues were to be received and expenditures disbursed by the Metro ERC. The result of this management decision was not reflected in the FY 1990-91 budget. This action requires the recognition of \$984,354 in additional revenue and appropriation for a like amount of expenditure in excess of the amount anticipated. Refer to Exhibit A, pages A-29 to A-32.

St. Johns Landfill Purchase Agreement - The City of Portland and the Metropolitan Service District will be entering into an agreement in which Metro will purchase the St. Johns Landfill from the City of Portland for a nominal fee. By the terms of this agreement the City will transfer to Metro those funds designated for landfill closure and implementation of the Lakes Plan. Metro agrees to accept custody and responsibility of these funds and to

act as Trust Fund Manager of the Smith & Bybee Lakes Trust Fund which is to be established as part of the Smith & Bybee Lakes Management Plan.

The Management Plan, jointly developed and approved by the City and Metro, advises certain actions to be taken at such time as they become available. It is anticipated that some of these actions will be necessary during FY 1990-91. In addition, the Plan requires the establishment of a Management Committee to develop policies and propose future budgets for the management of the Lakes area. This proposed action creates the Smith & Bybee Lakes Trust Fund, under the management of the Planning & Development Department, and establishes appropriations for FY 1990-91 based on estimated expenses derived from the activities outlined in the Management Plan. The total amount of the fund is estimated to be \$1,938,070 for FY 1990-91. Refer to Exhibit A, page A-24.

By the terms of the agreement between the City and Metro, the City will transfer to Metro during FY 1990-91, the entire amount of the End Use Fund, estimated to be \$908,070. In addition, the City agrees to turn over those funds designated in the Refuse Disposal Fund. The estimated balance of this fund as of June 30, 1990, is \$2,233,522. One million of this amount is to be transferred during FY 1990-91. The remaining balance of the "Refuse Disposal Fund" is to be transferred to Metro no later than December 31, 1993. All funds to be received during FY 1990-91 will be transferred from the City within thirty days of signing the agreement or as soon as Metro creates the Smith and Bybee Lakes Trust Fund, whichever is later. Additional contributions to this fund, at the rate of \$.50 per ton, will be made by Metro for the remaining life of the St. Johns Landfill.

Consolidation of Workers' Compensation into Insurance Fund -
Beginning July 1, 1990, the workers' compensation program was changed from a premium based program to an incurred loss program. This program pays for time loss, medical expenses and reserves as they are incurred rather than on a monthly premium basis. This change was prompted due to significant increases in workers' compensation premiums not known until the last week in June. The impact on accounting for and management of this type of program was not identified at the time of the change.

The FY 1990-91 budget was based on the former premium based program. Worker Compensation funds were budgeted in thirty-four different appropriation units. Amounts needed were determined as a percentage of salaries in each unit. The task of tracking and managing the new incurred loss program at this level is very difficult and time consuming.

This proposal recommends that the Workers Compensation Program be consolidated into the Insurance Fund. Funding for the program will be transferred from the various departments to the Insurance Fund on a similar basis to that of the current liability/property program. Claims and losses will be tracked by department within the Insurance Fund but the program will be managed on an agency wide basis. Reserves will be established to fund extraordinary losses which may exceed the amount transferred in any one year. Any reserve draws would be reimbursed by the appropriate department in subsequent years.

For this year, funding has been identified in each individual Personal Services appropriation unit. This is the amount of the fringe line item originally estimated for Workers' Compensation premium payments to SAIF. Appendix B to the Ordinance lists the appropriation categories and the dollar amounts identified for Workers' Compensation. To avoid complications with Metro's federally approved Indirect Cost Rate Proposal, for FY 1990-91 only these amounts will remain in the Personal Services category of each appropriation unit but will be separated from the Fringe line item and identified as "Service Reimbursements-Worker Compensation". These identified amounts will be transferred to the Insurance Fund for payment of actual costs incurred. Beginning with FY 1991-92, these payments will be shown as transfers to the Insurance Fund and will be appropriated under the Interfund Transfer object category. This method of accounting conforms to GASB standards. Any amount paid into the Insurance Fund in FY 1990-91 in excess of the actual amount needed will be retained in the Fund to establish a beginning reserve for the Worker Compensation program. Metro is currently conducting an actuarial study for its liability, casualty and worker compensation programs to determine the amount of reserves that will be required.

This action does not change the appropriation amount in the various Personal Services categories. For this reason, unless other actions proposed under this Supplemental Budget modify appropriation units of a fund, only the total fund summary has been reflected in the Exhibits. Appendix B provides a complete list of all Personal Service categories and the dollar amounts involved. Refer to Exhibit A, pages A-10 and A-11 for detailed changes proposed to the Insurance Fund.

Office Building Purchase - On October 11, 1990 the Council agreed to proceed with the purchase of the Sears facility as Metro's new office headquarters. The purchase price of the facility is \$5.15 million. One million is payable at closing no later than December 28, 1990 and the balance is due by July 1, 1991. The transaction will be financed through a combination of internal and external

borrowing. Metro will finance through Bond Anticipation Notes the amount of the purchase price and anticipated renovation costs associated with the estimated tax-exempt portion of the building. An interfund loan from the Solid Waste Revenue Fund to the Building Fund will be required to finance the remaining estimated taxable portion of purchase and renovation costs. Prior to the end of FY 1991-92, Metro will issue either revenue bonds or certificates of participation and refund the short term financing obligations. The expenditure allocation as outlined in the Exhibits portrays the current estimate of purchase and renovation costs for FY 1990-91.

This action proposes a modification to the appropriation structure of the Building Management Fund. Two separate Accounts will be created in the fund to track and manage the resources and expenditures of each facility administered through this fund. Each Account will have separate appropriation units for personal services, materials and services and capital outlay. Refer to Exhibit A, pages A-4 to A-9.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 90-1347, approving the FY 1990-91 Supplemental Budget and transmitting the approved budget to the Tax Supervising and Conservation Commission. In addition, following TSCC review and certification, the Executive Officer recommends adoption of Ordinance No. 90-370, adopting the FY 1990-91 Supplemental Budget, creating the Smith and Bybee Lakes Trust Fund and authorizing an interfund loan.

kr:ord90-91:supp:sr
November 5, 1990

Agenda Item No. 7.2
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1343

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

RESOLUTION NO. 90-1343, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE INTERGOVERNMENTAL RESOURCE CENTER FOR BI-STATE COMMITTEE STAFF SUPPORT

Date: November 15, 1990

Presented by: Councilor Bauer

COMMITTEE RECOMMENDATION:

At the November 13, 1990 meeting of the Intergovernmental Relations Committee, Councilors Devlin, Gardner, Hansen, McFarland and myself voted unanimously to recommend Council adopt Resolution No. 90-1343.

COMMITTEE DISCUSSION/ISSUES:

When the contract term began, Metro had not hired the additional Council staff position intended to cover the Bi-State staffing obligation. For this reason, the contract requires full reimbursement (\$2,400) from Metro from July and August, 1990, and the contract has been delayed in reaching Council.

BACKGROUND & EXPLANATION

In January, 1990, Metro approved Resolution No. 90-1182, an intergovernmental agreement with Intergovernmental Resource Center (IRC) for Bi-State staff support during December, 1989 through June, 1990.

The agreement incorporated in Resolution No. 90-1343 continues the staffing for the Bi-State Policy Advisory Committee, and authorizes the expenditure of funds budgeted for FY 90-91.

The agreement covers the term July, 1990 through June, 1991. It establishes the equal division between Metro and IRC of the .5 FTE level of staffing for the period September, 1990 through June, 1991.

The contract obligates Metro to pay IRC up to \$2,400 to fund Metro's half of the .5 FTE during July and August, 1990, when IRC alone provided the full .5 FTE staffing.

In addition to providing its own .25 FTE staff contribution starting in September, 1990, Metro agrees to pay IRC \$360 for each of the remaining ten months (September, 1990 through June, 1991), in recognition that this is a period of transition to joint staffing.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING AN	)	RESOLUTION NO. 90-1343
INTERGOVERNMENTAL AGREEMENT WITH)	
THE INTERGOVERNMENTAL RESOURCE	)	INTRODUCED BY COUNCILOR
CENTER FOR BI-STATE COMMITTEE	)	LAWRENCE BAUER
STAFF SUPPORT)	

WHEREAS, the Metro Council and the Intergovernmental Resource Center of Clark County (IRC) created the Bi-State Policy Advisory Committee (Bi-State) through joint resolution on September 24, 1981; and

WHEREAS, the Metro Council on October 26, 1989, adopted Resolution No. 89-1088A, extending Bi-State's operations for another two years; and

WHEREAS, the purpose of the Bi-State is to enhance understanding between Oregon and Washington policy-makers of metropolitan issues of mutual concern and to promote recognition of the commonality of problems and encourage cooperative mutually beneficial solutions; and

WHEREAS, Metro and IRC agreed in January 1990 to establish a Bi-State Coordinator position at 50 percent of a full-time equivalent (.5 FTE); and

WHEREAS, the establishment of a third Metro Council analyst position provides Metro the flexibility to share Bi-State staffing duties with IRC; and

WHEREAS, the 1990-91 fiscal year represents a period of transition from IRC staffing to equal staff support from IRC and Metro; and

WHEREAS, the Metro Council approved the expenditure of \$6,000 in FY 1990-91 to support Bi-State operations; and

WHEREAS, an Intergovernmental Agreement between Metro and IRC is necessary to formalize the staffing structure and allow IRC to receive its due compensation; now, therefore,

BE IT RESOLVED,

That the Council approves an Intergovernmental Agreement with the Intergovernmental Resource Center, attached as Exhibit A, for the purpose of providing staff support to the Bi-State Policy Advisory Committee through fiscal year 1990-91.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____ 1990.

Tanya Collier, Presiding Officer

AGREEMENT BETWEEN THE
METROPOLITAN SERVICE DISTRICT
AND THE
INTERGOVERNMENTAL RESOURCE CENTER

Exhibit "A"

PROVIDING FOR A TRANSITION FROM A COORDINATOR POSITION
TO JOINT STAFFING OF THE
BI-STATE POLICY ADVISORY COMMITTEE

WHEREAS, This agreement, entered into by and between the Intergovernmental Resource Center (hereinafter called IRC) and the Metropolitan Service District (hereinafter called Metro), is to provide for staffing support to the Bi-State Policy Advisory Committee (hereinafter called Committee) as the Committee transitions from having a single, full-time Bi-State Coordinator position, managed by IRC, to joint staffing provided by both IRC and Metro; and

WHEREAS, Since 1983 Metro and IRC have jointly chaired the Committee which meets on a bi-monthly basis; and

WHEREAS, The Committee was established to enhance understanding between Oregon and Washington policy-makers of metropolitan issues of mutual concern; to promote recognition of the commonality of problems and encourage cooperative mutually beneficial solutions; and

WHEREAS, In January, 1990, Metro and IRC mutually agreed to establish a Bi-State Coordinator position whereby IRC provided to the Committee the services of a coordinator at approximately 50 percent of an FTE to provide professional staff assistance to the Committee; and

WHEREAS, Continued professional staff support to the Committee shall be necessary for fiscal year 1990-1991 to fulfill the Committee's goal of addressing several issues of concern -- Columbia River resource management, land use planning, air quality, economic development joint objectives, hazardous household waste disposal coordination, telecommunications, tourism -- as well as other issues which may be identified during the year; to facilitate the flow of pertinent issue information; and to assist the Committee in identifying and analyzing critical elements of the issues; now,

THEREFORE, Metro and IRC hereby mutually agree to the following:

SECTION 1
TRANSITION FROM A BI-STATE COORDINATOR POSITION TO JOINT STAFFING

1. For the months of July and August, 1990, IRC shall provide the services of a Bi-State Coordinator to assist the Committee as requested, but not to exceed 50 percent of an FTE (Full-time Staff Equivalent) or 90 hours per month. The Coordinator shall provide staff assistance to the Committee as follows:
 - A. Develop and distribute agendas in a timely fashion consistent with applicable Washington and Oregon public meeting law requirements;
 - B. Prepare reports or other materials as requested by the Committee and facilitate the presentation of materials and appropriate briefings on matters of interest to the Committee;
 - C. Oversee the recording and distribution of meeting minutes and Committee actions;

- D. Prepare necessary resolutions or other appropriate vehicles for the IRC Board of Directors and the Metro Council to act on Bi-State recommendations, actions or other information consistent with the respective jurisdiction's formats and procedures for handling such actions; and
 - E. Maintain all necessary records, bylaws, contractual agreements and any other appropriate materials in conformance with applicable Washington and Oregon public meeting law requirements;
 - F. Provide other assistance as requested by the Committee.
2. For the months of September 1990 through June 1991, IRC and Metro shall each provide professional staff support to the Committee as requested, not to exceed 25 percent of an FTE or 45 hours per month, for total joint staff support not to exceed 50 percent of an FTE or 90 hours per month. In addition, Metro shall pay to IRC a flat amount of \$360 per month during the period of September 1990 through June 1991, in recognition that this is a period of transition to joint staffing. The designated IRC and Metro staff (hereinafter referred to as designated staff) shall develop a joint work plan to provide assistance to the Committee per the activities outlined in 1.A. through 1.F. above.
 3. The designated staff shall provide continual administrative and professional staff support to the Committee. The designated staff shall be accessible and responsible to the Committee Co-Chairs.

SECTION 2 BUDGETS

Metro and IRC shall each budget adequate funds for their respective staff to the Committee. In addition, Metro shall budget \$6,000.00 for the term stated in this agreement to fund the Bi-State Coordinator position during the months of July and August at a rate of \$13.33 per hour of time billed each month up to a maximum of 90 hours per month or a total of \$2,400.00, and to fund transition staffing as needed per Section 1.2.

SECTION 3 METHOD OF PAYMENT, ACCOUNTING

1. For July and August 1990, IRC shall bill Metro monthly for the Bi-State Coordinator position consistent with the terms described in Section 2 herein. IRC shall provide to Metro a monthly accounting of the Coordinator's hours and expenses charged to the Committee.
2. All other expenses associated with the coordination of the Committee, beyond the direct designated staff services and related indirect support, shall be divided equally by Metro and IRC.

SECTION 4 PERIOD OF AGREEMENT

The term of agreement shall commence on July 1, 1990 and shall terminate on June 30, 1991, unless terminated earlier pursuant to Section 5.

SECTION 5 TERMINATION OF AGREEMENT

This agreement shall be terminated upon the recommendation of the Committee and mutual written concurrence from Metro and IRC. The date of the last correspondence from either Metro or IRC stipulating termination of this agreement shall be the date of termination. No additional expenses shall be incurred by IRC on coordination of the Bi-State Committee following the date of termination.

**SECTION 6
TERMS OF AGREEMENT**

Agreement is premised on continued existence of the Bi-State Policy Advisory Committee in a form substantially similar to the form provided in the bylaws approved by the Metro Council and the IRC Board of Directors. This agreement shall neither require nor prejudice any further agreement between the parties. The invalidity, in whole or in part, of any provision of this agreement shall not affect the validity of any other provisions.

IRC will maintain direct responsibility for staffing of the Bi-State Coordinator position during the months of July and August. Principal managerial staff at IRC will provide advice to the Bi-State Coordinator on matters relating to intergovernmental affairs. IRC will not assign the staffing of the Bi-State Committee to any other agency or party.

ADOPTED this _____ day of _____, 1990:

INTERGOVERNMENTAL RESOURCE CENTER

METROPOLITAN SERVICE DISTRICT

By: _____
John Magnano, Chair,
Board of Directors

By: _____
Rena Cusma,
Executive Officer

By: _____
Gil Mallery, Executive Director

APPROVED AS TO FORM:

Metro General Counsel

cs:bistate.iga

Agenda Item No. 7.3
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1352

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

**RESOLUTION NO. 90-1352, APPROVING THE RECOMMENDATIONS OF THE
BI-STATE POLICY ADVISORY COMMITTEE
REGARDING AIR QUALITY PROTECTION MEASURES**

Date: November 15, 1990

Presented by: Councilor Bauer

COMMITTEE RECOMMENDATION:

At the November 13, 1990 meeting of the Intergovernmental Relations Committee, Councilors Devlin, Gardner, Hansen, McFarland and myself voted unanimously to recommend Council adopt Resolution No. 90-1352, as amended.

COMMITTEE DISCUSSION/ISSUES:

Councilor Bauer described the Bi-State work program with respect to air quality.

The overall goal is to standardize regulation, because both sides of the River share the same airshed. Stationary sources of pollution affect air quality on both sides of the River, and many of the same vehicles travel on both sides of the River.

Committee members agreed that the Resolution should state explicitly that standardization should be based on the higher standard in each instance. The Committee amended the Resolution accordingly.

The IGR Committee is expecting to review more specific air quality recommendations from Bi-State in the coming weeks.

BACKGROUND & EXPLANATION

Air quality is one of seven issues which the Bi-State Policy Advisory Committee has identified for its investigation in the coming biennium. The Bi-State will work with both state legislatures in 1991 to encourage the development of uniform enhanced air quality standards for both sides of the Columbia River.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE	)	RESOLUTION NO. 90-1352
RECOMMENDATIONS OF THE BI-STATE)	
POLICY ADVISORY COMMITTEE	)	INTRODUCED BY COUNCILOR
REGARDING AIR QUALITY	)	LAWRENCE BAUER, CO-CHAIR
PROTECTION MEASURES	)	BI-STATE POLICY ADVISORY
	)	COMMITTEE

WHEREAS, the Metro Council and the Intergovernmental Resource Center of Clark County established the Bi-State Policy Advisory Committee (Bi-State) by joint resolution on September 24, 1981; and

WHEREAS, Metro's charge to Bi-State includes the direction, "to develop recommendations for consideration by the Metro Council;" and

WHEREAS, Bi-State has identified air quality as one of the seven issues for its investigation, in recognition of the importance of the local air quality problem and the need for a regional approach to address it; and

WHEREAS, Bi-State has established an Air Quality Subcommittee to investigate air quality issues in the Portland-Vancouver metropolitan area; and

WHEREAS, Bi-State's Air Quality Subcommittee has developed recommendations in support of standardized air quality protection measures for the Portland-Vancouver airshed; and

WHEREAS, Bi-State adopted Resolution 10-01-1990 on October 26, 1990 (attached as Exhibit A), which "accepts and endorses the recommendations of the Air Quality Subcommittee and encourages Metropolitan Service District and Intergovernmental Resource Center to forward these recommendations to their respective state legislatures;" and

WHEREAS, the recommendations of the Air Quality Subcommittee and the full Bi-State committee (attached as Exhibit B) include calls to standardize and enhance an expanded motor vehicle inspection/maintenance program, standardize regulations and enforcement procedures on stationary sources of air pollution on both sides of the Columbia River, establish and enforce a standardized system of stationary source emissions fees, expand the Emission Fee concept to all major area sources of air pollution, and preserve local control of air-quality policy in order to coordinate policy implementation; and

WHEREAS, it is in the public interest that standardized air quality protection measures be based on the higher of the two states' standards; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District accepts and endorses the recommendations of the Bi-State Policy Advisory Committee regarding air quality protection, and further recommends that the more stringent of the Oregon and Washington regulations form the basis for establishing air quality standards for the Portland-Vancouver airshed; and

BE IT FURTHER RESOLVED,

That the Council directs that copies of this Resolution, with Exhibits A and B attached, shall be sent to the Governor and Governor-Elect of Oregon; members of Metro's legislative delegation; members of the Joint Committee on Environment, Energy and Hazardous Materials; and members of relevant House and Senate Committees, including the House Environment and Energy Committee and Senate Agriculture and Natural Resources Committee.

ADOPTED by the Council of the Metropolitan Service District this
_____ day of _____, 1990.

Tanya Collier, Presiding Officer

cs:bisairq.res

RECEIVED OCT 31 1990

BI-STATE POLICY ADVISORY COMMITTEE
RESOLUTION 10-01-1990

Exhibit "A"

For the purpose of recommending that Metropolitan Service District and Intergovernmental Resource Center forward recommendations to their respective state legislatures concerning consistent and uniform approaches to air quality regulations affecting the Portland-Vancouver metropolitan area.

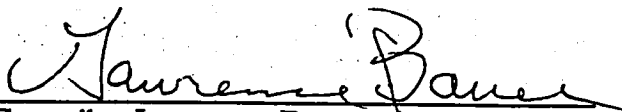
WHEREAS, the Bi-State Policy Advisory Committee established a subcommittee to investigate air quality issues in the Portland-Vancouver metropolitan area; and

WHEREAS, the Air Quality Subcommittee met on two occasions during the months of August and September of 1990 to formulate recommendations regarding air quality regulations applied to the metropolitan area; and


WHEREAS, the September 27, 1990 meeting of the Air Quality Subcommittee culminated in policy recommendations to the Bi-State Policy Advisory Committee as expressed in an October 12, 1990 letter from Stuart Clark, Air Program Manger with the Washington State Department of Ecology, and John Kowalczyk, Air Quality Planning and Development Manager with Oregon State Department of Environmental Quality, to Councilor Larry Bauer and Commissioner John Magnano, a copy of which is appended to this Resolution.

NOW THEREFORE BE IT RESOLVED that the Bi-State Policy Advisory Committee accepts and endorses the recommendations of the Air Quality Subcommittee and encourages Metropolitan Service District and Intergovernmental Resource Center to forward these recommendations to their respective state legislatures.

Adopted this 26th day of October, 1990, by the Bi-State Policy advisory Committee.



Councilor Lawrence Bauer
Co-Chair



Commissioner John Magnano
Co-Chair

October 12, 1990

Councilor Lawrence Bauer, Co-Chair
Commissioner John Magnano, Co-Chair
Bi-State Policy Advisory Committee
1351 Officers' Row
Vancouver, WA 98661

RE: Recommendations on Air-Quality Issues

Dear Councilor Bauer and Commissioner Magnano:

The States of Washington and Oregon share a mutual concern for maintaining the unique quality of life enjoyed by residents in the Portland-Vancouver metropolitan area. This concern has formed the agenda of the Bi-State Policy Advisory Committee. Through this intergovernmental mandate, the committee has identified the airshed shared by the two states as a common resource impacted by the inevitable and rapid growth of urban areas on both sides of the Columbia River. In establishing the Bi-State Air Quality Subcommittee, the Advisory Committee has acknowledged both the importance of the local air quality problem and the need for a regional approach to addressing it.

We of the Air Quality Subcommittee believe there is a need for understanding the ways in which different emissions affect the environment in order to formulate policies which are consistent and equitable, a "leveling of the playing field" that ensures that both the public and private industry are paying costs proportionate to their respective levels of pollutants, for example.

As the time for new legislative sessions approaches in Salem and Olympia, we urge that the Advisory Committee put forward recommendations to Governors Gardner and Goldschmidt which we believe will result in constructive new legislation of benefit to both states. Our recommendations are as follows:

Councilor Lawrence Bauer
Commissioner John Magnano
October 12, 1990
Page 2

1. *The Bi-State Air Quality Subcommittee supports a more consistent and uniform approach by the governments of Washington and Oregon regarding air quality issues affecting the Portland-Vancouver metropolitan area. With respect to proposed legislation, such an approach would seek to adopt regulations which would be largely standardized between the states and which would not place disproportionate costs on any group or area. We recommend the following policy actions:*
 - a. *Standardize and enhance an expanded motor vehicle emission inspection and maintenance (I/M) program to cover major urban areas on both sides of the Columbia River. The EPA has determined that I/M programs are among the most cost-effective for controlling urban air pollution. We recommend that projections of urban growth's impact on local travel be used to determine the boundaries of the I/M program.*
 - b. *Standardize regulations and enforcement procedures on stationary sources of air pollution on both sides of the Columbia River. These sources, also called point sources, are monitored and regulated differently in the two states, resulting in inconsistent control of industrial emissions within the region.*
 - c. *Establish and enforce a standardized system of stationary source emissions fees within the framework of the new Clean - Air Act requirements to further limit air pollution from major industrial and commercial sources.*
 - d. *Expand the Emission Fee concept to all major area sources of air pollution. These sources are potentially more effectively controlled through a nonregulatory, market-based approach which should include establishing an air quality improvement fund from the fees to support public and private projects that would cost-effectively reduce emissions.*
 - e. *Preserve local control of air-quality policy, with the objective being coordination--not centralization--of policy implementation.*

We are in the process of formulating additional and more specific recommendations to the Advisory Committee in the coming weeks, realizing that time is growing short for submission of formal recommendations to the state legislatures. We are also aware of a need for educating the public in Portland, Vancouver, and particularly the surrounding small communities and rural areas on the significance and implications of air-quality issues. We will be considering ways to inform residents of the metro area on why the varying impacts of different categories of emissions require a range of approaches to control.

Councilor Lawrence Bauer
Commissioner John Magnano
October 12, 1990
Page 3

On behalf of the subcommittee members, we invite your questions and comments in response to these recommendations, which should be directed to subcommittee coordinator Dave Anderson.

Sincerely,



Stuart Clark, Air Program Analyst
Washington State Department of Ecology
Member, Bi-State Air Quality Subcommittee



John Kowalczyk, Manager, Air Quality Planning & Development
Oregon State Department of Environmental Quality
Member, Bi-State Air Quality Subcommittee

Other Subcommittee members listed below:

John Magnano, Clark County Commissioner
Richard Brandman, Transportation Planning Manager,
Metropolitan Service District of Portland
Dick Serdoz, Director, SW Washington Air Pollution Control
Authority
Elsa Coleman, Parking Manager, City of Portland

a:\da\bauerfin

Agenda Item No. 7.4
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1353

INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

RESOLUTION NO. 90-1353, SUPPORTING LEGISLATIVE CONCEPTS IN RELATION TO THE 1991 LEGISLATURE

Date: November 14, 1990

Presented by: Councilor Devlin

COMMITTEE RECOMMENDATION:

At the November 13, 1990 meeting of the Intergovernmental Relations Committee, Councilors Bauer, Gardner, Hansen, McFarland and myself voted unanimously to recommend Council adopt Ordinance 90-1353, as amended.

COMMITTEE DISCUSSION/ISSUES:

The Government Relations Officer told the IGR Committee that the Otto Committee will meet on December 5th, when it is expected to consider the four Metro housekeeping bills. The Otto Committee may also take up the business license bill. The IGR Committee asked the current Government Relations Officer to represent Metro at this meeting.

The IGR Committee did not discuss and take a position on each legislative concept referenced in Ordinance No. 90-1353. The Committee deferred to the judgment of the standing committees which had previously considered these legislative concepts, with briefings from departmental staff, and had recommended them to Council for approval, through the IGR Committee.

The IGR Committee did anticipate that Council would debate each of the legislative concepts, since all standing committee members could be present.

The IGR Committee amended revised draft Ordinance No. 90-1353 in two particulars:

- o to add a provision, as follows: "with respect to Ballot Measure #5, monitor and respond as appropriate to implementing and other related legislation; and,"

- o to clarify that Council should "introduce legislation which will" enable the Council to provide itself medical and dental benefits.

The Bi-State Policy Advisory Committee recommendation regarding air quality protection, which is referenced in Ordinance 90-1353, is also recommended to Council in a separate Resolution: No. 90-1352.

The IGR Committee did not recommend a policy of not introducing legislation this year beyond housekeeping matters. Councilor Devlin said that the Council should have only a short list of legislative concepts which it seeks to introduce, as opposed to support, during the session.

BACKGROUND & EXPLANATION

At the Council retreat September 8, 1990, Councilors present agreed the IGR Committee would compile Metro's proposed 1991 legislation and legislative positions for Council adoption and transmittal to the Legislature by the end of 1990.

At the retreat, it was further agreed that Committees should submit their recommendations to IGR in time for its first meeting in November. The Chair of the IGR Committee distributed a request, dated September 13, 1990, to the Council, the Executive Officer and the Department Heads that recommendations and materials be made available to the IGR Committee by November 5, 1990.

At the October 23, 1990 IGR meeting, the Government Relations Officer advised the IGR Committee that Metro refrain from introducing legislation in 1991 beyond housekeeping items, though Council could express its support for legislation proposed by others.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

SUPPORTING LEGISLATIVE CONCEPTS) Resolution No. 90-1353
IN RELATION TO THE)
1991 LEGISLATIVE SESSION) Introduced by the Inter-
) governmental Relations
) Committee

WHEREAS, The 1991 session of the Oregon State Legislature will convene on January 14, 1991; and

WHEREAS, The Council of the Metropolitan Service District in Resolution No. 90-1339 transmitted housekeeping legislation providing as follows:

- o LC 178-1: amends ORS 251.285 to provide for judicial review of Metro explanatory statements in the Voters Pamphlet in Multnomah County Circuit Court.
- o LC 178-2: makes permanent the existing process for appointing members of the Boundary Commission.
- o LC 178-3: clarifies Council authority to reapportion the District into 13 subdistricts as of 1-4-93.
- o LC 1568: amends ORS 268.360 to provide that an ordinance may become effective 90 days after adoption.

WHEREAS, The Council has received from its Solid Waste Committee legislative concepts which would:

- o support expanding the Recycling Information Center statewide (Exhibit "A");

- o support seeking Metro / State funding of a mobile facility for household hazardous waste collection (Exhibit "A");
- o support enacting standards for coding plastic consumer packaging (Exhibit "B");
- o support establishing a revenue source for the Resource Conservation Trust Fund;
- o support uniform purchasing policies specifying recycled content and establishing a preference for purchase of recycled materials (Exhibit "B");
- o support requiring certain landlords to provide collection for principal recyclables (Exhibit "B");
- o support the concept of incentives for recycling businesses to locate in Oregon (Exhibit "B");
- o support the concept of incentives to encourage environmentally friendly business to locate in Oregon (Exhibit "B");
- o support the concept of requiring that packaging be labeled with compatible material (Exhibit "B");
- o establish a comprehensive civil penalty system to reduce illegal dumping (Exhibit "C");
- o establish a task force to develop legislation based on revisions to Ballot Measure #6;
- o direct DEQ to draft regulations relating to limited purpose landfills; and,

WHEREAS, The Council has received from its Finance Committee

legislative concepts which would:

- o request State funding at the rate of \$60,000 per biennium for increased staff support for the Bi-State Policy Advisory Committee (Exhibit "D") (Also referred by the Bi-State Policy Advisory Committee); and
- o introduce legislation which will amend ORS 268.160 to enable the Council to provide medical and dental benefits for Councilors (Exhibit "G"); and,

WHEREAS, The Council has received from its Intergovernmental Relations Committee legislative concepts which would:

- o allow ODOT to incur debt for the local match to LRT funding (LC 875) (Exhibit "E");
- o provide revenue from cigarette tax to retire debt for local match to LRT funding (LC 1204) (Exhibit "E");
- o expand scope of "passport" business licensing (LC 1263) (Exhibit "F");
- o endorse the recommendations of the Bi-State Policy Advisory Committee regarding air quality protection (Resolution 90-1352) (Agenda item No. 8); [~~and~~]
- o with respect to Ballot Measure #5, monitor and respond as appropriate to implementing and other related legislation; and,

WHEREAS The Council seeks to indicate its support for these

legislative concepts; now, therefore,

BE IT RESOLVED, The Council of the Metropolitan Service District indicates its support for the legislative concepts summarized above, pending review of bills which may be drafted in reference to these concepts.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

**METRO**2000 S.W. First Avenue
Portland, OR 97201-5398
503-221-1646

Memorandum

TO: Councilor Jim Gardner
Chair, Council Intergovernmental Relations Committee

FROM: Karla Forsythe, Council Analyst *KCF*

DATE: November 2, 1990

SUBJ: Council Solid Waste Committee - Legislative Proposals

At the October 30, 1990 Solid Waste Committee meeting, Solid Waste Director Bob Martin discussed ideas for legislation currently under consideration by various groups. Based on information he presented, Committee members asked me to convey to the IGR committee their support for two legislative proposals.

First, the committee supports efforts to expand the Recycling Information Center statewide. Although it appears the expansion would cost approximately \$600,000, the Committee believes that both Metro and other areas of the state would benefit from an enlarged base of information about recycling activities and markets.

Second, the Committee supports joint state/Metro funding of a mobile household hazardous waste collection facility. Both the Metro region and the state have been mandated to establish permanent receiving depots for household hazardous waste. Rather than establishing permanent facilities at all transfer stations, it appears it would be more cost effective to fund a "station on wheels" which would supplement fixed facilities. Joint funding would allow the state to use the mobile facility to carry out its responsibility to provide household hazardous waste collection in other areas of the state.

The Committee will be reviewing several other legislative proposals at its November 6, 1990 meeting. The Committee will be considering a proposal from Multnomah County Commissioner Sharron Kelley for a comprehensive civil penalty system to address illegal dumping. The Committee will also review suggestions presented to it by the Plastics Recycling Advisory Task Force last July. I will let you know as soon as possible if the Committee decides to refer any of these proposals to the IGR Committee for further review.

cc: Council Solid Waste Committee
Don Carlson, Council Administrator
Bob Martin, Solid Waste Director

KP:pa
K2:IGR

LEGISLATIVE PROPOSALS
Exhibit B

RECOMMENDATIONS TO SOLID WASTE COMMITTEE FOR
LEGISLATIVE SUPPORT BY METRO IN 1991

- 1) Designate plastics as a principal recyclable.

Recommended by: Plastics Recycling Advisory Task Force

Background: According to Task Force member Sara Vickerman, making plastics a principal recyclable would bring plastics into the curbside recycling program. Although the Opportunity to Recycle Act is based on the assumption that materials pay for themselves, in reality very few do so consistently, due to market fluctuation. In her view, plastics are comparable to the volume of mixed waste paper and newspaper with regard to cost effectiveness of recycling. A Nature Conservancy poll showed overwhelming public support for recycling materials even if they do not pay for themselves, and even if fees must be increased, or a packaging surcharge imposed.

- 2) Establish statewide plastic coding identification standards for consumer packaging.

Recommended by: Plastics Recycling Advisory Task Force

Background provided by the Task Force: The national society for the plastics industry has established seven codes which can be used on plastics packages to facilitate sorting. Approximately 50 percent of plastic packages brought to drop-off centers are coded.

Reason offered for Metro to support: Sorting is critical to plastics recycling, and coding is necessary before proper sorting can occur.

- 3) Create incentives to encourage the industry to attach labels which are made of a material compatible with the package to which they are attached. Incentives could include tax abatement or credits.

Recommended by: Plastics Recycling Advisory Task Force

Reason offered for Metro to support: Unless labels are of the same type of material as the package to which they are attached, they must be detached before the package can be processed for recycling. This increases the processing cost and the market price.

- 4) Support funding for the Oregon Resource Conservation Trust Fund.

Recommended by: Plastics Recycling Advisory Task Force

PLASTICS RECYCLING TASK FORCE
Legislative Proposals
Page 2

Background: According to Task Force member Sara Vickerman, although the Trust Fund was created during the last legislative session, it was not funded. The Trust Fund includes a habitat conservation account to protect wildlife habitat (currently the state has no comprehensive approach to habitat protection), and to provide recreational opportunities and environmental education programs. There is also a requirement that the Department of Environmental Quality (DEQ) perform a statewide assessment of the need to improve recycling programs in Oregon. The DEQ has distributed questionnaires to businesses and environmental organizations in all wastesheds asking their views on this topic. Various funding mechanisms have been explored, including a three quarter of 1 percent surcharge on packaging. Task Force members believe the Trust Fund would encourage more public/private partnership in researching, developing and improving the infrastructure for recycling in Oregon.

Also according to Ms. Vickerman, if the funding mechanism were a packaging surcharge, approximately \$50 million annually would be collected, with half used to build Fund principal; \$10 to \$12 million for recycling; and another \$10 to \$12 million for land conservation.

Reason offered for Metro to support: Metro supported the legislation which established the Trust Fund. Unless it is funded, it will not be able to accomplish its mission. Funding will help stem the tide of failing recycling markets in Oregon; will help provide financial incentives to encourage recycling; and will permit grants and matching funds for new environmental technologies.

- 5) Support legislation to develop incentives to reward entities that divert, collect and pre-process recyclables for final introduction into industrial processes for paper, plastics, glass, oils, and other consumer and commercial product processes.

Recommended by: Plastics Recycling Advisory Task Force

Background: According to the Task Force, Oregon markets presently consist mainly of sole source buyers currently saturated with diverted materials. Because of this saturation, and because Oregon wastes are diverted from other major population sectors for processing in Oregon pulp and other industries, markets have declined.

Reason offered for Metro to support: Since Metro has been active in rewarding recycling, it is appropriate for Metro to work with state government to establish economic incentives to encourage continued diversion.

PLASTICS RECYCLING TASK FORCE
Legislative Proposals
Page 3

- 6) Support legislation to encourage siting of environmentally friendly services industries and commerce within the Metro area, through enterprise zones, tax abatement and tax credits.

Recommended by: Plastics Recycling Advisory Task Force

Reason offered for Metro to support: As an agency involved in transportation, natural areas, regional services, and solid waste and recycling, it is appropriate for Metro to support the establishment and development of new environmental industries in the Portland Metro region. Incentives of this type could make the difference in attracting these industries to the area.

- 7) Metro should become involved with the work of the Western Legislative Assembly Waste Reduction and Recycling Coalition to establish uniform purchasing and secondary materials procurement policies for the 13 western states, and should support legislation introduced as a result of the work of this group.

Recommended by: Plastics Recycling Advisory Task Force

Background: The Coalition will be a governmental and industry support group formed to establish uniform purchasing and secondary materials procurement policies for the 13 western states. The Task Force supports the work of the Coalition towards specifying recycling content and establishing a preference for purchase of recycled materials as an important boost to the recycling industry. Last July, the Task Force anticipated that the Western Governors conference would be taking action on this issue at its fall conference in Anchorage.

Reason offered for Metro to support: As a regional agency, it is appropriate for Metro to participate in and support these efforts.

- 8) Support legislation to close a gap in SB 405 by requiring landlords who provide garbage collection to provide recycling collection for principal recyclables; consider including commercial landlords as well as residential.

Recommended by: Recycling Advocates (Rob Guttridge)

SHARRON KELLEY
Multnomah County Commissioner
District 4



606 County Courthouse
Portland, Oregon 97204
(503) 248-5213

1991 Legislative Proposal

I. Program or Issue Summary

ORS 164.775, 164.785, 164.805, 818.300 and 818.310 as well as portions of Chapters 459 and 466 should be amended to establish a comprehensive civil penalty system to reduce illegal dumping (disposal):

Dumping of hazardous and medical wastes should remain subject to criminal penalties.

Penalties for illegal disposal of other forms of waste and recyclable materials should be changed to a civil fine with a minimum of \$500 and a maximum of \$999. Additionally, the enforcing agency should be entitled to recover its costs for clean up and disposal of the materials.

The state should adopt the evidentiary presumption contained in Section 5.800(3) of the Lane County Code to assist enforcement of the new civil penalty.

The state should adopt the mandatory load cover regulations contained in Section 9.035 of the Lane County Code except to broaden this regulation to also include recyclable materials. The civil penalty should be set with a minimum of \$100 and a maximum of \$300.

The state should establish a reward for information leading to the imposition and collection of a fine under the civil illegal disposal and mandatory cover regulations (for non-public employees) of up to 51 percent of the fine collected by the enforcing agency.

The statute should expressly authorize local enforcement by county and city governments and by Metro. The statute should also expressly authorize the use of hearings officers for enforcement. Additionally, the statute should expressly authorize inter-governmental agreements to combine enforcement procedures.

II. Needs Statement or Policy Rationale

Illegal disposal is a major problem. Fine levels are outdated and are imposed through expensive criminal procedures by public employees with more pressing priorities. A task

force with representatives from Multnomah, Clackamas, and Washington Counties, Metro, the Port of Portland, the City of Portland, and the State of Oregon has concluded that this system should be shifted into the civil realm with higher fines, use of a hearings officer, easier burdens of proof, and no need for counsel and juries at public expense.

III. Required Statutory Change

See I above.

IV. Legislative History

Unknown.

V. Effect of Proposal on Multnomah County Operations, Citizens, Clients

This would relieve pressure on DA to pursue such cases and would free District Court judges for more serious criminal matters. A hearings officer would probably be shared. Employees pursuing dumpers would need to testify.

VI. Budget Information (if applicable):

No initial effect. Eventually, County should pick up a share of a hearings officer as needed to enforce the statute.

VII. Groups Likely to Initiate, Support or Oppose

SOLV (Stop Oregon Litter and Vandalism).



Draft Common Ordinance about Illegal Dumping
(SECOND REVISION)

Chapter One - HEARINGS OFFICER

.005 Purpose

The purpose of this Chapter is to provide for the prompt, effective, and efficient enforcement of the _____ County Code. (Compare Lane County Code ("LCC") 5.010; City of Portland Code ("PC") 22.01.010.)

.010 Establishment

The office of Code Hearings Officer is hereby created. The Code Hearings Officer shall act on behalf of the Board of Commissioners in considering and applying regulatory enactments and policies set forth in the Code. The Code Hearings Officer shall be appointed by the Board of Commissioners. The Board of Commissioners may enter into an intergovernmental agreement to share a hearings officer with other jurisdictions. The Board may designate more than one hearings officer with each such hearings officer performing the functions of the Code Hearings Officer for the sections of the Code designated by the Board. (Compare LCC 5.010; PC 22.02.010.)

.015 Jurisdiction

The Code Hearings Officer shall have jurisdiction over all cases submitted to him in accordance with the procedures and under the conditions set forth in this Code. (See PC 22.02.020.)

.020 Enforcement

The County may institute appropriate suit or legal action, in law or equity, in any court of competent jurisdiction to enforce the provisions of any order of the Code Hearings Officer, including, but not limited to, its suit or action to obtain judgment for any civil penalty imposed by an order of the Code Hearings Officer pursuant to Section .050 and/or any assessment for costs imposed under the authority of the County Code. (Compare PC 22.02.040.)

.025 Generally

(a) In addition to any procedure set forth elsewhere in this Code, Code enforcement proceedings before the Code Hearings Officer shall be conducted in accordance with the procedure set forth in this Chapter.

(b) The Code Hearings Officer may promulgate reasonable rules and regulations, not inconsistent with this Chapter, concerning procedure and the conduct of hearings. The proposed rules or regulations shall not be effective until approved by the Board of Commissioners. In conducting its review, the Board of Commissioners may amend the proposed rules or regulations as it deems appropriate. (Compare PC 22.03.010, LCC 5.015.)

.030 Initiation of Proceeding

(a) A proceeding before the Code Hearings Officer may be initiated only as specifically authorized in the Code.

(b) A proceeding before the Code Hearings officer shall be initiated only by a county department filing a complaint with the Code Hearings Officer in substantially the following form:

COMPLAINT REGARDING COUNTY CODE VIOLATION

_____ County, petitioner,

v.

_____ respondent(s)

1. Name and address of respondent(s).

2. Address or location of the alleged violation.

3. Nature of violation including Code section violated.

4. Relief sought.

5. Department initiating procedure.

Dated: _____

Signed

Title

(Compare PC 22.03.020, LCC 5.020.)

.035 Notice of Hearing

The Code Hearings Officer shall cause notice of the hearing to be given to the respondent(s) either personally or by United States Mail. The notice shall contain a statement of the time, date, and place of the hearing. A copy of the Complaint shall be attached to the notice. (Compare PC 22.03.020 - 030, LCC 5.020.)

.040 Answer

(a) A respondent who is sent a Complaint and notice of hearing for a Code violation shall answer such Complaint and notice of hearing by (1) personally appearing to answer at the time and place specified therein, or (2) mailing or otherwise delivering to the place specified on or before the assigned appearance date, a signed copy of the Complaint and notice of hearing, together with a check or money order in the amount of the scheduled fine listed therein. If the violation is admitted, an explanation of mitigating circumstances may be attached. If the violation is denied, a hearing date will be assigned by the Code Hearings Officer.

(b) If the person alleged to have committed the violation fails to answer the Complaint and notice of hearing by the appearance date indicated thereon, which shall be no sooner than seven days from the date of the notice of hearing, or appear at a hearing as provided herein, a default shall be entered for the fine established for the Code section identified in the Complaint.
(Compare LC 5.025.)

.045 Hearing

(a) Every hearing to determine whether a violation of the County Code has occurred shall be held before the Code Hearings Officer. The County must prove the violation occurred by a preponderance of the admissible evidence.

(b) Unless precluded by law, informal disposition of any proceeding may be made, with or without a hearing, by stipulation, consent order, agreed settlement, or default.

(c) The Code Hearings Officer shall place on the record a statement of the substance of any written or oral ex parte communications made to the Code Hearings Officer on a fact in issue during the pendency of the proceedings. The Code Hearings Officer shall notify the parties of the communication and of their right to rebut such communications.

(d) The Code Hearings Officer has the authority to administer oaths and take testimony of witnesses. Upon the request of the person alleged to have committed the violation, or upon his or her own motion, the Code Hearings Officer may issue subpoenas in accordance with the Oregon Rules of Civil Procedure, which shall apply to procedural questions not otherwise addressed by this Chapter. If the person alleged to have committed the violation desires that witnesses be ordered to appear by subpoena, he or she must so request in writing at any time before five days prior to the scheduled hearing. A \$15 deposit for each witness shall accompany each request, such deposit to be refunded as appropriate if the witness cost is less than the amount deposited. Subject to the same five-day limitation, the complaining County official or County Counsel, as appropriate, may also request that certain witnesses be ordered to appear by subpoena. The Code Hearings Officer may waive the five-day limitation for good cause. Witnesses ordered to appear by subpoena shall be allowed the same fees and mileage as allowed in civil cases. If a fine is declared in the final Order, the Order shall also provide that the person ordered to pay the fine shall also pay any witness fees attributable to the hearing.

(e) The person alleged to have committed the violation shall have the right to cross-examine witnesses who testify and shall have the right to submit evidence on his or her behalf, but cannot be compelled to do so.

(f) After due consideration of the evidence and arguments, the Code Hearings Officer shall determine whether the violation alleged in the Complaint has been established. When the violation has not been established, an Order dismissing the Complaint shall be entered. When the determination is that the violation has been established, or if an Answer admitting the infraction has been received, an appropriate Order shall be entered in the records. A copy of the Order shall be delivered to the person named in the Order personally or by mail or to their attorney of record. Any motion to reconsider the Order of the Hearings Officer must be filed within 10 days of the

original Order or it may not be heard.

(g) Fines and costs collected pursuant to the provisions of this Chapter shall be paid to the Department which issued the Complaint. Fines and costs collected shall be credited to the General Fund except where the Code provides for distribution of the fine in a different manner.

(h) Hearings shall be conducted at locations determined by the Code Hearings Officer.

(i) A tape recording shall be made of the hearing unless waived by both parties. The tape shall be retained for at least 90 days following the hearing or final judgment on appeal. (Compare LCC 5.030, PC 22.03.050.)

.050 Fines and Costs

When the Code Hearings Officer makes a determination that a violation has been established, he or she shall impose the fine and costs established in the Code for that violation. The Order issued by the Code Hearings Officer shall contain the amount of the fine and costs imposed and appropriate instructions regarding payment. (See LCC 5.035.)

.055 Representation by Counsel

The County shall not be represented before the Code Hearings Officer by County Counsel or hired counsel except in preparation of the case or as provided below. A person charged with a Code violation may be represented by his or her retained attorney provided that one day's written notice of such representation is received by County Counsel; in such cases the County may have County Counsel or hired counsel represent it. The Code Hearings Officer may waive this notice requirement in individual cases or reset the hearing for a later date. (See LCC 5.040.)

.060 Review

Any aggrieved party, including the County, may appeal a final adverse ruling by Writ of Review as provided by ORS 34.010 through 34.100. (See LCC 5.050, PC 22.04.010.)

.065 Enforcement

Fines and costs are payable upon receipt of the final Order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County and may be collected in the same manner as any other debt allowed by law. (See LC 5.060.)

Chapter Two - CHANGES IN SUBSTANTIVE LAW

1.00 Refuse Hauling Regulations and Penalty

No person shall transport or carry solid waste or recyclable materials in or on a motor vehicle or trailer, upon a public road in the County, unless such refuse is either:

(a) Completely covered on all sides and on the top and bottom thereof and such cover is either a part of or securely fastened to the body of such motor vehicle or trailer; or

(b) Securely tied to the body of such motor vehicle or trailer so that no piece, article, item or part of such refuse is not fastened to the body of such motor vehicle or trailer; or

(c) Contained in the body of the transport vehicle in such a way as not to cause any part of the hauled refuse to be deposited upon any roadway or driveway in the County.

Any person who violates this section shall be subject to a civil fine of no less than \$100 and no more greater than \$500 for each violation. The County may prosecute any violation of this section before the Code Hearings Officer, pursuant to Chapter ___ of this Code.
(See LCC 9.035.)

2.00 Dumping, Littering and Penalty

(a) No person shall throw or place, or direct another person to throw or place, other than in receptacles provided therefor, upon the private land or waters of another person without the permission of the owner, or upon public lands or waters, or upon any public place, any rubbish, trash, garbage, debris or other refuse.

(b) Any person who violates this section shall be subject to a civil fine of no less than \$500 and no more greater than \$999 for each violation. Additionally, any person who violates this section shall be subject to an award of costs to reimburse the County for the actual expenses of clean-up and disposal caused by the violation. The County may prosecute any violation of this section before the Code Hearings Officer, pursuant to Chapter ___ of this Code and/or the County may prosecute a violation as a criminal or civil offense to the extent permitted under state law.

(c) Evidence of a name found on an item in a deposit of illegally dumped rubbish, which would ordinarily denote ownership of the item, such as the name of an addressee on an envelope, shall constitute prima facie evidence that the person whose name appears on the item has violated this section.
(See LCC 5.800.)

3.00 Rewards

Any person other than a County employee who provides information leading to the imposition and collection of a fine under Sections 1.00 or 2.00 of this Code shall receive a reward of up to fifty-one percent of the amount of the fine collected by the County. (See LCC 6.997.)

LEGISLATIVE PACKAGE

Chapters 459, 466 and 818 of the Oregon Revised Statutes currently provide penalties for certain activities related to littering and illegal dumping. Because of the decision in City of Portland v. Lodi, 308 Or 468 (1989), state legislation amending these statutes is needed to provide local governments with the authority to impose civil fines higher than the fines provided in these statutes. The statutes can be amended by adding a sentence which would provide local jurisdictions with express authority to impose overlapping and higher fines. Local jurisdictions would retain the option to prosecute any violation as provided under state law in lieu of or in addition to the civil fine imposed by a hearings officer.



METRO

2000 S W. First Avenue
Portland, OR 97201-5398
503 221-1646

Memorandum

DATE: October 30, 1990
TO: Metro Council Finance Committee
FROM: Councilor Lawrence Bauer *LB/cs*
RE: State Support for Bi-State Policy Advisory Committee

At its October 26, 1990 meeting, the Bi-State Policy Advisory Committee approved a Resolution recommending that Metro and the Intergovernmental Resource Center of Clark County (IRC) forward requests for Bi-State funding assistance to their respective state governments. As outlined in the attached report, "Bi-State Policy Advisory Committee Scope of Work," Bi-State's activities are increasing as the Committee becomes more involved in the seven issue areas it has identified, with the current level of staff support becoming inadequate to meet Bi-State's needs. The Committee believes that the states of Oregon and Washington will continue to benefit from Bi-State's work in fostering communication and cooperation between elected officials in the two states, and it is therefore appropriate that they be asked to provide some financial support.

The level of support Bi-State is seeking is \$30,000 per year from each state for the 1991-93 biennium. Our request to the Oregon Legislature will be for a General Fund grant to be administered by Metro's Finance & Administration Department. The \$30,000 from each state will enable Bi-State to increase its staff support from the current 0.5 FTE to 1.0 FTE, shared equally between Metro and IRC. The total budget for Bi-State in the proposal will be \$75,000, composed of \$30,000 from each state and \$7,500 each from Metro and IRC.

The Bi-State Committee considers that its work load for the coming biennium easily justifies two half-time support staff. In the past year, we have adopted by-laws, expanded our membership, increased the frequency of our meetings, and approved an ambitious slate of issues. Of the seven issues we have chosen to pursue, we have already become actively involved in three: Columbia River Resource Management; Air Quality; and Telecommunications. The work required for these three issues alone will consume the staff resources currently available to Bi-State. If we are to address the remaining issues on our agenda, those staff resources must be increased.

MEMORANDUM

October 30, 1990

Page 2

The Bi-State Policy Advisory Committee is a creation of Metro and IRC. The Metro Council has shown its support of Bi-State in approving its continued operations and its by-laws. The Council has reviewed Bi-State's agenda and approved part-time staffing in order to act on this agenda. The Council now has the opportunity to help Bi-State implement its work program by including Bi-State's request for state funding in Metro's legislative package; should Council approve this request, Senator Glenn Otto has offered to have Legislative Counsel draft a Bi-State funding bill, which he will sponsor in the 1991 session. Such funding will provide substantial benefits to the citizens of our four-county region through furthering our goals of intergovernmental cooperation in addressing the issues before us.

cs:lbfincm.mem

**BI-STATE POLICY ADVISORY COMMITTEE
RESOLUTION 10-02-1990**

For the purpose of recommending that Metropolitan Service District and Intergovernmental Resource Center secure funding support for the Bi-State Policy Advisory Committee.

WHEREAS, Metropolitan Service District and Intergovernmental Resource Center (formerly Regional Planning Council) established the Bi-State Policy Advisory Committee by joint resolution on September 24, 1981, to promote communication and development of cooperative programs among governments and citizens of the Portland-Vancouver metropolitan area; and

WHEREAS, Metropolitan Service District and Intergovernmental Resource Center have devoted resources to staff and coordinate the activities of the Committee; and

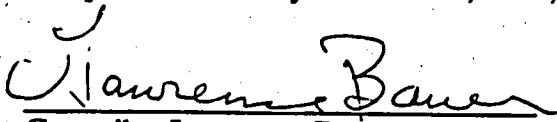
WHEREAS, the activities of the Committee have increased substantially during 1989 and 1990, straining the resources available to support the Committee; and

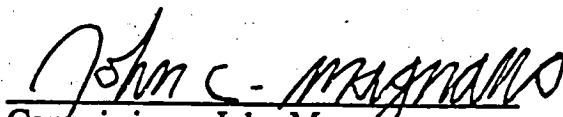
WHEREAS, the Committee has the structure and ability to play a more active role in addressing regional issues, but lacks adequate stable funding to support its operation; and

WHEREAS, staff for the Committee has developed a funding proposal, entitled Bi-State Policy Advisory Committee Scope of Work (a copy of which is appended to this Resolution), which demonstrates how the Committee will further local and state public policy development.

NOW THEREFORE BE IT RESOLVED that Metropolitan Service District and Intergovernmental Resource Center be encouraged to submit the Bi-State Advisory Committee Scope of Work to their respective state legislative representatives.

Adopted this 26 day of October, 1990, by the Bi-State policy Advisory Committee.


Councillor Lawrence Bauer
Co-Chair


Commissioner John Magnano
Co-Chair

BI-STATE POLICY ADVISORY COMMITTEE SCOPE OF WORK

The Bi-State Policy Advisory Committee is a cooperative consultative body composed of ten elected officials from state and local governments in metropolitan Portland and Clark County. The Committee acts in an advisory capacity to the Metropolitan Service District and the Intergovernmental Resource Center of Clark County. Its mission, embodied in its bylaws, is "to enhance understanding between Oregon and Washington policy-makers of metropolitan issues of mutual concern; to promote recognition of the commonality of problems and encourage cooperative mutually beneficial solutions."

The goal of the Bi-State is to become recognized as the logical institution to which matters affecting the four-county region should be referred for information gathering and policy recommendations. No other such agency exists, and the development of the Bi-State into such a body would serve to fill the existing void which must now be filled with ad hoc committees, often at considerable cost. A minor investment in the Bi-State from the respective state legislatures would recognize its potential value as an impartial advisor, while likely producing long-term savings.

BACKGROUND

The Bi-State Policy Advisory Committee had its origins in a Bi-State Task Force on Transportation, established by the governors of Oregon and Washington in 1980. Following the completion of its work in May, 1981, the Task Force included in its final report a recommendation to establish a bi-state policy coordination committee to foster communication and address issues affecting Oregon and Washington jurisdictions.

On September 24, 1981, the Council of the Metropolitan Service District and the Regional Planning Council of Clark County established the Bi-State Policy Advisory Committee by joint resolution. That resolution provided that Metro and the Regional Planning Council (later renamed the Intergovernmental Resource Center, or IRC) would provide necessary staff support to the Committee, and charged the Committee as follows:

- To provide a forum at which policy-makers from the two states can express views and discuss metropolitan problems of mutual concern;
- To provide a forum for the creation of ad hoc committees as needed to resolve specific problems of mutual concern;
- To develop recommendations for consideration by the Metro Council and the RPC.

In its first years, the Bi-State concentrated on transportation and solid waste issues. Its scope and stature were limited by a lack of clarity of its role in raising and addressing broader issues, which resulted in minimal committee activity. The last couple of years, however, have been markedly different. The Bi-State has broadened its membership, adding representatives from the two state legislatures and from the cities of east Clark and Multnomah counties to its original six members. It has refined its scope and vision, identifying a set of issues which it has developed into a work plan for the future.

ISSUES

The Bi-State has identified seven issues for its investigation in the upcoming biennium. In developing these issues, the Committee determined that its focus should be on issues of concern to both Oregon and Washington which are not being specifically addressed in other forums. (Transportation issues, for example, are within the purview of IRC's Transportation Policy Committee and Metro's Joint Policy Advisory Committee on Transportation, both of which include bi-state representation.) The Committee further recognized that its role is as a facilitator and advisor to substantive bodies, and developed its work plan accordingly. It consists of the following issues:

1. **Columbia River Resource Management.** The Bi-State Committee was quite interested in seeing the Columbia River included in the National Estuary Program, and spent considerable time in 1989 advocating for its inclusion. Governors Gardner and Goldschmidt elected not to nominate the Columbia for the program, recommending instead the creation of a Lower Columbia River water quality study program; the Committee is monitoring the progress of this study. The Bi-State Committee maintains an active interest in Columbia River water quality issues and sees this as a focal point for its continued involvement.

2. **Land Use.** Growth management is an issue of increasing concern in the urban and urbanizing areas of Oregon and Washington. The Bi-State Committee is interested in ensuring that growth management is coordinated among metropolitan Portland jurisdictions in both states. Specific issues include the relationship of land-use planning with transportation planning; for example, how do we ensure that discussions of interstate access include land use implications on both sides of the river? Other issues that the Bi-State has touched on include the implementation of House Bill 2929, which mandates the development of urban growth plans in Washington's urban areas including Clark County. The Bi-State has sponsored a tour of Metro's Urban Growth Boundary for southwest Washington officials, to help promote understanding of the issues and process involved in creating growth management plans. Further coordination of growth management issues and processes is an important ongoing piece of the Bi-State's agenda.

3. **Air Quality.** The Committee has established a subcommittee on air quality, which is encouraging both states to standardize air quality regulations for stationary and mobile pollution sources. The Bi-State will work with both state legislatures in 1991 to encourage the development of uniform enhanced air quality standards for both sides of the Columbia River, recognizing that the Portland area's airshed does not respect political boundaries.

4. **Economic Development.** The Bi-State is interested in encouraging communication between Oregon and Washington economic development agencies, in order to promote the development of mutually beneficial strategies for strengthening the Pacific Northwest economy. Inherent in such efforts is the need to minimize direct competition between the Clark County and Oregon portions of the metro area in their efforts to diversify their economic bases, and attract and retain jobs and businesses. The Bi-State could support the efforts of existing agencies to disseminate information, which would be a valuable tool in promoting interstate cooperation in economic development activities.

5. **Household hazardous waste disposal.** Coordinating programs between the states for the safe disposal of household hazardous wastes would provide the opportunity for citizens to make use of such programs close to their homes. The Bi-State could promote the development of complementary programs in Clark County and Metro's area. It could also serve as an information clearinghouse to help coordinate existing programs and encourage increased participation in household hazardous waste clean-up days on both sides of the river.

6. **Telecommunications.** The Bi-State has initiated investigations into the possibility of establishing Extended Area Service between the Portland region and all or part of Clark County, which would promote business opportunity and public convenience by eliminating the toll charge on Portland-Vancouver phone calls. Both the Oregon Public Utility Commission and the Washington Utilities & Transportation Commission have been consulted about the possibility of establishing an interstate Extended Area Service network, and development of a proposal for Bi-State consideration is progressing.

7. **Tourism.** The Bi-State has had discussions with, and presentations by, tourism agencies of both states. Its direction is toward coordination of tourism marketing strategies for the Southwest Washington/Northwest Oregon region which will complement and not conflict with the states' individual strategies. Such Bi-State efforts are expected to include region-wide distribution of information on tourist attractions in both areas, and promotion of new marketing opportunities such as the Mt. St. Helens Visitor Center and the "Friendship Flotilla" being planned for the 1992 bicentennial of Captain Gray's christening of the Columbia River. To quote an Oregon Tourism Alliance report: "Cooperative efforts such as these will establish communications networks and begin to institutionalize long term marketing relationships for building a larger, more comprehensive regional marketing program in the future."

BUDGET AND STAFFING

The Bi-State Committee's bylaws specify that the Metro and IRC representatives shall co-chair the Committee, and further stipulate that the two agencies shall provide clerical support. Professional staff support is to be provided as necessary according to the terms of an intergovernmental agreement on Bi-State staffing. IRC has historically housed Bi-State operations and files, and provided most of the needed professional staff support, while Metro has helped fund this support. The current intergovernmental agreement provides for both agencies to provide equal staff support, not to exceed .25 FTE each.

Both IRC and Metro have limited discretionary General Fund capacity to support Bi-State's operations at the increased level anticipated for the next two years. After June 30, 1991, the combined .5 FTE will be inadequate, and fiscal constraints will make it difficult to sustain even this minimal level of support. Without new dedicated funds to support Bi-State, adequate staff support will become problematic.

The Bi-State serves the two states, so it would be appropriate for the states to consider providing some financial support for its ongoing operations. A preliminary budget summary follows:

Personnel	
Salary - 1 FTE	\$38,000
Benefits	14,000
Clerical Support	2,000
Mileage (Staff & Committee members)	1,000
Office Supplies	500
Indirect Costs	19,500

TOTAL	\$75,000

The salary proposed above falls within the pay range of Senior Management Analyst at Metro and Principal Planner at IRC. The incumbent staff for Bi-State occupy comparable positions, earning comparable salaries. (The Metro staff person is a Senior Management Analyst, and the IRC staff is a Program Manager, which is one step above Principal Planner.) The figure for benefits is approximately 37% of salary, which reflects actual or projected benefits costs for both agencies.

Indirect costs are calculated at 37.5% of wage and benefit expenditures, which is the rate used by IRC for its grants; Metro's indirect cost rates vary among its funds, but Finance & Administration staff is of the opinion that the 37.5% rate is justifiable for this proposal. Indirect costs include such items as rent, insurance, utilities, postage, and administrative overhead functions such as accounting and reception.

Each state would be asked to provide \$30,000 annually to support Bi-State's ongoing operations. IRC and Metro would provide some \$7,500 each for Bi-State support.

SUMMARY

The Bi-State Policy Advisory Committee exists to promote communication and the development of cooperative programs between the governments and citizens of the two-state Portland/Vancouver metropolitan area. Its work plan focuses on providing a forum for clarifying issues and recommending solutions to problems faced by communities in both states. The Bi-State has a structure and an ability to play a more active role in such issues in the future. In order to do so, however, it needs to identify a stable funding source for its near-term operations so that it can establish a record of achievement. The need for an active Bi-State Committee is clear, and the willingness to fill that need exists among the current participants. This is an excellent opportunity for the states of Oregon and Washington to strengthen their ties and help forge a brighter future for the Pacific Northwest.

cs:wkscope.bis
10/30/90




METRO

20015 W First Avenue
Portland, OR 97201-5398
503 221-1646

Memorandum

Date: July 24, 1990

To: Mike Ragsdale

From:  Andrew C. Cotugno, Transportation Director

Regarding: LEGISLATIVE PROPOSALS FOR LRT FUNDING

Attached for your information are legislative proposals now under consideration by ODOT and the Governor's office for the state's share of LRT funding. The two proposals are companion pieces as follows:

1. LC #875 allows ODOT to incur debt up to \$100 million for the local match. This number will likely be reduced to \$62.5 million per Goldschmidt's initial commitment. The lower funding level, however, does not recognize the cost of the Hillsboro extension and is in 1988 dollars rather than being inflated to 1998 according to the construction schedule. We will have to seek legislative action to get this number increased.
2. LC #1204 provides a \$10 million per year revenue stream from the cigarette tax to retire the debt described above. This is the "first" \$10 million out of the state's 22¢ cigarette tax (which generates \$60 million per year) and thus avoids any problem with needing a 2x coverage factor that would otherwise be required by the bond markets. This funding level is sufficient to retire a \$100 million debt; it would simply retire a \$62.5 million debt faster.

✓ ACC:mk

Attachment

bcc: Richard Brandman

Legislative Concept

**Oregon Department of Transportation
Central Services Division**

Concept Number 731-8

Subject/Title: Increase Statutory Bond Limits

REVISED 6/20/90

Contact Person: Maur Horton/Virlena Crosley

Phone: 373-7354

Budget Impact: No

LEG

Housekeeping: No

PURPOSE:

Increase the Department of Transportation's authority to issue bonds by enlarging the Department's statutory limit on bonds for highways and by establishing statutory limitation for the Department to issue bonds for the regional light rail extension program.

LEGISLATIVE CONCEPT:

Increase the limit on Highway Division revenue bonds to \$ 155 million by amending ORS 367.620. Also increase the limit on general obligation bonds to \$ 195 million by amending ORS 367.555. It is necessary to amend both in order to give the Department the flexibility to chose the least expensive and most advantageous kind of bonds. Bonds issued as Revenue Bonds count against the total authority granted for General Obligation bonds to prevent issuing twice the amount of bonds authorized.

Oregon Department of Transportation

62.5 -

Create statutory authority for the ~~Public Transit Division~~ to issue revenue bonds up to \$ 100 million to fund the Regional Light Rail Extension Construction Fund by amending ORS 391.110 and ORS 391.120. This would provide a financing structure for the West Side Light Rail Extension project. In separate legislation, concept 732-6, the Department of Transportation would be authorized to pledge up to the first \$10 million in State cigarette tax revenues annually to pay bonds issued to finance the West Side Light Rail project.

- Pledged revenues and any other legally available revenues could be collected in a special debt service fund to pay off the revenue bonds.
- The revenue bonds would not be debt of the State nor pledge the full faith and credit of the State.
- The exact timing and amount of the bonds, as well as the methods of sale and payback period would be approved by The Transportation Commission and the State Treasurer.

POLICY IMPLICATIONS:

This concept directly furthers the mission and goals of the Department's financial

Legislative Concept

Oregon Department of Transportation
Central Services Division

Concept Number 731-8 / 1
Page 2

Oregon Department of Transportation

management strategy. It allows Highway Division to implement its Six-Year Highway Program as currently planned and allows the Public Transit Division to provide state matching funds for a large transportation facility while avoiding a large one-time General Fund appropriation.

This concept affects programs of two of the Department's divisions. It allows

(1) the Highway Division to fund up to \$75 million of the proposed Six Year Improvement Program with bonds. At least two projects are in the program with discretionary federal dollars as their first source of funding. If that becomes unavailable, it may be necessary to bond in order to pay for the projects. This legislative concept gives the Department the necessary statutory authority to do this.

Oregon Department of Transportation

(2) the Public Transit Division to bond up to \$100 million to provide state matching funds for the West Side Light Rail Extension, as mentioned in ORS 391.120 (2)(a). Local Governments in the Portland metropolitan area have agreed to provide one-half, or 12.5 percent, of the funds necessary to match federal funds. The State has agreed to provide the other half. Depending on the projected cost of the project, the State share could vary from a low of \$62.5 million to as much as \$100 million.

AGENCIES AFFECTED:

Department of Transportation
Department of Revenue
Treasury Department
Executive Department

PUBLICS AFFECTED:

Governments in the Portland Metropolitan Area
Tri-Met
Metropolitan Service District
Oregon Transit Association
The municipal finance industry

GOVERNOR'S OFFICE APPROVAL INFORMATION:

CONCEPT APPROVED FOR DRAFTING:

YES



NO:

SIGNED:

Kathleen Carter

DATE:

6/20/90

Legislative Proposal

2

Oregon Department of Transportation
Public Transit Division

Proposal 732-6
LC #1204

Subject/Title: Light Rail Funding

Contact Person: Victor Dodier / Denny Moore

Phone: 378-8201

Budget Impact: Yes

Housekeeping: No

Purpose:

This proposal finances one-half of the local share of the Westside Light Rail Transit (Westside LRT) project. The proposal diverts the first \$10 million of cigarette tax revenue earmarked for the state's General Fund into the Regional Light Rail Extension Construction Fund. This money will be used by the Fund to re-pay revenue bonds issued by the Department of Transportation to finance the state's share of the project.

Money not required to meet project expenses or annual debt service requirements will revert to the state General Fund.

Background

The 1989 Legislature created the Regional Light Rail Extension Construction Fund to finance the several light rail transit projects proposed for the Portland metro area. The Legislature provided revenue for the Fund by linking it to the Video Games Lottery.

The Video Games Lottery was not implemented. The Fund does not have a revenue source.

The state levies 28 cents of tax on each pack of cigarettes sold. The state's General Fund receives 22 cents of the tax, amounting to about \$60 million per year. Cities, counties, and the Elderly and Disabled Special Transportation Fund receive two cents each from the remaining six cents.

Efforts are underway to secure the federal, local and state resources for the construction of the Westside LRT. In August 1989, the Governor pledged to seek one-half of the 25 percent local match as the state share to a maximum \$500 million Westside Light Rail project. This pledge will require \$62.5 million, provided over a number of years. The Governor's commitment was made shortly after the Legislature had approved a video games lottery program.

The video lottery was projected to generate \$10 million a biennium for light rail and other transit capital improvement projects.

Legislative Proposal

Oregon Department of Transportation
Public Transit Division

Proposal 732-6
LC #1204
page 2

Subject/Title: Light Rail Funding

Preliminary legislative language:

Amend ORS 323.455 to:

- (1) direct the first \$10 million in revenue from the 22 cents of cigarette tax earmarked for the state's General Fund into the Regional Light Rail Extension Construction Fund and reduce the General Fund's share accordingly.
- (2) authorize the Department of Transportation to pledge this share of cigarette tax for the Regional Light Rail Extension Construction Fund's debt service.
- (3) sunset the diversion of cigarette tax revenue when the revenue is no longer needed for debt service on the bonds of the Regional Light Rail Extension Construction Fund.

Amend ORS 391.120 to:

- (1) authorize the Director of the Department of Transportation to determine the elements of the Westside LRT toward which the state will contribute local matching funds and to develop an estimate of the state's local match obligation to the project.
- (2) permit the Regional Light Rail Extension Construction Fund to use revenues for debt service.
- (3) require any income derived from ORS 323.455 which is not required for to meet the state share of project expenses as determined in (1) or annual debt service to revert to the General Fund.

These amendments should become effective July 1, 1991.

Policy implications:

This proposal, in effect, is a long term commitment of state General Fund revenues for the Westside LRT. It avoids a large one-time General Fund appropriation which would be required to meet the state's commitment for Westside LRT otherwise.

This proposal requires that the Department of Transportation have the legal authority to issue revenue bonds for public transportation using the cigarette tax revenue stream for debt service. The department does not now have this authority. The department has submitted a related proposal, 731-8, which increases highway bonding authority and creates bonding authority within the Regional Light Rail Extension Construction Fund.

This proposal requires the department to review the Westside LRT. The department will determine a "baseline" project for the purpose of calculating the amount of state

Legislative Proposal

Oregon Department of Transportation
Public Transit Division

Proposal 732-6
LC #1204
page 3

Subject/Title: Light Rail Funding

participation in the Westside LRT. This implies that some elements of the project may be included for purely local reasons and that the state will not contribute toward their cost.

The proposal will not affect the state's transfers to the cities, counties and the Elderly and Disabled Special Transportation Fund.

This proposal will not assist public transportation operators outside of the Portland area. Further, it will assist Tri-Met only with construction of the Westside LRT. State assistance for other Portland area LRT projects and for bus transportation will be decided as a separate issue.

Affected agencies:

Department of Revenue
Executive Department
Department of Transportation, Public Transit Division

Affected publics:

Positively affected or in support / Negatively affected or in opposition

Oregon Transit Association
Tri-Met
Metropolitan Service District

General Fund interests

Concept approved for drafting by Kathleen Carter on June 20, 1990.

LC 1263
8/23/90 (JB/lb)

DRAFT

SUMMARY

Expands scope of business licensing by metropolitan service district to include as contractors all contractors instead of contractors who only engage in residential work.

Increases from \$100,000 to \$125,000 gross receipts amount that subjects contractor to business license tax of city which is not contractor's principal place of business.

Repeals previous definition of "builder."

Declares emergency, effective July 1, 1991.

A BILL FOR AN ACT

1

2 Relating to business licenses; creating new provisions; amending ORS
3 701.015; repealing ORS 701.007; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** It is the intent of the Legislative Assembly to reduce the
6 number of city business licenses that construction contractors and landscape
7 contractors are required to obtain in order to conduct business in the
8 Portland metropolitan area. It is the purpose of this Act to enable con-
9 struction contractors and landscape contractors to secure from the metro-
10 politan service district one business license that will permit the conduct of
11 business by such contractors in cities in which the contractors perform a
12 limited amount of work and in which they do not have a principal place of
13 business. Furthermore, it is also the intent of the Legislative Assembly that
14 this Act apply only to contractors engaged in the building trades and crafts
15 and to landscape contractors without regard to any subsequent expansion of
16 the jurisdiction of the Construction Contractors Board over other trades and
17 crafts. It is declared to be the policy of this state that, to the maximum ex-
18 tent possible consistent with the requirements of this Act, the cities within
19 the boundaries of the metropolitan service district be allowed to control the
20 imposition of business license taxes and to maintain the level of revenues

NOTE: Matter in bold face in an amended section is new; matter (*italic and bracketed*) is existing law to be omitted.

1 obtained from those taxes. The amount and trends of revenue produced
2 distributed to each city is intended to reflect the construction business ac-
3 tivity within the participating cities.

4 SECTION 2. ORS 701.015 is amended to read:

5 701.015. (1) A [builder] contractor or landscape contractor shall pay di-
6 rectly to any city within the boundaries of a metropolitan service district
7 any business license tax imposed by the city when:

8 (a) The principal place of business of the [builder] contractor or the
9 landscape contractor is within the city; or

10 (b) The principal place of business of the [builder] contractor or the
11 landscape contractor is not within the city but the [builder] contractor or
12 landscape contractor derives gross receipts of [\$100,000] \$125,000 or more
13 from business conducted within the boundaries of the city during the calen-
14 dar year for which the business license tax is owed.

15 (2) A [builder] contractor or landscape contractor who conducts business
16 during any year in any city within the boundaries of the metropolitan service
17 district other than a city to which the [builder] contractor or landscape
18 contractor has paid a business license tax for that year may apply for a
19 business license from the metropolitan service district.

20 (3) When a [builder] contractor or landscape contractor obtains a busi-
21 ness license from the metropolitan service district under subsection (2) of
22 this section, if a city within the boundaries of the metropolitan service dis-
23 trict other than a city to which the [builder] contractor or landscape con-
24 tractor is required to directly pay a business license tax under subsection (1)
25 of this section demands payment of a business license tax by the [builder]
26 contractor or landscape contractor, the city shall waive such payment upon
27 presentation of proof by the [builder] contractor or landscape contractor
28 that the [builder] contractor or landscape contractor has a business license
29 issued by the metropolitan service district. Possession by the [builder] con-
30 tractor or landscape contractor of a current business license issued by the
31 metropolitan service district under subsection (2) of this section shall be

of sufficient to obtain the waiver described in this subsection.

2 (4) The metropolitan service district shall issue a business license to a
3 *[builder]* contractor or landscape contractor when:

4 (a) The *[builder]* contractor or landscape contractor presents proof to the
5 district that the *[builder]* contractor or landscape contractor has paid the
6 business license tax imposed by each city within the boundaries of the dis-
7 trict to which the *[builder]* contractor or landscape contractor must directly
8 pay a business license tax under subsection (1) of this section; and

9 (b) The *[builder]* contractor or landscape contractor pays a license fee
10 to the district. The license fee charged under this paragraph shall be twice
11 the average business license tax charged *[builders]* contractors by cities
12 located within the metropolitan service district plus an amount that is suf-
13 ficient to reimburse the district for the administrative expenses of the dis-
14 trict incurred in carrying out its duties under this section.

15 (5) The metropolitan service district shall distribute the business license
16 fees collected by the district under this section, less administrative expenses,
17 to the cities that are located wholly or partly within the district and that
18 collect a business license tax. In any year, each such city shall receive such
19 share of the license fees as the number of residential building permits that
20 it issued during that year bears to the total number of residential building
21 permits that were issued during that year by all of the cities located wholly
22 or partly within the district. Distribution of moneys under this subsection
23 shall be made at least once in each year. The metropolitan service district
24 shall determine the number of residential building permits issued by cities
25 within the district from statistics and other data published by the *[Con-*
26 *struction Contractors Board]* State Housing Council.

27 (6) As used in this section:

28 *[(a) "Builder" means a person who is registered under ORS 701.055 while*
29 *engaging in residential work only.]*

30 *[(b)] (a) "Business license tax" means any fee paid by a person to a city*
31 *or county for any form of license that is required by the city or county in*

1 order to conduct business in that city or county. The term does not inclu
2 any franchise fee or privilege tax imposed by a city upon a public utility
3 under ORS 221.420 or 221.450 or any provision of a city charter.

4 [(c)] (b) "Conducting business" means to engage in any activity in pursuit
5 of gain including activities carried on by a person through officers, agents
6 and employees as well as activities carried on by a person on that person's
7 own behalf.

8 [(d)] (c) "Landscape contractor" means a person or business who is li-
9 censed under ORS 671.510 to 671.710 as a landscape contractor.

10 [(e)] (d) "Principal place of business" means the location in this state of
11 the central administrative office of a person conducting business in this
12 state.

13 **SECTION 3.** ORS 701.007 is repealed.

14 **SECTION 4.** This Act being necessary for the immediate preservation of
15 the public peace, health and safety, an emergency is declared to exist, and
16 this Act takes effect July 1, 1991.

17

**METRO**2000 S.W. First Avenue
Portland, OR 97201-5398
503.221-1646

Memorandum

DATE: November 26, 1990

TO: Intergovernmental Relations Committee

FROM: Councilor George Van Bergen
Finance Committee Chair

RE: FINANCE COMMITTEE RECOMMENDATIONS ON POTENTIAL DISTRICT
LEGISLATION

The Finance Committee recommends two items for inclusion in Metro's legislative package. The first (draft bill attached as Exhibit A) is a proposed legislation which would authorize Councilors to receive the same medical and dental benefits provided to District employees. This matter was approved on September 6, 1990, for recommendation to the Intergovernmental Relations Committee by a three to one vote. Voting yes were Councilors Collier, Van Bergen and Wyers. Voting no was Councilor Gardner. Councilor Devlin was excused from the meeting.

The second (information attached as Exhibit B) is support for legislation which will be introduced by Senator Otto requesting potential state funding for the activities of the Bi-State Policy Advisory Committee. The total proposed expenditure level of the Bi-State Committee for the next two years is \$75,000 per year. This legislative program calls for the states of Oregon and Washington to contribute \$30,000 each for each of the next two years and the Intergovernmental Resource Center (Clark County COG) and Metro to match these contributions with \$7,500 each. The Committee voted unanimously at its November 1, 1990, meeting to recommend this action to the Intergovernmental Relations Committee. Voting yes were Councilors Collier, Gardner, Van Bergen and Wyers. Councilor Devlin was excused.

GVB:DEC:aeb
Attach.

A:\3003



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503.221-1646

Memorandum

DATE: November 26, 1990
TO: Finance Committee
FROM: Donald E. Carlson, Council Administrator
RE: SECOND DRAFT OF LEGISLATION FOR COUNCILOR MEDICAL AND DENTAL BENEFITS

Please find attached a second draft of the proposed legislation authorizing Councilors to receive paid medical and dental benefits. This draft differs from the initial draft in that the phrase "in the same manner as employees of the District" is added at the end of the sentence. This language clarifies that the benefit would cover Councilors and their families just as is the case with employees.

The second change is that life insurance benefits are deleted because the benefit provided employees is based on their salaries and the Councilors serve in non-salaried positions.

For your information, the current rates per employee for medical and dental coverage are as follows:

BENEFIT	<u>ODS</u>	<u>KAISER</u>
Medical & Vision	\$221.67	\$219.55
Dental (ODS)	<u>56.26</u>	<u>56.26</u>
TOTAL	\$277.93	\$275.81

The District pays the composite rate to the respective providers for each eligible employee. This rate covers employees as singles, married or with families.

DEC:aeb
Attachment
3000

DRAFT

COUNCILOR HEALTH BENEFITS
August 28, 1990

A BILL FOR AN ACT

Relating to health benefits for Councilors; amending ORS 268.160.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 268.160 is amended to read:

268.160 Rules of procedure; officers; compensation and expenses. The Council may adopt and enforce rules of procedure governing its proceedings in accordance with this chapter. At its first meeting after January 1 of each year, one Councilor shall be elected by the Council to serve as its presiding officer for the ensuing year. The Council shall meet upon the request of the presiding officer or that of a majority of the Council.

Notwithstanding the provisions of ORS 198.190, Councilors shall receive no other compensation for their office than a per diem for meetings, plus necessary meals, travel and other expenses as determined by the Council. In addition the Council may provide medical and dental benefits for Councilors in the same manner as employees of the District.

COUNCIL STAFF REPORT

RESOLUTION NO. 90-1353, SUPPORTING LEGISLATIVE CONCEPTS AND TRANSMITTING LEGISLATIVE PROPOSALS TO THE 1991 LEGISLATIVE SESSION

Date: November 5, 1990

Presented by: Martin Winch

BACKGROUND

At the Council retreat September 8, 1990, Councilors present agreed the IGR Committee would compile Metro's proposed 1991 Legislation and legislative positions for Council adoption and transmittal to the Legislature by the end of 1990.

At the retreat, it was further agreed that Committees should submit their recommendations to IGR in time for its first meeting in November. The Chair of the IGR Committee distributed a request, dated September 13, 1990, to the Council, the Executive Officer and the Department Heads that recommendations and materials be made available to the IGR Committee by November 5, 1990.

At the October 23, 1990 IGR meeting, the Government Relations Officer advised the IGR Committee that Metro refrain from introducing legislation in 1991 beyond housekeeping items, though Council could express its support for legislation proposed by others.

SUMMARY & ANALYSIS

- * Natural Resources Trust Fund. The 1989 Legislature, with Metro support, created this Fund, but did not fund it. Efforts to create a funding mechanism for the Fund are currently centered in the Cease Committee. Supporters of some mechanism include the Association of Oregon Industries, League of Oregon Cities, Oregon Parks Association, State Parks Division, and Defenders of Wildlife.
- * The Otto Committee will meet on December 4th, when it is expected to consider the four Metro housekeeping bills. The first three (LC 178-1, 2, and 3) are already filed; the fourth (LC 1568) is new but is not expected to be troublesome. The current Government Relations Officer will represent Metro at this meeting, and will ask that the four bills be combined into one. The Committee may also take up the business license bill (Exhibit "F").
- * At this writing, the referenced solid waste concepts (Exhibits "A", "B", and "C") have not been forwarded by the Solid Waste Committee, which will consider them at its November 6th meeting.
- * The Bi-State Policy Advisory Committee recommendation regarding air quality protection appears as a separate Resolution (90-1352) on this IGR agenda.
- * The Transportation concepts (Exhibit "E") are coming before IGR for approval for the first time.

* The "passport" business license bill came before IGR at its October 23, 1990 meeting, when the Committee severed it from the list of Metro housekeeping bills because it was appropriate for Metro to support the bill (which the Committee did) but not to introduce it.

ISSUES WHICH THE COUNCIL MAY WANT TO CONSIDER

* Does the Council want to follow a policy of not introducing legislation this year beyond housekeeping matters? Is there a guideline other than "cold turkey" the Council should consider? Should Metro always seek in this Session to have legislation it favors be introduced other than by Metro?

* How does the new Office of Government Relations affect the Council's process on legislative issues?

* How does the Committee want to establish working understandings with the new Government Relations Officer?

Agenda Item No. 7.5
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1329A

SOLID WASTE COMMITTEE REPORT

RESOLUTION NO. 90-1329A, FOR THE PURPOSE OF CLOSING ST. JOHNS LANDFILL AS A GENERAL PURPOSE LANDFILL BUT CONTINUING TO ACCEPT LIMITED TYPES OF SOLID WASTE FOR A LIMITED TIME TO ENSURE PROPER CLOSURE

Date: November 23, 1990 Presented by: Councilor Tom DeJardin

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin, Saucy and Wyers voted (Collier; 4/0 vote) to recommend Council adoption of Resolution No. 90-1329A. Councilor Buchanan was excused.

Committee Discussion/Issues: Jim Watkins, Engineering & Analysis Manager, gave staff's report and noted the Solid Waste Committee considered Resolution No. 90-1329 October 30, 1990. He said the purpose of the resolution was to allow St. Johns Landfill to accept limited purpose waste and serve as a limited purpose landfill until the fall of 1994 after closure as a general purpose landfill in February 1991. He said staff's goal was to achieve required contours as directed by the Department of Environmental Quality (DEQ) and also to generate additional revenue for the North Portland Rehabilitation and Enhancement Fund and the Smith Bybee Lakes Trust Fund, as well as to reduce the anticipated costs incurred by importing additional soil for the required contours.

Mr. Watkins noted the Committee directed staff to return to this meeting with a resolution revised per testimony given at the October 30 meeting by private limited purpose landfill vendors. Staff held discussions with representatives from Hillsboro Landfill, Grabhorn, East County Recycling and Oregon Processing and Recovery Center (OPRC) to address their concerns about the resolution. Mr. Watkins said Resolution No. 1329 was revised to only acceptance of construction/demolition, land clearing, and non-hazardous dust wastes. He said Metro would not accept a load identified by Metro as recyclable that could be acceptable to a private Portland processing facility. He said the recyclable definition meant the private vendor had the capacity to accept it and it had enough recyclable material in it to warrant their efforts to recycle it.

Councilor Wyers asked how a load could be defined recyclable. Mr. Watkins said the loads would come to St. Johns Landfill in drop boxes and could be easily inspected. Councilor Wyers asked if the drop boxes would be inspected on a routine basis. Mr. Watkins said they would be.

Mr. Watkins said additionally, solid waste would be accepted at \$40 per ton until July and staff would then develop a new rate through the normal rate-setting process. He said staff also assessed the waste currently delivered to the landfill at the present rate in drop boxes and flatbed trucks. He said the

SOLID WASTE COMMITTEE REPORT
Resolution No. 90-1329A
November 23, 1990
Page 2

landfill received 131,000 tons annually at this time and through waste assessment studies, staff determined 80 percent of that waste could be accepted for limited landfill purposes. He said 100,000 tons would be sufficient for those purposes.

The Committee opened a public hearing and took testimony.

Merle Irvine, Wastech, Inc., noted he testified at the October 30 meeting and expressed concern because the majority of waste received at OPRC for processing and recovery was the same type of waste qualified for a limited purpose landfill. He said he recommended staff develop a new rate compatible with regional limited purpose landfill rates, approximately \$33 per ton. He said if Metro did not charge a comparable rate, OPRC would lose 68 percent of its existing flow. He said the revised resolution addressed his previous concerns because St. Johns would not accept mixed commercial industrial waste suitable for recycling, or that portion of construction/demolition waste OPRC could recycle once their wood processor was on-line. He said he discussed definitions of recyclable with Bob Martin, Director of Solid Waste, and said they would work on those further. He said those who would routinely inspect loads at St. Johns would visit OPRC to determine what loads were recyclable and what were not. He expressed concern a lower rate would be hard to administer. He said he also discussed with Mr. Martin what Metro would charge for construction/demolition waste after July 1, 1991. He expressed concern over a rate lower than the regional rate and a rate lower than what recycling centers charged for mixed loads. He said the resolution was presently drafted with the lower rate in such a way that the possibility of intentionally contaminated loads could occur so they could go to St. Johns for the lower rate. He recommended St. Johns charge the same rates as those charged at Metro South, Metro East and Metro Northwest Stations and the Riedel Composter facility. He said all facility costs could be combined to determine a base fee which could lower the regional charge and create an economic incentive between the higher St. Johns fee and that charged by OPRC and other private vendors.

Mike Sandberg, Hillsboro Landfill, Inc. (HLI), reiterated Mr. Irvine's testimony and explained HLI's function and operations. He said since Killingsworth Fast Disposal (KFD) closed, HLI had planned to become a regional facility and invested in equipment for increased flow. He said they had acquired permits from the Division of State Lands and Washington County to allow them to operate as a regional site for 8 to 10 years. He said they also applied for a permit from Washington County to construct and operate a materials recovery facility and a yard debris recycling

SOLID WASTE COMMITTEE REPORT
Resolution No. 90-1329A
November 23, 1990
Page 3

depot. He said HLI did not object to St. Johns continuing to operate as a limited purpose landfill as long as the rates were not lowered there. He said a lower rate would divert waste from OPRC, East County Recycling and Grimm's and possibly cause them to cease operations. He said a lower rate would give haulers an economic incentive to landfill rather than reuse, recycle, or recover energy. He said HLI would lose 30 percent of their flow if Metro adopted a lower fee at St. Johns. He said HLI's yard debris recycling program might have to be deferred. He said HLI did not object to landfilling demolition/construction materials to achieve the necessary slopes.

Ralph Gilbert, East County Recycling, reiterated Mr. Irvine and Mr. Sandberg's testimony. He said East County Recycling ordered a \$600,000 shredder.

Councilor Collier asked those vendors present if their concerns raised at the October 30 meeting had been addressed and asked them to participate in the rate setting process for FY 1991-91.

Councilor Wyers asked what happened to overall system expenses if the rate was kept at a higher level. Mr. Martin said the \$48 per ton rate would greatly exceed St. Johns operating costs as a limited purpose landfill and the extra revenue could offset other system costs. Mr. Martin said staff would submit rate recommendations after the rate setting process.

The Committee had no further questions or comments and voted unanimously to recommend the Council adopt Resolution No. 90-1329A.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CLOSING	)	RESOLUTION NO. 90-1329A
ST. JOHNS LANDFILL AS A GENERAL)	
PURPOSE LANDFILL, BUT CONTINUING)	
TO ACCEPT LIMITED TYPES OF SOLID	)	Introduced by Rena Cusma,
WASTE FOR A LIMITED TIME TO ENSURE	)	Executive Officer
PROPER CLOSURE)	

WHEREAS, It is desirable to close the St. Johns Landfill as a general purpose landfill as soon as the Metro Northwest Station is operational in order to honor commitments made to North Portland citizens and implement the Metro Solid Waste Management Plan; and,

WHEREAS, It is necessary to achieve proper initial slopes on St. Johns Landfill to ensure that the cover cap will best perform the environmental protective functions outlined in the Revised Closure and Financial Assurance Plan, St. Johns Landfill, September 1989; and

WHEREAS, The acceptance of limited types of solid waste, i.e., construction, demolition, land clearing waste, and non-hazardous industrial dust until the fall of 1994 would help achieve the proper initial slopes, generate revenue for projects benefitting North Portland citizens, collect additional funds for the Smith and Bybee Lakes Trust Fund, avoid operational problems at transfer stations, and reduce the additional cost of soil; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District
directs that:

1. The St. Johns Landfill be closed as a general purpose landfill when the Metro Northwest Station is operational, but no later than Spring 1991,
2. The St. Johns Landfill continue to accept approximately 150,000 tons per year of limited types of solid waste, i.e., construction, demolition, land clearing waste, and non-hazardous industrial waste dust until no later than the fall of 1994, or until it is not considered cost-effective by Metro staff, or until the proper initial cover slopes are achieved, whichever occurs first,
3. St. Johns Landfill will not accept asbestos waste, soil or other material contaminated with hazardous waste, sewage grit and screening, sewage sludge, non-hazardous petroleum sludges, infectious medical waste, household hazardous waste and food waste,
4. The St. Johns Landfill will not take a load that has been identified by Metro as recyclable and is acceptable at a Portland area processing facility,

5. After February 1, 1991 Metro shall collect fifty cents per ton on solid waste disposed of at St. Johns Landfill for the Smith and Bybee Lakes Trust Fund, and at least fifty cents per ton for the North Portland Rehabilitation and Enhancement Fund.

ADOPTED by the Council of the Metropolitan Service

District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1329 FOR THE PURPOSE OF CLOSING ST. JOHNS LANDFILL AS A GENERAL PURPOSE LANDFILL, BUT CONTINUING TO ACCEPT LIMITED TYPES OF SOLID WASTE FOR A LIMITED TIME TO ENSURE PROPER CLOSURE.

Date: October 3, 1990

Presented by: Bob Martin
Dennis O'Neil

PROPOSED ACTION

Approve Resolution 90-1329, which directs that the St. Johns Landfill be closed as a general purpose landfill, but continue to accept limited types of solid waste in limited quantities for a limited time to ensure proper closure. If certain waste continue to be accepted at St. Johns Landfill, the rate payers would not have to pay an estimated \$2.8 to \$4.2 million in additional fill dirt costs. Also, revenue from this waste could generate the \$2 million still needed to achieve the \$31.4 million St. Johns Landfill Reserve Fund. Finally, revenue from this waste would generate additional money for the North Portland Rehabilitation and Enhancement Fund and the Smith and Bybee Lakes Trust Fund.

FACTUAL BACKGROUND AND ANALYSIS

To many people, the word "closure" means ceasing to accept solid waste and closing the gate. In the past, people filled up a space with waste, and then walked away. Nowadays, a landfill is a designed structure, built from solid waste and soil. It is designed to minimize negative impacts on the environment. Thus, closure also means finishing this designed structure so that it performs its environmental protective functions, just as one finishes a building so that it performs its functions.

Therefore, the word "closure" can mean a moment in time when we stop taking solid waste, and can also mean a process lasting several years, as construction of environmental protection features are completed. After the closure process is finished, the environmental protection features must be maintained, and the environment must be monitored to make sure that these features are effectively doing their job.

According to the original 1986 Closure Plan, the St. Johns Landfill would stop taking waste in 1991. Construction of environmental protection features would be finished that same year. After additional studies mandated by the Oregon Department of Environmental Quality (DEQ), a Revised Closure and Financial Assurance Plan, St. Johns Landfill, September 1989, was prepared by Metro. The revised plan proposes to minimize the amount of rainwater entering the waste by building a greatly improved cover

cap over the landfilled solid waste. If the amount of rainwater entering the waste can be minimized, we can minimize the amount of contaminated water leaving the waste into the environment.

This protective cap functions similarly to a roof over a house. It is made up of several layers, and will cover 236 acres, the area of 178 football fields. The Closure Plan estimates that construction of this cap and closure of the landfill will be completed by the end of 1995.

The cover cap must maintain a slope like that of a roof to shed clean rainwater. However, there is a problem in that the waste is sinking (settling) because of its own weight and decomposition. Future settlement could cause cracking and formation of ponds on the cover cap. The settlement problem can be dealt with by initially building-up the slopes in anticipation that the waste will settle, so that we can maintain adequate rainwater drainage in the future.

As stated before, landfill slopes are built of solid waste and soil. To achieve proper initial slopes to compensate for settlement, we will have to add a significant amount of material after early 1991. It is estimated that between 700,000 and 1,000,000 cubic yards of subgrade fill material must be added. The material could be soil only, or soil plus some kinds of solid waste.

If soil is used to build-up the slopes, the rate-payers will have to pay for the cost to transport and properly place this soil at the St. Johns Landfill. Our design engineer, Parametrix, Inc., currently estimates that it would cost \$6 per cubic yard to obtain, transport, and properly place dredge sand on St. Johns Landfill. Assuming 1,000,000 cubic yards of material to be added, the cost would be \$6 million. It should be noted that this is an additional cost of closure not listed in the Revised Closure and Financial Assurance Plan, St. Johns Landfill, September 1989.

Another alternative would be to stop accepting most solid waste at St. Johns Landfill as soon as the Metro East Transfer Station is in operation (early 1991) but continue to accept certain kinds of solid waste, such as construction, demolition and land clearing waste. Under this alternative, St. Johns Landfill would stop being a general purpose landfill. It would stop accepting residential garbage in compactor trucks. It would stop accepting waste from those who haul their own solid waste and pay by cash. It would stop serving as a transfer station for yard debris. Thus, most of the vehicles now entering St. Johns Landfill would go to other transfer stations or landfills. It would also have considerably reduced hours of operation.

The types of material that the St. Johns Landfill would accept as a limited purpose landfill would include concrete, brick, wood, some metal and paper, rubble, sheet rock, plastic pipe, plaster,

shingles, dirt contaminated with vegetation, and similar materials until the fall of 1994. It is expected that 100-150,000 tons per year of this waste could be used to build up St. Johns Landfill's initial slopes. This is 20-30% of the weight of solid waste that St. Johns Landfill is now accepting. If a certain quantity of construction, demolition, and land clearing solid waste were used, the ratepayers would receive the benefit of both solid waste disposal and proper slope construction. They would not have to pay for both waste disposal and also pay for the same quantity of soil to build up proper slopes.

There are several potential problems caused by continuing to accept solid waste at St. Johns Landfill after the beginning of 1991. First, citizens in North Portland have been promised for some time that St. Johns Landfill would be closed, i.e., stop accepting solid waste. North Portland citizens feel that they have done their part for a half-century by enduring a negative image, as well as traffic and other impacts caused by the presence of St. Johns Landfill. On the other hand, if St. Johns Landfill stopped accepting most solid waste, traffic carrying solid waste to the St. Johns Landfill would greatly decrease. Also, \$.50 per ton of any waste accepted would continue to flow to the North Portland Rehabilitation and Enhancement Fund, and \$.50 per ton could flow to a proposed Smith & Bybee Lakes Trust Fund.

Another potential problem is that, under the current City/Metro Agreement, St. Johns Landfill is supposed to stop taking solid waste as of February 1991. Metro and the City are considering a revised agreement that no longer contains this deadline.

A third potential problem is that the contract with Oregon Waste Systems, Inc. for solid waste disposal at the Eastern Oregon landfill requires that Metro "deliver to the Contractor's Disposal Site a minimum of ninety percent (90%) of the total tons of acceptable solid waste (other than ash) that Metro delivers to any general purpose landfill(s) during the calendar year." If St. Johns Landfill stopped functioning as a general purpose landfill by no longer accepting all types of municipal solid waste, Metro would not violate the existing agreement by continuing to accept limited types of solid waste.

As it began to update its Solid Waste Management Plan in the mid-1980's, Metro put forward the distinction between general and limited purpose landfills. The Regional Solid Waste Management Plan, adopted in October 1988, includes this distinction. If St. Johns Landfill accepted only the types of waste listed above, it would take an even more limited spectrum of solid waste than a limited purpose landfill, such as the Hillsboro Landfill. Thus, it would no longer be defined as a general purpose landfill referred to in the Agreement between Metro and Oregon Waste Systems.

Another potential problem is the economic impact that continued waste acceptance at St. Johns Landfill might have on the operators of limited purpose landfills, such as the Hillsboro and Lakeside Reclamation landfills. Continued acceptance of some solid waste at St. Johns landfill could deny these operators some of the increased volume that they may have been expecting. However, some waste now going to the St. Johns Landfill may now go to the Hillsboro or other limited purpose landfills. Also, it is in the interest of the citizens of the region to prevent the capacity of these limited purpose landfills from being used up too fast.

The DEQ has approved the continued acceptance of some types of solid waste for fill material at St. Johns Landfill. The requirements for increased slopes came from DEQ. The agency is primarily concerned that the landfill be closed without undue delay with a cover cap that will not experience failure from long-term settlement. Both objectives can be achieved by accepting limited categories of solid waste until the fall of 1994.

On the other hand, DEQ and Metro staff have negotiated a schedule for compliance with the Environmental Quality Commission Order regarding processing of construction/demolition waste. The current negotiated schedule calls for Metro to begin processing this waste in January 1994. Depending on future events Metro could either renegotiate this deadline or in January 1994 begin to replace disposal at St. Johns Landfill with reclamation of construction/demolition waste.

Even if Metro continues to accept limited types of solid waste at St. Johns Landfill until the fall of 1994, additional inert fill will probably be needed. If the St. Johns Landfill took 150,000 tons of construction, demolition and land clearing waste for 3.5 years, this would total 525,000 tons, which would fill up to 700,000 cubic yards of air space assuming that 3/4 ton of waste fills a cubic yard of air space. This would allow the ratepayers to avoid up to \$4.2 million in imported fill costs assuming \$6 per cubic yard for fill. If the landfill took only 100,000 tons per year for 3.5 years, this would fill up to 467,000 cubic yards of air space. This would save up to \$2.8 million in additional fill costs. Any remaining fill needed to achieve the required slopes would have to be imported fill material.

In summary, the acceptance of limited kinds of solid waste i.e., construction, demolition, land clearing waste until the fall of 1994 would help achieve proper initial slopes, generate revenue for projects benefitting North Portland citizens, not violate our agreement with Oregon Waste Systems, Inc., and reduce the additional cost of soil. These reasons make this a desirable course of action.

BUDGET IMPACT

An analysis is currently being conducted to determine if there is a need for a supplemental budget to cover operating expenses from February 1, 1991 to June 30, 1991. The current FY1990-91 budget anticipated staffing needs to operate St. Johns Landfill as a limited purpose landfill, however, it did not anticipate disposal costs or any other operating costs.

If St. Johns Landfill is operated as a limited purpose landfill a disposal rate will be developed that will include the following:

- DEQ Promotional Fee
- DEQ Orphan Site Fee
- Rehabilitation and Enhancement Fee
- Smith & Bybee Lake Trust Fund
- Disposal Fee (estimated)
- St. Johns Landfill Reserve
- Tier One (Planning, Waste Reduction and Administrative services)

Two million dollars has yet to be collected after FY1990-91 to achieve the current \$31.4 million allocation for the St. Johns Landfill Reserve Fund. The entire \$2 million could come from revenue generated by certain waste going to St. Johns Landfill. Metro staff expects to propose a disposal rate for St. Johns Landfill which includes the above items and is competitive with existing limited purpose landfills.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 90-1329.

Agenda Item No. 7.6
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1337

SOLID WASTE COMMITTEE REPORT

RESOLUTION NO. 90-1337, FOR THE PURPOSE OF ESTABLISHING INCENTIVES THAT ENCOURAGE GREATER WASTE REDUCTION AND RECYCLING

Date: November 21, 1990 Presented by: Councilor Judy Wyers

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin, Saucy and Wyers voted unanimously (Wyers; 4/0 vote) to recommend Council adoption of Resolution No. 90-1337 as amended. Councilor Buchanan was excused.

Committee Discussion/Issues: Bob Martin, Director of Solid Waste; Debbie Gorham, Waste Reduction Manager; and Terry Peterson, Associate Solid Waste Planner; gave staff's report.

Ms. Gorham noted the resolution was in response to EQC's Order SW-WR-89-01 directing Metro conduct a study of the effectiveness of present rate incentives at reducing waste...

Mr. Petersen listed and explained the 10 incentives. With regard to Incentive No. 1 and said the current procedure for "Self-haul" was a discounted tip fee and said staff proposed a \$3/credit. He said there would be no significant impact on regional recycling levels but tip fees on remaining waste could be decreased because Metro would no longer pay for recyclables.

Regarding Incentive No. 2, Mr. Petersen pointed out that Metro has no authority to set collection rates since this is a local function. Metro can establish region-wide standards for waste reduction and staff proposes the curb can charge for higher volume service be at least equal to per can charge for low volume service and could significantly increase recycling from the residential waste stream and would not impact state or Metro tip fees. Mr. Petersen said the issue could be viewed as unfair to large households and could result in illegal dumping if the per can charge is too high.

Regarding Incentive No. 3, Mr. Petersen said the current charge for yard debris was \$25/ton at St. Johns and staff proposed the three tier rate and assisting processors. He said the rate would eventually be \$45 per ton.

In discussing Incentive No. 4, Mr. Petersen said there was no current procedure for hauler rebates and staff proposed local government responsibility. Staff's concept was to pay haulers for the material they marketed, similar to Lane County practice. He said haulers were paid as much as \$175 per ton there. He said it was an alternative method of funding collection programs. He said an alternative to this rebate would be to establish standards and ensure the cost of implementing those standards was covered through collection rates.

SOLID WASTE COMMITTEE REPORT

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November 21, 1990

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Mr. Petersen said Incentive No. 5 related to directing routes to the Riedel Composter facility to ensure it got the proper solid waste.

In regard to Incentive No. 6, Mr. Petersen said there was no current procedure for construction/demolition debris and proposed a procedure be dealt with as part of the procurement process for select waste.

Regarding the incentive for mixed waste paper collection (No. 7), Mr. Petersen said the current procedure was to offer a \$2 payment per ton for mixed waste paper recovered. He said that payment was made regardless of market price, but said the payment has had no impact on the recovery of mixed waste paper. He said staff proposed, instead of market subsidies, that market development be depended upon to increase the recycling level for that material and eliminate the \$2 payment.

Regarding user fee waivers (Incentive No. 8), Mr. Petersen said the Metro Code stated user fee shall be waived at facilities which accomplished recycling as a primary operation. He said there were no standards for "primary" and therefore no incentives for facilities to improve their standards and become eligible for the user fee waivers. Staff proposed minimum recovery levels facilities had to meet to be eligible for the user fee waiver.

In regard to Incentive No. 9, Mr. Petersen said the non-profit recycling credits listed were already implemented.

Regarding Incentive No. 10, Ms. Gorham explained the Metro Recycling Business Development Revolving Loan Fund would assist market development through a revolving loan program. Councilor Wyers referred to her November 15, 1990 memorandum (see Attachment No. 1 to this report) "Waste Reduction and Recycling Incentives." Ms. Gorham explained Metro and other entities would match funds. Councilor Wyers asked how the revolving loan fund differed from tax credits.

The Committee opened a public hearing and heard testimony on the issues.

Kip Childs, Oregon Environmental Council (OEC), said the OEC strongly supported, regarding the self-haul incentive, making recycling depots and drop boxes centers available before the transfer stations. With regard to the volume-based collection rates, the OEC supported a sliding scale that would result in an increased fee for additional cans to provide an incentive to encourage customers to reduce waste. The OEC supports the

SOLID WASTE COMMITTEE REPORT

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source-separated yard debris and think it appropriate the fee be in between the normal tipping fee and the fee charged for dropping off at the processor. He said the OEC also supported rebates for collection and the marketing of recyclables. He said they knew it was controversial, but the OEC did support it. He said they believed it should be supported by increased tipping fees. Mr. Childs said one incentive that had been dropped was the possibility of increasing the collection and recycling of construction/demolition materials. The OEC believed that was an important issue which required further study because approximately 17 percent of transfer station waste was construction/demolition material. He said that incentive deserved further study. The OEC also supported continued payments to processors for accepting mixed waste. He noted staff said \$2 did not result in significant recycling. He said a higher incentive rate should be looked at.

Jeanne Roy, Recycling Advocates, recommended a rate be set for yard debris lower than mixed waste but higher than the processor's fee. Recycling Advocates recommended the fee be no higher than \$45 per ton. Recycling Advocates recommend the payment to processors of 50-79 percent high graded paper be increased to \$18 per ton and given only for the tonnage of paper recycled. She said if the market price rose, the amount of the rise could be subtracted from the \$18. She said Metro could estimate the extra amount of paper which would be recycled and budget a certain amount so that the incentive would not be open-ended. Recycling Advocates recommended an incentive be established for commercial haulers of cardboard. She said they could be paid for the extra they recycled over a based amount. She said if they were paid \$25 per ton, and the amount recycled increase from 41 to 50 percent, Metro would pay \$523,175. Metro would then be paying less per ton than what they paid the non-profit recycling agencies and 21,000 additional tons of cardboard would be recycled. Recycling Advocates recommended Metro establish an incentive for accepting and marketing of reusable building materials using the same formula for non-profit recycling agencies. Ms. Roy said building materials were included in DEQ's order to Metro, but not addressed by staff. Ms. Roy distributed recommended amendments to the resolution based on Recycling Advocate's recommendations.

Ms. Roy additionally commented that Recycling Advocates would rather see free drop-off of recyclables outside Metro South and Metro Northwest Stations than implementation of the \$3 credit. They encouraged the increase flow of food waste to the composting facility. They did not want a business loan program administered by Metro because Metro had difficulty administering the 1% for

SOLID WASTE COMMITTEE REPORT

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November 21, 1990

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Recycling grants. Recycling Advocates also recommended the Economic Incentives report include a tip fee impact for each incentive and explain the assumptions.

Estle Harlan, Tri-County Council, noted she had served on the Waste Reduction and Yard Debris Committees from their inception. Tri-County advocates, regarding Incentive No. 1, separate recyclable drop off points and said if not possible, then the \$3 discount was the most simple and effective method. Tri-County Council recommended with regard to Incentive No. 2, to continue the mini-can and the level can rate. Tri-County Council agreed with the recommendation for Incentive No. 3 on yard debris and noted processors planned to install scales also. Ms. Harlan said Incentive No. 4 presented the most concern. She said the issue should be simple and it seemed that the haulers themselves should push for rebates. She said it presented difficulties because haulers had no way of collecting their tip fees in some areas. She said if the incentive were attached to the commercial rates, the small haulers would be adversely affected because he/she would pay high tip fees but have very little chance for rebate. Tri-County Council asked that Metro not collect from the haulers and then try to give money back. Tri-County Council said if Incentive No. 5 could be implemented, it was an acceptable incentive. Ms. Harlan said the haulers were trying very hard and would introduce new programs on multi-family and office paper collection.

Dave Phillips, Clackamas County, recommend drop off facilities before the gate house also. He supported the mini-can collection rate incentive and said Clackamas County had had real success with a similar measure. He said Incentive No. 4, Recycling Rebates, had real problems and said it did not make sense to raise disposal fees and then immediately back to the haulers. He said there were no markets for materials recovery. He said recovery of construction/demolition was not being ignored but would come before the Committee in the Special Waste Chapter. He concurred with directing special loads to the composter facility. He concurred over all on staff's incentives recommendations.

Merle Irvine, Wastech, Inc., said the incentive to recycle was Metro's disposal fee especially as it increased. He concurred with Ms. Roy that the \$2 incentive be made larger. He supported composter routing. He recommended staff research the controversial issues further and incorporate the incentives into next year's work program. Mr. Irvine supported Incentive No. 8 to increase recycling center's accountability.

SOLID WASTE COMMITTEE REPORT
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The Committee amended BE IT RESOLVED, Section 1 to read: "That transfer and material processing stations be designed [to the maximum extent feasible] to provide convenient drop-off of recyclables outside the weigh scales for non-commercial haulers at no charge."

The Committee amended BE IT RESOLVED, Section 2(B) to read: "(5.02.070) by February 1, 1991, a special yard debris rate at transfer stations [based on disposal costs,] that is expected to be less than the fee for waste but more than the fee charged at private yard debris processors, and." Councilor Wyers said incentives do not have to relate to disposal costs.

The Committee amended BE IT RESOLVED, Section 6 with the deletion of the word "periodic" to be replaced by "yearly."

Councilor Wyers said the issues were complicated. She said she would take the issues raised tonight and fashion some sort of a work program and come back and address some of the questions raised in her memorandum as well as those raised in testimony at this meeting. The Committee concurred with Councilor Wyers' plan and amendments.

The Committee voted unanimously to recommend Resolution No. 90-1337 as amended to the full Council for adoption.



METRO

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Memorandum

SOLID WASTE COMMITTEE REPORT
Resolution 90-1337
Attachment No. 1

TO: Debbie Gorham, Waste Reduction Manager
FROM: Judy Wyers, Councilor *JW*
DATE: November 15, 1990
SUBJ: Waste reduction and recycling incentives

I wanted to give you advance notice of some issues and concerns I will be raising when the Solid Waste Committee considers this agenda item next Tuesday.

First, I would like for staff to review Metro's past and present practice with regard to incentives, and for staff to explain how and why the proposed incentives differ.

Second, in my view it is important for Metro to encourage recycling by commercial businesses. It seems to me that we need a way to encourage concerted collection efforts. What would be the advantages and disadvantages of providing a straight rebate for commercial source-separated loads?

Third, what are the pros, cons, and cost impacts of significantly increasing the per ton rebate for mixed paper loads as a means of encouraging this type of recycling?

Fourth, how can we revise the process for establishing the special yard debris rate referenced in Paragraph 2B of the resolution to clearly establish an incentive for the public?

Fifth, what types of incentives can be developed to encourage businesses or projects which focus on reuse of building materials?

Sixth, the proposed resolution states that transfer and processing stations should be designed to the maximum extent feasible to provide convenient drop-off of recyclables for non-commercial haulers at no charge. What steps can we take to ensure that drop-off is available outside the weigh scale at all facilities?

I'm looking forward to your presentation on this important subject, and I'll be interested to hear from the department about facts and policy considerations which impact resolution of the issues highlighted in this memorandum.

JW:KF:pa
K1:1115JUDY

cc: Council Solid Waste Committee
Bob Martin

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING	)	RESOLUTION NO. 90-1337
ECONOMIC INCENTIVES THAT)	
ENCOURAGE GREATER WASTE	)	Introduced by Rena Cusma,
REDUCTION AND RECYCLING	)	Executive Officer

WHEREAS, Environmental Quality Commission Order SW-WR-89-01 paragraph 4M(a) requires that Metro "conduct a study of the effectiveness of present rate incentives at reducing waste, and possible modifications to the rate structure that would further encourage the recovery of paper products, yard debris, metals, lumber, other salvageable building materials, asphalt, and other materials"; and

WHEREAS, The Metro Council adopted Ordinance No. 89-290 which amended the Waste Reduction Program to include a plan for accomplishing the EQC Order SW-WR-89-01; and

WHEREAS, Metro conducted a study of existing rate incentives and submitted a report to the Department of Environmental Quality (DEQ) in January 1991; and

WHEREAS, Both the DEQ and Metro Council requested that additional analysis of rate incentives be conducted by October 1, 1990; and Metro has completed such analysis with review by the Waste Reduction Subcommittee and the Solid Waste Policy Committee; and

WHEREAS, The Metro Council has adopted Ordinance No. 88-266, the Regional Solid Waste Management Plan, which established the policy that Metro shall provide financial support

for source separation programs, to produce high-grade select loads and to carry out other waste reduction programs; and

WHEREAS, The Waste Reduction Chapter of the Regional Solid Waste Management Plan, adopted by Ordinance No. 89-315, states that Metro shall utilize rate incentives to encourage source separation of yard debris and recovery of recyclable materials at material recovery facilities; and

WHEREAS, the transition in February 1991 to a completely weight-based fee system at Metro facilities presents an opportunity to improve the current rate incentive related to self-haul delivery of recyclables to transfer stations; and

WHEREAS, the installation of scales and conversion to weight-based rates at one of the major yard debris processors and the potential for scales at the other major processor presents an opportunity to maximize the use of tip fees at transfer stations to encourage diversion of yard debris to processors; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED:

That the Metro Council approves the following recommendations arrived at in the Analysis of Economic Incentives to Increase Recycling:

1. That transfer and material processing stations be designed [~~to the maximum extent feasible~~] to provide convenient drop-off of recyclables outside the weigh scales for non-commercial haulers at no charge.

2. That solid waste disposal rates at Metro transfer stations consider the following:
 - A. (5.02.025) By February 1, 1991, a recycling credit of a minimum of \$3.00 per load at existing transfer stations for public haulers in cars and pickups, and

 - B. (5.02.070) By February 1, 1991, a special yard debris rate at transfer stations, [~~based on disposal costs,~~] that is expected to be less than the fee for waste but more than the fee charged at private yard debris processors, and

 - C. (5.02.045(d)) By July 1, 1991, franchised high grade material recovery centers must market 30% of their delivery tonnage in order to be eligible for the User Fee waiver, and

 - D. (5.02.080) By July 1, 1991, the post-collection recycling incentive shall be eliminated.

3. In order to minimize the residual waste from the Mass

Compost Facility, Metro and Riedel shall discuss means to identify and encourage haulers to establish special collection methods that enable more food waste to be delivered to the Compost Facility.

4. Solid Waste Department staff shall develop a proposal for a loan program to be jointly administered by Metro and the Portland Development Commission that would fund recycling businesses unable to get 100% conventional financing.
5. The Local Government Waste Reduction Program shall be modified as shown in Attachment A to include levelized collection rates (the per-can charge for each additional can is constant).
6. Metro staff shall conduct [~~periodic~~] yearly reviews of economic incentives in order to evaluate the effectiveness of current incentives and opportunities for new incentives.

ADOPTED by the Council of the Metropolitan Service

District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ANALYSIS OF ECONOMIC INCENTIVES TO INCREASE RECYCLING

November 20, 1990

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ATTACHMENT A -- A Proposed Rate Incentive to Promote Recycling by Self-Haulers at the Metro South Transfer Station

SUMMARY: RECOMMENDATIONS

GENERATOR INCENTIVES

1. Self-Haul Recycling at Transfer Stations

- a. Provide convenient drop-off of recyclables at no charge. Weight-based fee system provides incentive to separate recyclables. Recycling credit of \$3.00 is given to all customers who bring recyclables to existing facilities.
- b. Same as a. but at Metro South and Metro East haulers have option of crossing scales twice in order to drop off heavy recyclables prior to weighing of waste.
- c. Do not provide free drop off. Apply full tip fee on all material delivered to transfer stations to encourage use of curbside and private depots.

RECOMMENDATIONS

DO NOT IMPLEMENT

IMPLEMENT

DO NOT IMPLEMENT

2. Volume-Based Collection Rates With Mini-Can Service.

- a. Charge for each additional can is constant (levelized rates).
- b. Per-can charge increases with each additional can. Exemptions are provided for large families.

IMPLEMENT

DO NOT IMPLEMENT

HAULER INCENTIVES

3. Diversion of Source-Separated Yard Debris from Metro Facilities

- a. Apply full tip fee at Metro facilities to provide maximum incentive for delivery to private yard debris processors. Transfer stations recover clean yard debris for delivery to processors.
- b. A "three-tier" rate structure in which the yard debris fee at transfer stations is less than the fee for waste but more than the yard debris fee at private processors.

DO NOT IMPLEMENT

IMPLEMENT

4. Recycling "Rebates" for Haulers

Metro increases the tip fee to create a fund to pay haulers on a per ton basis for material collected and marketed.

DO NOT IMPLEMENT

5. Routing of Food Waste to the MSW Compost Facility

Metro and Riedel establish a tip fee incentive that encourages haulers to create special collection routes for high-organic loads.

IMPLEMENT

6. Recovery of Construction/Demolition Debris

- a. Local governments increase disposal fees at out-of-region limited-purpose landfills to levelize fees facilities.
- b. Utilize Metro's flow control authority and franchises to divert material from landfills to recovery facilities.

DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM

DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM

PROCESSOR INCENTIVES

7. Support of Commercial Mixed-Waste Paper Collection Programs

- a. Increase the per ton payment of the existing \$2 per ton incentive.
- b. Eliminate existing \$2 per ton incentive because it is not effective.
- c. Financial support is provided to private processors so that collection programs are not interrupted during market downturns. Payments are based on tonnage marketed. Payments decrease as the market improves.

DO NOT IMPLEMENT

IMPLEMENT

DO NOT IMPLEMENT

8. User Fee Waiver

- a. Maintain current fee waiver but establish a minimum recovery level to determine eligibility for waivers.
- b. Make the current user fee waiver at high-grade facilities dependant on the facility's recovery level.

IMPLEMENT

DO NOT IMPLEMENT

9. Recycling Credits for Non-Profit Charitable Organizations

IMPLEMENT

10. Loan Program

Loan program to fund recycling businesses unable to get 100% conventional financing. Program administered jointly by Portland Development Commission and Metro.

RESEARCH

SUMMARY: IMPLEMENTATION

	<u>TARGET DATE</u>	<u>ACTION REQUIRED</u>
GENERATOR INCENTIVES		
1. Self-Haul Recycling at Transfer Stations		
a. Provide drop-off of recyclables at no charge. Weight-based fee system provides incentive to separate recyclables. Recycling credit of \$3.00 is given to all customers who bring recyclables to existing facilities .	FY90/91	DO NOT IMPLEMENT
b. Same as a. but at Metro South and Metro East haulers have option of crossing scales twice in order to drop off heavy recyclables prior to weighing of waste.		AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
c. Do not provide free drop off. Apply full tip fee on all material delivered to transfer stations to encourage use of curbside and private depots.		DO NOT IMPLEMENT
2. Volume-Based Collection Rates With Mini-Can Service		
a. Charge for each additional can is constant (levelized rates).	FY90/91	MODIFY LOCAL GOVERNMENT WORK PLAN
b. Per-can charge increases with each additional can (variable rates). Exemptions are provided for large families.		DO NOT IMPLEMENT
HAULER INCENTIVES		
3. Diversion of Source-Separated Yard Debris from Metro Facilities		
a. Apply full tip fee at Metro facilities to provide maximum incentive for delivery to private yard debris processors. Transfer stations recover clean yard debris for delivery to processors.	FY91/92	DO NOT IMPLEMENT
b. A "three-tier" rate structure in which the yard debris fee at transfer stations is less than the fee for waste but more than the yard debris fee at private processors.		AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
4. Recycling "Rebates" for Haulers		
Metro increases the tip fee to create a fund to pay haulers on a per ton basis for material collected and marketed.		DO NOT IMPLEMENT
5. Routing of food Waste to the MSW Compost Facility		
Metro and Riedel establish a tip fee incentive that encourages haulers to create special collection routes for high-organic loads.	FY91/92	METRO AND RIEDEL DISCUSSIONS
6. Recovery of Construction/Demolition Debris		
a. Local governments increase disposal fees at out-of-region limited-purpose landfills to levelize fees with recovery facilities.	FY94/95	DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM
b. Utilize Metro's flow control authority and franchises to divert material from landfills to recovery facilities.	FY94/95	DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM
PROCESSOR INCENTIVES		
7. Support of Commercial Mixed-Waste Paper Collection Programs		
a. Increase the per ton payment of the existing \$2 per ton incentive.		DO NOT IMPLEMENT
b. Eliminate existing \$2 per ton incentive because it is not effective.	FY91/92	AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
c. Financial support is provided to private processors so that collection programs are not interrupted during market downturns. Payments are based on tonnage marketed. Payments decrease as the market improves.		DO NOT IMPLEMENT
8. User Fee Waiver		
a. Maintain current fee waiver but establish a minimum recovery level to determine eligibility for waivers.	FY91/92	AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
b. Make the current user fee waiver at high-grade facilities dependant on the facility's recovery level.		DO NOT IMPLEMENT
9. Recycling Credits for Non-Profit Charitable Organizations	FY90/91	IMPLEMENTED (ORDINANCE No. 90-362)
10. Loan Program		
Loan program to fund recycling businesses unable to get 100% conventional financing. Ten-year program administered jointly by Portland Development Commission and Metro.		LOAN PROGRAM PROPOSAL

INTRODUCTION

This study evaluates economic incentives that could be used to encourage additional recycling in the Portland metropolitan region. The objectives of the study are to determine the advantages and disadvantages of each option and provide technical data related to each incentive. This draft report has been reviewed by the Metropolitan Service District (Metro) staff and Metro's Policy and Waste Reduction Committees during August and September 1990. The resolution attached to this report will be presented to the Metro Council for consideration during October 1990.

The following sections are included in this report:

- o *Background Information.* Legislation and ordinances that create statutory authority and responsibilities of Metro and local governments are outlined. Their relevance to recycling economic incentives is discussed.
- o *Description of Incentives.* The advantages and disadvantages of each option are outlined.
- o *Technical Data.* When possible, the new recycling that would result from each incentive is estimated.

Incentives Included In This Study

1. *Self-haul recycling at transfer stations.* Three options are considered: (a) Provide convenient drop-off of recyclables at no charge. Weight-based fee system provides incentive to separate recyclables. Recycling credit of \$3.00 is given to all customers who bring recyclables to existing facilities; (b) Same as (a) but at Metro South and Metro East haulers have option of crossing scales twice in order to drop off heavy recyclables prior to weighing of waste; and (c) Do not provide free drop off. Apply full tip fee on all material delivered to transfer stations to encourage use of curbside and private depots.
2. *Volume-based collection rates with mini-can service.* Two options are considered: (a) The collection charge established by local governments is constant for each additional can (levelized rates), and (b) The per-can charge increases with each additional can (variable rates). Exemptions are provided for large families.
3. *Diversion of source-separated yard debris from Metro facilities.* Two options are considered: (a) Apply full tip fee at Metro facilities to provide maximum incentive for delivery to private yard debris processors. Transfer stations recover clean yard debris for delivery to processors, and (b) A "three-tier" rate structure in which the yard

debris fee at transfer stations is less than the fee for waste but more than the yard debris fee at private processors.

4. *Recycling "rebates" for haulers.* Metro raises tip fees in order to make payments to haulers based on the amount of recyclables they collect and market.
5. *Routing of food waste to the Municipal Solid Waste (MSW) Compost Facility.* Disposal of residual material could be reduced if haulers deliver loads with a high proportion of organic material (food waste) to the compost facility. Metro and Riedel could discount the tip fee for loads that meet desired specifications. This reduction in the amount of residue would increase compost sales for Riedel.
6. *Recovery of Construction and Demolition Debris.* Two options to divert construction/demolition debris from landfills to recovery facilities are considered: (a) Local governments increase disposal fees at out-of-region limited-purpose landfills. This would eliminate the rate differential that causes recoverable material from the Metro region to flow to these out-of-region limited-purpose landfills instead of to in-region processing centers; and (b) Utilize Metro's flow control authority to divert material from landfills to recovery facilities.
7. *Support of Mixed Waste Paper Collection Programs.* Three options are considered: (a) Increase the per ton payment of the existing \$2.00/ton incentive; (b) Eliminate existing \$2.00/ton incentive because it is not effective; and (c) Financial support is provided to private processors so that collection programs are not interrupted during market downturns. Payments are based on tonnage marketed. Payments decrease as the market improves.
8. *User fee waivers.* Two modifications in the current fee waiver for facilities that accomplish recycling as a primary objective: (a) Maintain the current fee waiver but establish a minimum recovery level to determine eligibility for waivers; and (b) Make the current user fee waiver at high-grade facilities dependent on the facility's recovery level.
9. *Recycling Credits for Non-Profit Charitable Organizations.* Metro would provide recycling credit for qualified organizations that prepare donated goods for re-use or recycling.
10. *Loan Program.* Loan program to fund recycling businesses unable to get 100% conventional financing. Ten-year program administered jointly by Portland Development Commission and Metro.

Evaluation Criteria

- o *Recycling/Waste Reduction.* The incentive promotes the recycling of material that, in the absence of the incentive, would be landfilled. An incentive that results in a shift of recyclables among programs (e.g. from curbside and depot systems to transfer stations) would not produce the desired result.
- o *Equity.* The incentive should be fair and equitable. This includes a fair apportionment of costs among different groups.
- o *Acceptability.* The incentive must be acceptable to local governments, Metro, haulers, processors, and the community. At best, the incentive would provide alternative choices for the generator and hauler. There should be no adverse market impacts.
- o *Implementation.* The incentive is understandable, requires minimal administration, and poses no major operational problems.
- o *Rate Effects.* The incentive is in agreement with the rate setting policies of local governments and Metro.

BACKGROUND INFORMATION

In order to evaluate economic incentives it is necessary to understand fundamental authorities, responsibilities and constraints.

Statutory Authority

Planning Metro's functional planning authority, delineated in ORS 268.390, enables Metro to prepare and adopt functional plans and recommend or require that plans of cities and counties within the Metro boundary be consistent with these functional plans. The Regional Solid Waste Management Plan (RSWMP) has been adopted as a functional plan and therefore local comprehensive plans must be consistent with its provisions relating to waste management and waste reduction.

Disposal Responsibility for solid waste disposal is defined in ORS 268.317. Metro's authority encompasses rate-setting, franchising, flow control and other regulatory authorities. These powers can be used to influence waste reduction levels by establishing needed waste reduction facilities, setting rates that encourage waste reduction or by controlling the amounts and types of waste going to various facilities.

Rate-setting The authority to establish, maintain and amend rates for disposal, transfer and resource recovery sites or facilities is outlined in ORS 268.317. In addition, ORS 268.515 provides that "a district may impose and collect service or user charges in payment for its services or for the purposes of financing the planning, design, engineering, construction, operation, maintenance, repair and expansion of facilities, equipment, systems or improvements."

Disposal Rates

Disposal rates are set by Metro Council and adopted as Title V, Chapter 2 of the Metro Code following an annual rate analysis and recommendations by Solid Waste staff. Staff recommendations are based on projected operating costs that are derived from projected waste flow data. Rates are set to cover operational and fixed costs.

Components Metro's Solid Waste Department administers three basic fee components which cover specific system expenses:

- o The Base Disposal Rate pays for the transportation and disposal of waste at St. Johns Landfill and Columbia Ridge Landfill in Gilliam County.

- o The User Fee, which is collected on all wastes generated in the region, pays the cost of solid waste programs that are indirectly related to disposal system and transfer station operation. This includes management, administration, engineering and planning, and implementation of Waste Reduction programs. As of July 1990, the User Fee has been modified to a two-tiered approach that is lower at non-Metro facilities and higher at Metro facilities in order to recover higher fixed costs at Metro facilities. Tonnage recovered at material recovery facilities are currently exempt from the User Fee.
- o The Regional Transfer Charge is assessed on both commercial and publicly-hauled tonnage at general-purpose disposal sites. Revenues pay the cost of operating Metro's transfer and material recovery system.

Surcharges Surcharges include mitigation fees for neighborhood rehabilitation and enhancement at landfill and transfer stations. An additional surcharge is imposed by DEQ.

Constraints Metro is obligated by ordinance to set rates that cover the cost of system operations and debt service. Metro is further constrained by how rates are set for principal recyclables. ORS 459.190 states that rates at disposal sites may not be higher for source-separated material at disposal sites than for waste.

Collection

Cities and counties have responsibility for solid waste collection in the Portland Metropolitan region. Collection service is provided by private haulers who are regulated by local governments. When assessing potential economic incentives it is important to clarify the role of cities and counties in setting collection rates.

Recycling Cities and counties are required by state statute to ensure that the opportunity to recycle is provided. Specific local government responsibilities to carry out the Opportunity to Recycle Act are identified in the Waste Reduction Chapter of the RSWMP and include ensuring that curbside collection is provided to customers requesting recycling service, promotion and education programs, and preparation of recycling reports (wasteshed reports).

Haulers Local governments have designated refuse haulers as responsible for providing recycling collection programs required under the Opportunity to Recycle Act.

In franchised areas, the recycling requirement is contained in the language of refuse hauling franchises. In the City of Portland, haulers are required by ordinance to provide recycling collection.

Collection rates

Agreements Clackamas and Washington Counties regulate haulers through franchise agreements that give haulers the exclusive right to collect refuse in distinct service areas. Franchise agreements are also employed in some cities in Multnomah County. However, the City of Portland and unincorporated areas of Multnomah County do not have franchised service areas but instead issue permits that require haulers to meet service standards. This approach results in competitive, unregulated collection rates.

Statutes ORS 459.200 (8), which outlines collection rate-setting responsibilities of cities and counties, states that rates shall allow the franchisee to recover the additional costs of providing the opportunity to recycle, at a minimum level or required by statute or at a higher level designated by the city or county. ORS 459.200 (9) gives cities and counties the option of providing alternatives to rates as a means of funding the opportunity to recycle.

Waste Reduction

Statutes ORS 459.250 requires that a place for source-separated recyclables be located either at the disposal site or another location more convenient to the population being served. Cities with a population of 4,000 or more must also provide, at a minimum, monthly collection of recyclable materials for their collection customers. An alternative method may be used if approved by DEQ.

Existing Incentives Metro presently employs several economic incentives to encourage participation in waste reduction efforts. These include payments of \$2/ton for recycled mixed waste paper; a reduced rate for source-separated yard debris delivered to the St. Johns Landfill; a discounted disposal fee to self-haulers who bring recyclables to disposal facilities; and waiver of the Metro User Fee at material recovery facilities. An analysis of the effectiveness of these incentives is included in this report.

DESCRIPTION OF INCENTIVES

Incentive #1

Self-Haul Delivery of Recyclables to Transfer Stations

Existing System

Metro currently charges a flat fee for the disposal of self-hauled loads. A discount is given to self-haulers who bring in source-separated recyclables along with their garbage. The discount is given for a minimum of 1/2 cubic yard (three grocery bags) of recyclables according to the following schedule:

Minimum charge without recyclables	\$15
2 1/2 cubic yards of garbage with recyclables	\$10
2 cubic yards of garbage with recyclables	\$ 8
1 1/2 cubic yards of garbage with recyclables	\$ 6
1 cubic yard of garbage with recyclables	\$ 4

Any of the materials normally included in curbside programs qualify for the discount.

There are several difficulties with providing a disposal discount such as the one currently used. First, determining whether a self-hauler has the minimum 1/2 cubic yard of recyclables necessary to qualify for a discount is highly subjective. Second, the necessity of keeping loads covered during transport, coupled with the need to expedite the flow of traffic through the scalehouse during peak hours, make an "honor system" necessary in which self-haulers are simply asked whether they have source-separated recyclables present difficulties. Repeat self-haulers quickly learn that an affirmative response results in a discount. Disposal discounts also create an artificial and transferable value for recyclables. The result is an incentive to acquire recyclables to use as money to pay disposal fees at the transfer station. These could be recyclables that the self-hauler had acquired from someone else.

Metro will soon install a new truck scale at the Metro South Transfer Station and begin weighing self-haul loads. Self-haul loads at the Metro East Transfer Station will also be weighed. This raises the question of how rate incentives for recycling should work after the switch from a flat fee system to a weight based system for self-haul.

Analysis of Recyclables Per Trip

The tonnages delivered to Metro South Station and St. Johns Landfill during 1989 and 1990 are shown below.

Metro South Transfer Station

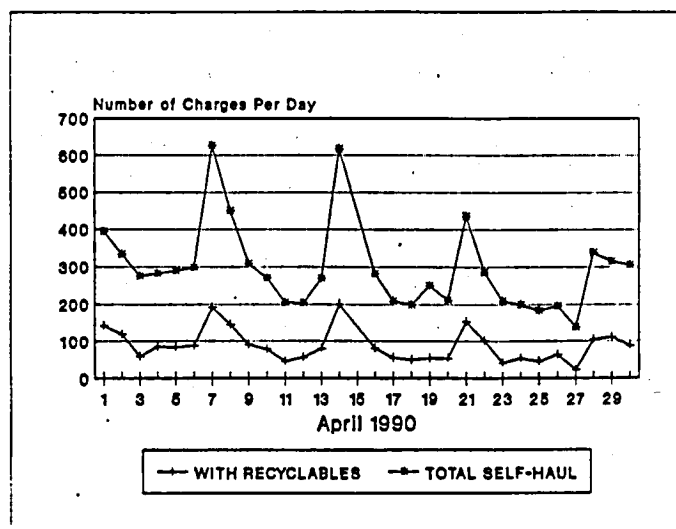
Month	Delivery (tons)		% Change
	1989	1990	
JAN	212	181	-15%
FEB	158	178	13%
MAR	234	226	-3%
APR	256	278	9%
MAY	292	224	-23%
JUN	267	263	-2%
JUL	298		
AUG	294		
SEP	228		
OCT	278		
NOV	209		
DEC	257		

St. Johns Landfill

Month	Delivery (tons)		% Change
	1989	1990	
JAN	42	64	52%
FEB	34	37	9%
MAR	31	76	145%
APR	54	65	20%
MAY	70	73	4%
JUN	54	81	50%
JUL	50		
AUG	64		
SEP	63		
OCT	49		
NOV	65		
DEC	48		

To provide free drop-off of recyclables the discount in tip fee would need to be equal to the weight of recyclables. One approach would be to base the discount on an estimate of the average weight of recyclables in discounted loads.

Past data was used to make this estimate. For April 1990 at Metro South, the cash transaction records were used to determine (1) the total number of self-haul trips, and (2) the number of self-haul trips that claimed the discount. These data are shown in the following figure. Comparisons could also be made for other months and for St. Johns Landfill, but it requires entering data that has not been computerized until now.



Waste Management provides monthly tonnages of recovered material that is marketed. This tonnage for April was combined with the trip data to get an average weight of recyclables per discounted trip as follows:

Total Self-Haul Trips	8,651 trips
Self-Haul Trips With Discount	2,585 trips
Total Tons Recovered	241 tons
Total Pounds Recovered	482,000 pounds
Adjustments:	
-10% for recyclables from pure loads	-48,000 pounds
- 5% for recyclables from self-haulers who don't claim the discount	-24,000 pounds
-20% for recovery by Waste Management	-96,000 pounds
Pounds delivered with discounted fee	314,000 pounds

AVERAGE POUNDS PER DISCOUNTED TRIP	121 pounds
AVERAGE TIP FEE VALUE OF RECYCLABLES	\$3.30

- NOTE: (1) Total tons recovered includes glass (8.65 tons), newspaper (26.39 tons), tin (141.52 tons), ferrous (48.23 tons) and corrugated (16.09 tons), but excludes appliances, appliance strippings, bicycles, lawn mowers, oil, batteries, and tires.
- (2) The 10% adjustment is for self-haulers who bring just recyclable material to the transfer station without any waste.
- (3) The 5% adjustment is for self-haulers who deliver both recyclables and waste but don't take the discount.
- (4) The 20% adjustment is for recovery of glass, newspaper, tin, ferrous, and corrugated from mixed waste by Waste Management workers.

An estimate of 121 lbs/trip can be compared to curbside collection programs. Good curbside programs collect 70-80 lbs/participating household/month of mostly glass, tin, and newspaper. Excluding ferrous from the 121 lbs per discounted self-haul trip gives a weight of about 97 lbs.

This appears reasonable if it is assumed that (1) self-haulers deliver recyclables to transfer stations that would have otherwise been put out curbside, and (2) self-haulers

come to the transfer station about once every 4-5 weeks. Note that the current rate structure encourages self-haulers to come as infrequently as possible (4 weekly trips with 1 cubic yard of garbage with recyclables costs a total of \$16; 1 monthly trip with the same amount of garbage and recyclables costs \$10).

Given the densities of recyclables (glass (whole)=700 lbs/cubic yard, newspaper (stacked)=500 lbs/cubic yard, tin cans (uncrushed)=150 lbs/cubic yard), 97 lbs of a mixture of these materials would be about .3 cubic yards or a cubic volume with dimensions of 2 feet on a side. This is less than the .5 cubic yard required for the existing incentive.

If rates are to be established based on this type of analysis, it would be helpful if self-haul loads were periodically sampled to check the weight of recyclables. As curbside programs become more effective, the amount of recyclables delivered to transfer stations may decrease and the discount would need to be adjusted.

If the objective is to provide free drop off of recyclables for the "average" self-hauler, the discount would need to be around \$3/trip.

Possible New Action

Note: A detailed discussion of alternatives specific to Metro South Station is given in Attachment A. Three of the most likely alternatives that are relevant to the regional system are described below.

Alternative 1. Convenient drop-off of recyclables is provided at transfer stations at no charge. Weight-based fee system provides incentive to separate recyclables. A recycling credit of \$3.00 is given to all customers who bring recyclables to existing facilities.

Alternative 2. Same as the first alternative with the addition of giving haulers with recyclables the option of crossing the scales twice in order to drop off recyclables prior to weighing of garbages. Haulers would decide whether they want to accept the standard \$3.00 discount or make two trips through the facility.

Alternative 3. Free drop off is not provided at transfer stations. The full tip fee is applied to all material delivered to transfer stations to provide the maximum possible encouragement for use of curbside and private collection depots.

Alternatives 1 and 2 make recycling convenient for those who choose not use curbside collection or do not have easy access to established recycling depots. However, they have several disadvantages. As with the current system, recyclables could be diverted from curbside and other collection programs without causing any new recycling. Haulers could simply take recyclables that would have otherwise been recycled through one of these other programs to the transfer station in order to get the discount.

Alternative 3 encourages use of curbside collection and private depots. A clear signal is given to haulers that the best way to avoid high tip fees is reduce the amount of waste they deliver to transfer stations. However, the tip fees may not be high enough to create an adequate incentive. With a disposal fee of \$55/ton, there would be a \$2.75 savings for every 100 pounds of recyclables.

Alternative 3 also depends on convenient alternatives to transfer stations being available for self-haul residents. While this is the case for most, there is a small percentage of rural residents who do not have convenient alternatives to transfer stations.

Recommendation

Implement Alternative 2. Metro policy shall be that transfer and material processing stations are designed to the maximum extent feasible to provide convenient drop-off of recyclables for non-commercial haulers at no charge. Requires amendment of Metro Code 5.02 (Solid Waste Disposal Fees). At existing facilities customers have the option of accepting a standard \$3.00 discount in tip fee or crossing the scales twice to deposit recyclables prior to weighing of garbage.

Regional Recycling Level Impact

Alternative 2 provides an incentive similar to what exists in the current rate structure. It is expected that the tonnage currently being recovered at disposal facilities will be maintained if the recommendation is implemented. It is not likely that a significant amount of new recycling will take place because of this incentive.

Tip Fee Impact

On the average, customers will not pay the tip fee for recyclables they deliver to transfer stations. The full fee would still be assessed against waste in their load. Therefore, there should be impact on the tip fee if alternative 2 is implemented.

Incentive #2

Volume-Based Collection Rates With Mini-Can Service

Local governments responsible for establishing collection rates can use volume-based rates with a mini-can service to create one of the most direct economic incentives for encouraging waste reduction.

Existing System

Most residents of the Metro region are offered collection service on a volume basis. However, relatively few are offered a service level at less than one full can. As a result, the collection rates do not serve as an economic incentive to those who are already at a one-can level.

Existing rates in the Metro region are at most levelized, such that the charge for each additional can is constant. A stronger incentive for waste reduction could be created by increasing the per can charge for each additional can.

Metro recently conducted a household survey to determine the current level of household waste generation. The survey will include approximately 5,000 households. Results shown below are based on the 1,943 households that have been sampled to date.

<u>Cans Per Week</u>	<u>Number of Households</u>	<u>Percent of Households</u>
0.0	22	1.13%
0.5	325	16.73%
1.0	1,206	62.07%
2.0	317	16.31%
3.0	52	2.68%
4.0	10	0.51%
5.0	4	0.21%
6.0	3	0.15%
7.0	4	0.21%

Approximately 18% of the households surveyed produced less than one can of waste each week. Of these households, 7% produced no waste for disposal.

For the purpose of predicting the potential new diversion of mini-can rates were implemented region-wide, it is assumed that the 18% of the households that generate less than one can of waste are either paying for one-can service or are not subscribing to commercial collection services.

If the response to mini-cans is similar to what has occurred in Seattle, 30% of households would subscribe. Assuming that 18% would be the households currently producing less than one can, the remaining 12% would most likely be households currently producing one can or more. Total potential diversion from just the mini-can rate is shown below.

The potential new diversion is approximately 17,000 tons each year. This is 1.4% of the 1,171,500 tons of all waste projected to be disposed in 1990 and 4.7% of the 363,000 tons of residential waste.

Current Generation (cans/hh/wk)	Estimated Percent of All Households	Estimated Number of Households	Expected Household Participation (%)	Expected Participating Households	Potential Diversion (cans/hh/wk)	New Diversion (cans/hh/wk)	New Diversion (tons/year)
0	1.13%	4,238	100%	4,238	0	0	0
0.5	16.73%	62,738	100%	62,738	0	0	0
1	62.07%	232,763	20%	45,525	0.4	18,495	16,830
2	16.31%	61,163	0%	0	1.4	0	0
3	2.68%	10,050	0%	0	2.4	0	0
4	0.51%	1,913	0%	0	3.4	0	0
5	0.21%	788	0%	0	4.4	0	0
6	0.15%	563	0%	0	5.4	0	0
7	0.21%	788	0%	0	6.4	0	0
Total	100%	375,000		112,500		18,495	16,830

NOTES:

1. Expected participation rate for 1-can households of 20% assumes 30% of all households will participate.
2. Current cans/hh/wk is based on preliminary results of 1990 Metro Survey.
3. Potential diversion is based on a mini-can volume of 19 gallons.
4. Potential new diversion assumes 32 gallon cans weigh 35 pounds and 19 gallon cans weigh 23 pounds (10% higher density).
5. Households are single-family dwellings in the tri-county area..

Possible New Action

Though Metro has no direct responsibility in setting collection rates, recommendations can be made as part of the Local Government Work Plan. The current Plan states that:

"Each local government shall develop a rate structure that provides an incentive to reduce waste. The rate structure shall specify higher per unit disposal charges for higher volume setouts. This includes: (1) a mini-can option for which the disposal charge per unit volume for a mini-can is less than the disposal charge per unit volume for a standard 32 gallon can, or (2) a weight based disposal rate that makes use of a sliding rate scale such that the disposal charge per unit of weight is less for garbage setouts of lesser weight than for garbage setouts of greater weight. The disposal rate for two 32 gallon cans or a single 60 gallon can shall be at a higher charge per unit volume than for one 32 gallon can. The disposal rate for a third can or for a single 90 gallon can shall be at a higher charge per unit volume than for two cans or a single 60 gallon can".

Alternative 1. Modify the Local Government Work Plan to recommend that the per unit disposal charge for high-volume service is equal to or greater than the per-unit charge for low-volume service.

Alternative 2. Maintain the higher per unit disposal rates for higher volumes (or weights) recommended in the Local Government Work Plan with the addition of exemptions for large families.

There are risks associated with implementing Alternative 2 throughout the region at the present time. Higher rates for extra service could create an incentive for reducing waste by both illegal and legal means. Presumably, the availability of convenient recycling programs will help minimize illegal dumping.

Convenient collection of recyclables is not presently available throughout the region. The risks of illegal dumping could be minimized if local governments wait to implement Alternative 2 until after weekly curbside collection is offered with containers provided.

Recommendation

Implement Alternative 1. Local governments have the option of establishing a constant per unit disposal charge. After weekly curbside collection with containers is provided, re-evaluate the proportion of residents with different levels of service. If convenient collection plus levelized rates have not reduced waste, then reconsider Alternative 2.

Regional Recycling Level Impact

If the response is similar to what has occurred in Seattle, the region-wide availability of mini-cans could increase the regional recycling level by about 1%. Response to variable per-unit volume rates is difficult to predict. While some areas have reported significant reductions in waste, West Linn has found that the percentage of households subscribing to different levels of service was not affected by a change to a levelized rate structure.

Tip Fee Impact

No impact on Metro's fees.

Incentive #3

Diversion of Source-Separated Yard Debris from Metro Facilities

A significant portion of waste delivered to Metro South Station and St. Johns Landfill is yard debris. In order to reach regional recycling goals, diversion of yard debris is necessary. The Regional Yard Debris Plan (June 1990) states that Metro shall "Establish an effective diversion program which results in yard debris getting to regional yard debris processors instead of dumped as mixed solid waste at disposal facilities."

An effective diversion program would have two objectives:

- (1) Diversion of as much yard debris as possible directly to the private processors. If Metro is not going to build and operate a full-scale yard debris processing center, then support of private facilities is necessary for long-term enhancement of the region's yard debris recycling program.
- (2) Recovery of yard debris that is delivered to transfer stations by providing separate dumping areas with capacity for sorting slightly contaminated loads to the extent possible giving operational constraints.

The rate structure and operational plans at transfer stations should be consistent with accomplishing these two objectives.

Existing System

Current rates for disposal of mixed waste at St. Johns Landfill are \$48 per ton and \$15 per trip for commercial and self-haul loads respectively. Rates for delivery of source-separated yard debris to St. Johns Landfill are \$25 per ton and \$10 per trip for commercial and self-haul loads.

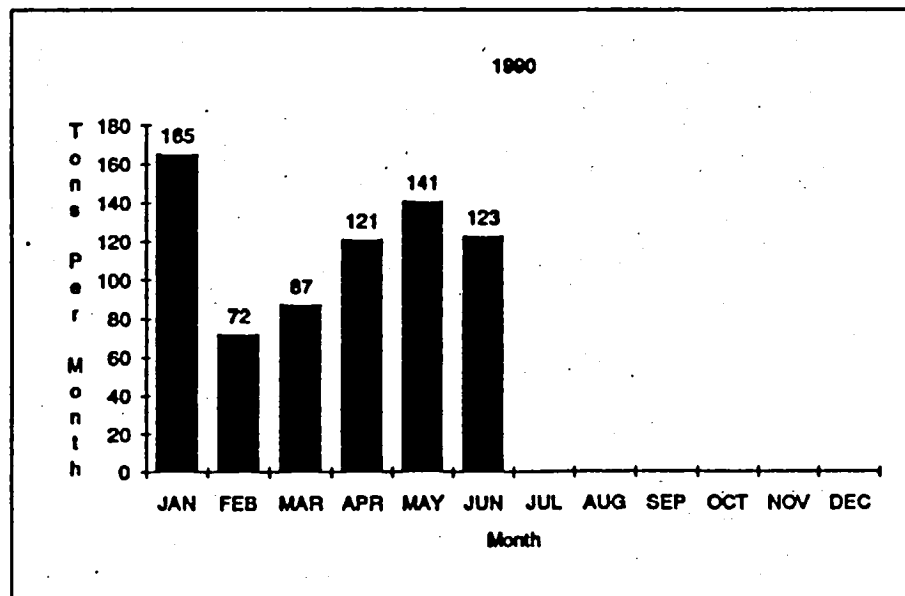
A comparison of yard debris rates at processors and St. Johns Landfill is shown below. Grimm's and McFarlane's are currently charging on a cubic yard basis. The per ton rates are estimated equivalents using 9:1 for loose cubic yards and 3:1 for compacted cubic yards.

	St. Johns Landfill	Grimm's	McFarlane's	ECRC	American Container
Self-Haul	\$10/trip (\$36/ton)	\$4/lcy (\$12/ton)	\$4/lcy	\$55/ton	\$4/cy branches \$3/cy leaves, grass
Commercial	\$25/ton	\$3.50/lcy (\$31.50/ton)	\$4/lcy (\$36/ton)	\$55/ton	\$4/cy branches \$3/cy leaves, grass
		\$6.50/ccy (\$19.50/ton)	\$4/ccy (\$12/ton)		

- Note:
- (1) lcy=loose cubic yards; ccy=compacted cubic yards.
 - (2) East County Recycling (ECRC) accepts only loads greater than 600 pounds.
 - (3) A special rate has recently been established for landscapers and contractors of \$3.50/lcy. Grimm's has also provided a special rate of \$6.50/ccy for material in packer trucks.

More than 90% of the yard debris delivered to Metro South Station and St. Johns Landfill is loose rather than compacted. For most yard debris, therefore, the rate at St. Johns Landfill is about \$10/ton lower than the rate at the two major yard debris processors, Grimm's and McFarlane's. At Metro South there is no discounted yard debris rate and the tip fee is about \$20/ton higher than the rate at processors.

The source-separated yard debris tonnage received at St. Johns Landfill during 1990 is shown below.



The geographic distribution of facilities that collect or process yard debris is shown on the map on the following page. Unless new private facilities are developed, there will be no major yard debris processors serving both self-haul and commercial haulers in the northern part of the region after St. Johns Landfill closes in 1991.

Loose cubic yards received at the two major processors, Grimm's and McFarlane's, during 1989 and 1990 are shown below.

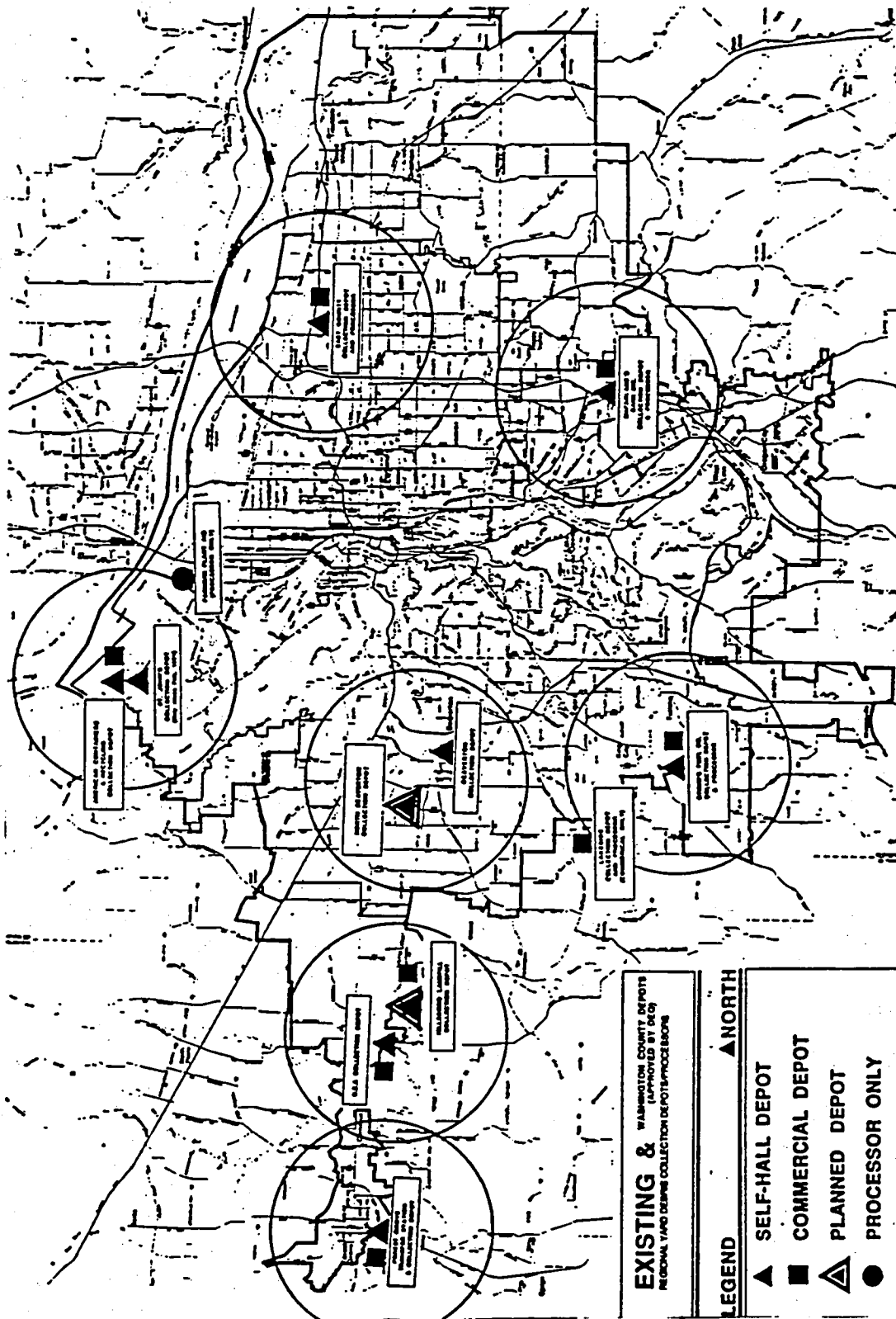
Grimm's Fuel Company

Month	Received (cubic yards)		% Change
	1989	1990	
JAN	8476	13045	54%
FEB	5196	5121	-1%
MAR	10158	12418	22%
APR	14405	12273	-15%
MAY	14819	11021	-26%
JUN	15977	12649	-21%
JUL	15004		
AUG	12224		
SEP	12583		
OCT	8688		
NOV	13686		
DEC	10108		

McFarlane's Bark, Inc.

Month	Received (cubic yards)		% Change
	1989	1990	
JAN	8579	7575	-12%
FEB	3722	4735	27%
MAR	5232	10215	95%
APR	10038	11251	12%
MAY	10200	11525	13%
JUN	9094	11965	32%
JUL	8121		
AUG	7807		
SEP	7207		
OCT	6722		
NOV	6116		
DEC	4756		

LOCATION OF YARD DEBRIS COLLECTION AND PROCESSING FACILITIES



The percentage of yard debris in the waste delivered to Metro South and St. Johns Landfill during 1989 is shown below. An estimate is made of the potentially recoverable portion of this waste stream.

	Metro South	St. Johns Landfill
Total Waste Delivered to Facility (tons)	341,000	393,200
Self-Haul (%)	16%	10%
Commercial Drop Box (%)	25%	30%
Self-Haul Waste (tons)	55,000	39,000
Commercial Drop Box Waste (tons)	85,000	117,960
Self-Haul Yard Debris (%)	10%	10%
Commercial Drop Box Yard Debris (%)	5%	5%
Self-Haul Yard Debris (tons)	5,500	3,900
Commercial Drop Box Yard Debris (tons)	4,500	4,700
Self-Haul Recoverable Yard Debris (%)	80%	80%
Commercial Recoverable Yard Debris (%)	50%	50%
Self-Haul Recoverable Yard Debris (tons)	4,000	3,000
Commercial Recoverable Yard Debris (tons)	2,000	2,000
Total Recoverable Yard Debris (tons)	6,000	5,000

Yard debris is 12.3% (42,000 tons annually) and 7.7% (30,000 tons annually) of all waste delivered to Metro South and St. Johns Landfill, respectively. Most yard debris, therefore, is in mixed waste loads such as from residential packer trucks. It is not likely that this yard debris can be effectively diverted by special tip fees for yard debris.

Bans on Yard Debris

Banning yard debris is an alternative to using tip fee incentives to encourage source-separation. Several states have implemented bans as shown below.

<i>State</i>	<i>Date Effective</i>	<i>Yard Waste Banned</i>	<i>Market Development</i>	<i>Compliance</i>
Connecticut	1/1/91	Leaves only	Preferential procurement for recyclables that could include yard waste	Measures under consideration; enforcement possible under solid waste law
Florida	1/1/92 (from lined landfills only)	Vegetative matter, including stumps & branches	State agencies required to buy compost products when cost-competitive	Via achievement of 30% state recycling goal by 1994; yard waste can represent 15% of the 30% goal
Illinois	7/1/90 (ban on truckloads of leaves by 9/89 repealed)	All landscaping waste, grass, leaves, tree trimmings	State working with Dept. of Transportation on compost use	Enforcement action at landfill
Iowa	1/1/91	Not yet specified	Agencies should give preference to compost use in all land maintenance activities	Unannounced inspections at landfills
Minnesota	1/1/90 for 7 county metro area; 1/1/92 for rest of state	Yard waste, clippings, boughs, etc.	1985 Exec. Order covers state use of compost products; Waste Mngt. Act also requires market development for compost	Enforced at county level
New Jersey	8/89 (Ban extended to year-round vs. only 9/1-12/31)	Leaves only	All public lands must give preferential procurement to compost materials	Provisions available under Solid Waste Mngt. Act to impose fines; enforcement at landfills and transfer stations where permits don't allow acceptance of yard waste
North Carolina	1/1/93	All yard trash	Market evaluation due by 3/91; all state agencies & local govts. required to procure compost when cost-competitive & suitable substitute	
Ohio	1/1/93	Leaves, grass, brush & other woody bits	Assistance being evaluated for all recycled products, including compost	Fines; and need provision for yard waste composting in solid waste mngt. plan to get state approval and funding
Pennsylvania	9/26/90	Leaf waste, inc. leaves, garden residues & tree trimmings but not inc. grass clippings	Preferential consideration to use of compost in maintenance of public lands	Non specific to leaf waste ban but mechanisms are available
Wisconsin	1/1/93 (6 of 72 counties have bans in place)	Leaves, grass, small woody bits under 6"	Communities' responsibility	No state mechanism

From: Yard Waste Composting. 1989. JG Press, Inc.

Problems With the Existing System

Reasons that haulers take yard debris to disposal facilities instead of processors include:

- (1) Processors have not had a weight based rate structure. Haulers have reported that the equivalent per ton charge is sometimes much higher than at transfer stations. A 20 cubic yard drop box containing one ton of yard debris could be charged \$70 to \$80 at processors and only \$55 at transfer stations.

- (2) Turn around time for commercial loads may be greater at processors than at transfer stations because of less efficient traffic arrangements.
- (3) Processors may reject loads or assess penalties for slightly contaminated loads. Haulers may not know what is in the bottom of drop boxes until the load is emptied. Rather than risking penalties, they take the load to the disposal facility and pass any higher cost of disposal back to the generator.

These kinds of problems are not likely to be solved with tip fee incentives. The long term solution that will result in more yard debris diversion is to provide a convenient system of processors that have weight based rates and the capability of accepting slightly contaminated loads.

Possible New Actions

Alternative 1. Apply the full tip fee to yard debris delivered to Metro transfer stations in order to create the maximum incentive for delivery of yard debris to private processors. Transfer stations recover clean yard debris for delivery to processors.

Alternative 2. Create a "three-tier" rate structure in which the yard debris fee at transfer stations is less than the fee for garbage but more than the yard debris fee at private processors. Yard debris rates would be set by charging the disposal cost (to be negotiated), the Regional Tier One User Fee (covering fixed costs), and the Regional Transfer Charge (covering facility operator costs). With the current rate structure, the fees would be \$35/ton at yard debris processors, about \$45/ton for yard debris at transfer stations, and \$55/ton for mixed waste at transfer stations.

Alternative 1 is a better approach for accomplishing the first objective of an effective diversion program: encouraging haulers to deliver yard debris directly to processors. The larger the difference between yard debris fees at transfer stations and processors, the greater will be the incentive for taking yard debris to processors.

If rate incentives were the only means to accomplish the second objective, recovery of yard debris delivered to transfer stations, Alternative 2 would be the better approach. However, there are other approaches that can be used. Spotters and scalehouse personnel can be used to direct mostly clean loads of yard debris to special dumping areas within transfer stations. Combining Alternative 1 with new operational practices at existing facilities would be most likely to accomplish both objectives of a diversion program.

Alternative 1 should also provide a greater incentive for the long-term development of private processing capacity. If Metro maintains a discounted tip fee for yard debris there will less incentive for businesses to start or expand yard debris processing capacity.

The effectiveness of Alternative 1 in causing haulers to deliver yard debris directly to processors depends on two factors: (1) there must be a convenient system of yard debris processors available to most haulers in the region that serves as an alternative to transfer stations, and (2) the differential between the transfer station fee (currently \$55/ton) and the fee at processors (currently \$35/ton) must be enough to cause haulers to switch from transfer stations to processors.

The convenience factor for many haulers includes a consistent weight-based fee structure. Haulers need to know what the savings will be if they deliver yard debris to processors rather than to transfer stations. Using volume-based fees, as is currently the case at the major processors, creates uncertainty that causes some haulers to deliver to transfer stations even though the tip fee is higher. One processor is installing scales and the other major processor is looking at the possibility of scales.

The rate differential must be maintained if Alternative 1 is to be effective. This may mean that Metro would need to enter into some type of agreement with processors that would ensure that rate differentials are maintained. Metro staff is currently examining this possibility.

Recommendations

(1) Implement Alternative 2. Metro creates a yard debris rate based on disposal costs plus appropriate fixed costs. Requires amendment of Metro Code Chapter 5.02 (Solid Waste Disposal Fees).

(2) Metro pursues options for eliminating the problems that cause haulers to choose not to deliver yard debris to processors. This may include some form of regulation.

Regional Recycling Level Impact

The implementation of a yard debris rate that is less than the full tip fee but more than the processors will result in new recovery at Metro South. Less yard debris may be recovered at St. Johns than currently is with the \$25/ton rate. However, some of this potential loss will likely be compensated for by more direct deliveries to processors.

The new recovery at Metro South is likely to be greater than the decrease at St. Johns (Metro East). Therefore, the net effect of this recommendation should be an increase in the regional recycling level. Based on the deliveries to St. Johns during the past year, recovery rates may be about 100 tons/month at each facility.

Improvements in processing facilities would have a much greater impact on the regional recycling level. If such improvements resulted in recovery of half of the yard debris currently being disposed, about 35,000 more tons would be recycled every year.

Tip Fee Impact

If the rate for yard debris is sufficient to cover the cost of processing, there should be no impact on the rates charged for waste. If a disposal cost of \$30/ton could be negotiated for yard debris delivered to transfer stations, the rate structure would be as follows:

Disposal fee (negotiable)	\$30/ton
Tier One User Fee (fixed costs)	\$ 7/ton
Transfer Charge (facility operator)	<u>\$7/ton</u>
TOTAL YARD DEBRIS RATE	\$44/ton

This assumes that DEQ charges could be waived on yard debris.

If the disposal cost is higher than \$30/ton, part of the user fee or transfer charge would have to be waived to maintain the rate near \$45/ton. Fees on other tonnage would need to be increased in order to collect sufficient revenue to cover expenses.

Incentive #4

Recycling Rebates for Haulers

The current market value of recyclables does not cover the cost of collection and marketing. Ratepayers must pay for the costs of establishing new collection programs.

Local governments could set collection standards and establish collection rates that cover the costs of accomplishing the standards. An alternative used by some governments (e.g. Lane County) has been to pay haulers on a per ton basis for material collected and marketed. Revenue for such payments is generated by increased tip fees. Because tip fees are passed back to ratepayers, this incentive is an indirect way of making sure collection rates are high enough to pay for the cost of collecting and marketing recyclables.

Existing System

Local governments are responsible for setting collection rates. In franchised areas of the Metro region, collection rates include the cost of implementing recycling standards. The changes being considered by the City of Portland would create standard and rates for residential collection.

Possible New Action

Metro makes per ton payments to haulers for material collected and marketed by haulers. Money for the incentive is generated from higher tip fees on waste disposed.

The major problem with this incentive is the potential inequities caused by demographic variability. Regardless of effort on the part of haulers, the amount of recyclables collected may vary among neighborhoods because of differences in the type of businesses, household income, family size, education, and other factors that influence waste generation and participation in recycling programs.

One approach to reduce this inequity would be to base payments on the annual change in tonnage marketed by a hauler. Tonnage marketed by each hauler during a base year could be determined prior to implementing the incentive.

Recommendation

Do not implement. Instead, Metro encourages local governments to continue to improve recycling standards and develop rate-setting processes that ensure that recycling costs will be included in both residential and commercial rates. The Waste Reduction Subcommittee suggested that Metro re-evaluate this incentive in the future depending on the success of local government programs.

Regional Recycling Level Impact

The greatest potential for this type of incentive would be in commercial recycling. The costs of residential recycling will be included in rates set by franchise collection areas. Haulers can not be assured of exclusive rights to commercial recyclables at a franchise rate.

An estimated 52% (624,000 tons) of all waste disposed in the region is from non-residential generators. 35% (218,000 tons) of this waste is paper. If an incentive results in recovery and marketing of even a relatively small portion of this tonnage, the impact on the regional recycling level could be significant.

Tip Fee Impact

Approximately 135,000 tons of paper were recycled during 1989 from the non-residential sector for an overall recycling level of 38%. If this increases to 50%, about 40,000 more tons would be recycled. If \$50/ton payments were made for new recycling tonnage, the total cost of the incentive would be \$2 million and the tip fee increase would need to be \$2/ton.

Incentive #5

Routing of Food Waste to the MSW Compost Facility

Existing System

The tip fees at the MSW Compost Facility will include the cost of disposing residual material. The residual waste is determined by the waste composition of loads delivered to the facility. The "reference waste composition" used in the Service Agreement is:

Paper	34.8%
Yard Debris	9.9%
Wood	8.0%
Food Waste	8.8%
Diapers	1.5%
Misc. Organic	6.7%
Textiles	3.8%
Fines	2.0%
Plastics	7.8%
Aluminum	0.9%
Misc. Inorganics	5.5%
Ferrous Metal	6.0%
Nonferrous Metal	0.2%
Glass (recyclable)	3.6%
Other	0.5%

Residual can be reduced if loads with higher organic contents than the above waste composition are delivered to the Compost Facility. Accomplishing this, however, may require that haulers create special collection routes or make other changes in collection methods (e.g. providing a second container for food wastes). The avoided cost of disposal could be used to fund these changes.

Possible New Action

A tip fee incentive is established that encourages haulers to create special collection routes for high-organic loads that will be delivered to the Compost Facility.

Metro would offer the incentive without specifying how haulers will accomplish high-organic loads.

The incentive may not be sufficient to pay the extra cost of establishing special collection routes. The inspection of loads needed to determine eligibility would be operationally difficult to accomplish.

Recommendation

Metro and Riedel negotiate an amendment to the Compost Facility Service Agreement that creates an incentive for haulers to create special collection routes and deliver loads with less residue.

Regional Recycling Level Impact

Without this incentive the annual delivery to the compost facility is expected to be 185,000 tons with a residual of 55,500 tons that will be landfilled. If this incentive reduces the residual level to 10% of delivery tonnage, there would be a net increase in the regional recycling tonnage of about 37,000 tons. A residual of 10% would be similar to recovery levels at compost facilities with wet/dry collection systems and is probably the best that could be expected using rate incentives to divert loads.

Tip Fee Impact

The incentive offered would not exceed the avoided cost of transporting and landfilling residue. Therefore there should be no impact on Metro tip fees.

Incentive #6

Recovery of Construction/Demolition Debris

The 1989/1990 Waste Characterization Study estimated that construction and demolition debris makes up 17% of all tonnage disposed in the Metro Region. Metro's Special Waste Project has concluded that a significant portion of this waste is potentially recyclable.

Existing System

There is no major facility capable of recovering a significant amount of the construction and demolition debris generated in the region. Instead, the material is being delivered to transfer stations and landfills without recovery capacity.

Disposal fees at some landfills (e.g. Hillsboro Landfill) are low enough to cause haulers to pay the extra transportation cost to deliver material to the landfills.

Expansion of existing facilities or construction of new ones capable of handling construction and demolition debris will occur in the near future. Diversion of recoverable waste from landfills to recovery facilities could be accomplished in several different ways.

Possible New Actions

Alternative 1. Local governments increase disposal fees at out-of-region limited-purpose landfills to levelize fees with recovery facilities.

Alternative 2. Metro utilizes its flow control authority and franchise agreements to divert recoverable material from landfills to recovery facilities.

Alternative 1 maintains haulers' freedom of choice in selecting facilities for delivering loads. However, it makes the rate-setting process more difficult because rates at recovery facilities would need to be considered. There would need to be some way to ensure that rate differentials are maintained.

Alternative 2 may be a more certain way of achieving desired flow patterns. However, the it removes hauler flexibility.

The best approach will depend on the system that is being developed for recovering construction/demolition debris. The need for flow control or special rates can not be evaluated at present.

Recommendation

Defer to the implementation stage of the Special Waste Project.

Regional Recycling Level Impact

Construction and demolition debris makes up 17% (192,000 tons) of all waste disposed in the region. The potential impact on the regional recycling level is significant if a portion of this material can be recovered.

Tip Fee Impact

Cannot be estimated at this time.

Incentive #7

Support of Mixed Waste Paper Collection Programs

Fluctuations in market prices have made it difficult to maintain consistent collection programs for mixed waste paper in the Metro region. During the past few years, private processors, haulers, Metro, local governments, and recycling groups have all been actively working with commercial customers to establish special recycling programs for mixed waste paper. Large offices have sometimes invested in special janitorial services. Haulers have purchased new trucks and containers in order to service small generators with special collection routes.

Market prices may create instability that makes it difficult to maintain these programs. When processors stop accepting mixed waste paper or increase the tip fees they charge because of low market prices, haulers cancel special collection routes. Both generators and haulers may be less likely to re-establish collection programs if there is no assurance that cancellations will not be repeated as the market price once again falls.

Metro and local governments could take several actions to help create stability in waste paper collection programs. Some local governments in the region have considered making commercial recycling services a requirement of hauler franchises. Any loss that haulers incur because of poor markets could be considered during the franchise rate-setting process.

Metro could accomplish the same objective by providing financial support to processors when market prices are low. Processors would then be able to continue accepting deliveries of mixed waste paper. While such support would help maintain program stability, there are several risks. Poor market conditions could be made worse by supporting continued collection when prices are low. Source-separation may also be discouraged by such an incentive.

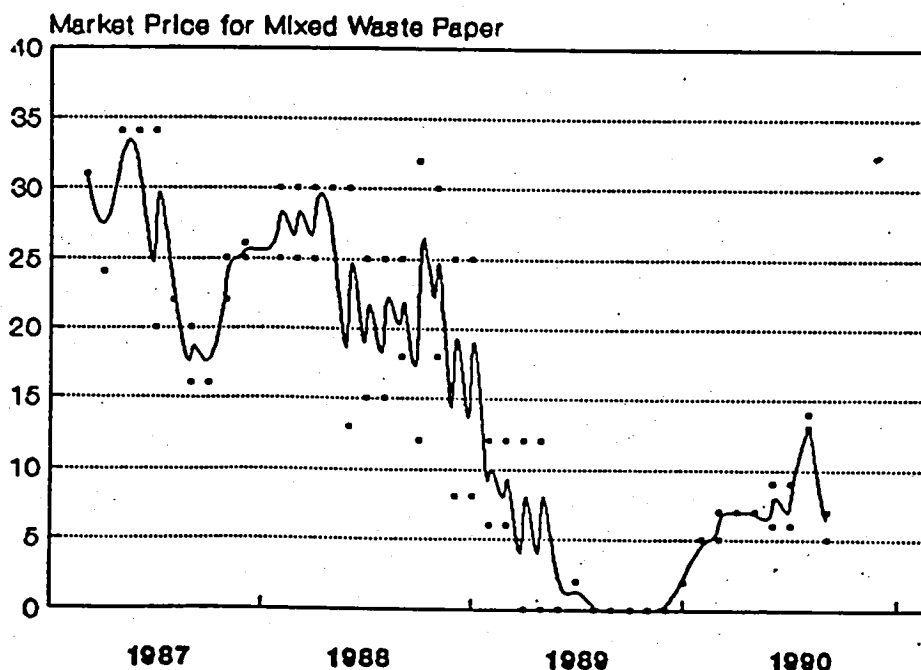
Existing System

Metro currently offers a \$2 payment to processors for each ton of mixed paper recovered from loads of 50% to 79% mixed paper. Mixed paper is defined as "uncontaminated, recyclable paper exclusive of newspaper and cardboard". The payment is offered regardless of market price.

The existing incentive has been ineffective. Even those processors who are eligible for the incentive have not applied for payment.

An example of the instability caused by market prices, and the ineffectiveness of the current incentive, is demonstrated by the recent experience of the Oregon Processing and Recovery Center. The following chart is the regional monthly market price for mixed waste paper since 1987. Recovery of mixed waste paper at OPRC peaked during 1987 when market prices were approximately \$20/ton higher than they currently are.

The \$2/ton incentive did not help maintain recovery during the 1989 market downturn. Special collection programs created for mixed waste paper were cancelled during 1989 and as market prices improved during 1990, the tonnage recovered at OPRC did not increase. Collection programs were eliminated and not re-established once markets prices improved.



Possible New Actions

Three alternative actions could be taken given the ineffectiveness of the current incentive:

Alternative 1. Increase the per ton payment (e.g. from \$2 to \$5).

Alternative 2. Create a variable payment that is sensitive to the market conditions. The incentive would not be offered when market conditions are good and disruption of collection programs is not likely. The payment could be structured such that if the

current month's market price for mixed waste paper is above the average price of the previous year, no payment would be made. If the current month's market price for mixed waste paper is below the average price of the previous year, the per ton payment would be the difference between the two. For example, average price during 1987 and 1988 was about \$23/ton. Payments during 1989 would have been as high as \$23/ton when the market price dropped to \$0/ton.

Alternative 3. Eliminate the incentive entirely.

Alternative 1 would make it more likely that the incentive would accomplish the objective of supporting collection programs during poor markets. However, it still has the disadvantages associated with any fixed incentive. Regardless of market conditions a fixed payment would be made. When markets are good, Metro would unnecessarily be asking other users of the system to make payments to processors of mixed waste paper. When markets are bad, the payment would have to be increased to over \$20 per ton to have been effective when mixed waste paper prices dropped to \$0 per ton. Increasing the payment to \$5 or \$10 per ton may not be enough to avoid program disruptions during bad markets, but too much during good markets.

Alternative 2 links the payment to market prices and eliminates many of the problems associated with a fixed payment. The key decision question, however, is whether haulers and generators are refusing to re-establish collection programs during market improvements.

Both Alternatives 1 and 2 could act as disincentives to source-separate paper. However, more than 70% of OPRC's mixed waste paper customers also have source-separated programs in place. Paper collected as mixed waste has not been acceptable for the source-separation process.

Recommendation

Eliminate the existing incentive because it has been ineffective and a high level subsidy would be required to make it effective.

Regional Recycling Level Impact

During 1989 only 8% (11,000 tons) of mixed waste paper were recycled. More than 130,000 tons were disposed. A significant portion of this is from the non-residential waste stream that could be targeted with this incentive.

Tip Fee Impact

Tip fee impacts would depend on market conditions and would vary from year to year. During the past year, an average of about \$15/ton would have needed to be paid on about 2,000 tons of paper recovered from mixed waste.

Incentive #8

User-Fee Waivers

Metro Code Chapter 5.02 states that "The User Fee shall be waived at material recovery facilities that accomplish recycling as a *primary* operation". The objective was to create an economic incentive for high-grade recovery.

Loads with a low percentage of recyclable material will be delivered to transfer stations for processing. Some material recovery will take place at transfer stations, but the recovery level will be considerably lower than at high-grade facilities.

Facilities that operate primarily as transfer stations are not the intended targets of this incentive. The lack of clear standards creates confusion about which facilities should be eligible for User Fee waivers.

Existing System

There are currently two franchised facilities that apply for the User Fee Waiver: Oregon Processing and Recovery Facility and East County Recycling Center. The delivery and recovery tonnages for these two facilities are shown on the next page.

Possible New Action

Alternative 1. Maintain the current fee waiver but establish a minimum recovery level to determine eligibility for waivers. 30% is the recommended standard.

Alternative 2. Establish a sliding scale for waivers such that the facility's recycling level determines what percentage of the fee is waived.

Alternative 1 is a more direct approach to encouraging high-grade facilities to improve recovery levels.

Recommendation

Implement Alternative 1. Requires amendment to Metro Code Chapter 5.02 (Solid Waste Disposal Fees).

Oregon Processing and Recovery Center

	Tons				Recovery Percent	
	Delivery		Recovery			
Month	1989	1990	1989	1990	1989	1990
Jan	796	687	449	299	56%	44%
Feb	704	539	353	261	50%	48%
Mar	840	617	321	337	38%	55%
Apr	861	492	327	221	38%	45%
May	1071	532	92	215	9%	40%
Jun	1414	464	175	215	12%	46%
Jul	574		149		26%	
Aug	377		57		15%	
Sep	592		355		60%	
Oct	578		216		37%	
Nov	856		324		38%	
Dec	703		233		33%	

East County Recycling Center

	Tons				Recovery Percent	
	Delivery		Recovery			
Month	1989	1990	1989	1990	1989	1990
Jan	345	2185	58	497	17%	23%
Feb	237	1422	229	250	97%	18%
Mar	380	2529	130	422	34%	17%
Apr	564	2965	564	926	100%	31%
May	670	3629	305	1746	46%	48%
Jun	1931	3170	1405	1074	73%	34%
Jul	3224		1626		50%	
Aug	3546		1250		35%	
Sep	3077		685		22%	
Oct	2806		663		24%	
Nov	2137		455		21%	
Dec	1985		420		21%	

Incentive #9

Recycling Credits for Non-Profit Charitable Organizations

The purpose of this incentive is to provide disposal cost relief at Metro solid waste disposal facilities for charitable, nonprofit entities that accomplish a significant level of waste reduction and recycling. It is the intent of this incentive to provide assistance to organizations that uniquely qualify by achieving significant amounts of waste reduction and recycling while at the same time providing assistance to needy citizens of the region and opportunities for employment.

Existing System

Charitable organizations pay the full tip for waste generated from their operations.

Possible New Action

Recycling credits are established to provide disposal cost relief at Metro disposal facilities to organizations that qualify under the following eligibility criteria.

- (a) The organization must be classified as a nonprofit organization under Section 501 (c) (3) of the United States Internal Revenue Code. Furthermore, the organization must submit an annual report on Federal Form 990 (Return of Organization Exempt for Income Tax).
- (b) The organization must be registered as a nonprofit organization with the Corporation Commission of the State of Oregon.
- (c) The organization submits an annual report to the Oregon Department of Justice Charitable Trust Section.
- (d) The organization does not contract with for-profit organizations to collect, process, or sell used goods.
- (e) The organization must be engaged, as a primary form of revenue, in the processing of donated goods for resale or reuse.
- (f) The organization facilitates the opportunity to reuse and recycle for the general public via curbside collection of donated goods or staffing of drop-off sites.
- (g) The waste reduction activities of the organization divert a significant amount of material that might otherwise be landfilled. A significant amount is defined as a minimum of 250 tons per year of donated goods that are either reused or recycled.

- (h) The organization is a credit customer in good standing at Metro disposal facilities.
- (i) The organization submits annual waste reduction data to the Metro Solid Waste Director by February 15th of each year which documents the organization's recycling level for the preceding calendar year using a methodology approved by Metro.
- (j) No portion of the District funds authorized by this program will benefit any religious function of any religious organization.

Recycling Credits are based on an eligible organization's overall waste reduction level. The waste reduction level includes both reuse and recycling activities. The following formula establishes the amount of the Recycling Credit relative to the organization's recycling level. Recycling Credits will be applied to total disposal costs at the time Metro bills the eligible organization:

- If the recycling level is 70% or above,
a 100% credit is granted;
- If the recycling level is 65% or above,
a 90% credit is granted;
- If the recycling level is 60% or above,
an 80% credit is granted;
- If the recycling level is 55% or above
a 70% credit is granted;
- If the recycling level is 50% or above,
a 60% credit is granted;
- If the recycling level is below 50%,
no credit is granted.

The recycling level of the eligible organization will be based on documentation provided to Metro's Solid Waste Director on an annual basis.

Recommendation

Implemented (Ordinance No. 90-362).

Incentive #10

Metro Recycling Business Development Revolving Loan Fund

Some businesses are unable to get conventional financing to start or expand recycling operations. One way Metro can assist is through a loan program co-sponsored by the Portland Development Commission.

Background

A proven public sector tool to stimulate the rapid emergence of private business development in new industries or economically lagging sectors is the revolving loan fund. Programs have existed in the Portland area for over ten years, using Federal, state and private grants and loans for initial capitalization, to stimulate new business expansion in slum and blighted area. This same tool can be used to maximize investment dollars to accomplish specific public goals. In this case, a revolving loan fund is envisioned to assist in the assembly of capital resources for companies organizing to accomplish METRO's solid waste management objectives. loan funds would be made available on a companion loan basis to qualified companies and projects. Eventually, these loan funds would be repaid out of business operations, and be available to reloan into a new project.

A revolving loan program will complement other solid waste management incentive programs, such as the 1% For Recycling Program. loans would be directed at the capital needs of specific companies that cannot gain needed capital on normal terms, and thereby fill a large and critical gap which currently stops the emergence of private business in this rapidly evolving industry.

Program Development

Creating a revolving loan program will take place in three phases spanning six to eight months prior to initial funding.

Phase One: Revolving Loan Fund Plan

In this phase, the goals and objectives for the fund are established, based upon research indicating the capital needs of recycling businesses seeking start-up and expansion funds. The plan should characterize: Economic and private sector lending problems for recycling businesses; a strategy to deal with these problems; how the revolving loan fund would be used; and how the fund would be coordinated with other business development activities planned or underway at METRO.

At the completion of Phase One, a review would be made of other potential funding sources to establish potential areas of joint interest and funding.

Phase Two: Administrative Planning

During this phase, an evaluation would be made to determine how and where to administer the fund. A Loan Administration Board is envisioned to make specific loan application decisions. This board, appointed by and responsible to METRO, could operate with the support of METRO or take advantage of other regional agencies now operating revolving loan funds. This would facilitate not having to re-create the loan administration staff and portfolio maintenance procedures for a relatively small volume of work.

Also during this phase, a marketing plan, loan selection and approval process, loan administrative and servicing concept, administrative cost and payment formula, and capital management strategy would be worked out. Plans would be formed to expand the capital base of the fund. Audit and funds control procedures would be established in coordination with METRO financial officers and appropriate State agencies. The entire plan then would be presented for review and approval by the METRO Council and appropriate agencies of the State and Federal governments.

Phase Three: Start-up

Based upon an acceptable plan, the METRO Council would approve members of the Loan administrative board who would be selected from the local community based upon their knowledge of lending, business management, and solid waste recycling. The board would serve for a fixed period of time, making decisions on the operation of the fund.

Initial marketing and loan application screening would commence immediately.

Recommendation

Implement Phase One and Phase Two in the next 12 months. Direct staff to prepare a METRO Revolving Loan Program Plan that utilizes funds to sponsor the start-up and expansion of business activities for recycling. Based upon the feasibility of the plan, negotiate with other participating providers of capital funds and development joint statements of goals and objectives. Finally, select a method to administer the loan program, taking advantage of other municipal agencies prepared to offer these services with existing program resources.

ATTACHMENT A

A PROPOSED RATE INCENTIVE TO PROMOTE RECYCLING
BY SELF-HAULERS AT THE METRO SOUTH TRANSFER STATION

Steven L. Kraten

Introduction

This report describes five alternatives for implementing a recycling incentive at the Metro South transfer station. It was found that technical limitations of the scales and design limitations of the facility severely constrained the number of feasible alternatives. Of the five alternatives listed, three require major or minor facility modifications. At least two of the alternatives require further study to determine whether or not they are actually feasible. In addition to the complications associated with facility and procedural modifications, each alternative presents some unique operational difficulty to be overcome. The final decision process may thus come down to choosing among several sub-optimal solutions.

Three primary criteria were used in evaluating the alternatives. The first criterion was effectiveness of the incentive in diverting recyclables from the waste stream. The second criterion was safety of the users of the facility. And the third criterion was minimization of disruptions in transfer station operations. Though it would be preferable to develop an incentive system that could be implemented in the same way at both the Metro South and the Metro East transfer stations, the differences in the physical plants and the large role that facility layout plays in determining the feasibility of any particular recyclable handling system may require a site specific alternative for each facility.

Description of the Present Recycling Incentive

Under the present system Metro charges a flat fee for the disposal of self-hauled loads at the Metro South transfer station. A disposal discount is given to self-haulers who bring in source separated recyclables along with their garbage loads. The discount is given for 1/2 cubic yard (three grocery bags) of recyclables according to the schedule given below:

Minimum charge without recyclables.....	\$ 15
2-1/2 cu. yds. with recyclables.....	10
2 cu. yds. with recyclables.....	8
1-1/2 cu. yds. with recyclables.....	6
1 cu. yd. with recyclables.....	4

The disposal charge varies with the quantity of garbage, not with the quantity of recyclables. Thus the fee schedule listed above is really a two part incentive. One part is a flat \$5 discount.

The second part is an exemption from the minimum fee system in favor of a stepped system which allows the hauler to pay in incremental amounts for small quantities of garbage. This part of the incentive has the unintended effect of encouraging small loads of waste to be brought to the transfer station.

Any of the materials normally included in curbside programs qualify for the discount. Scrap metal, mostly in the form of major appliances, comprises the largest tonnage of recyclable materials delivered to the transfer station by self-haulers. On a monthly basis, the proportion of self-haulers who take advantage of the disposal discount ranges from half to three quarters. Most of those bring in the minimum amount of recyclables required to qualify for the discount.

Prices Paid by Metro For Recyclables

Under the current discount schedule, the prices paid by Metro for recyclables are well above market prices. Consider, for example, a discount given for old newspapers. Three grocery bags full of newspapers weighs in the neighborhood of 75 pounds. Even the minimum discount of \$5 equates to a price paid by Metro of \$133 per ton for a commodity with a market value of about \$20 per ton. Three grocery bags of uncrushed aluminum cans weigh approximately three pounds. A five dollar discount would thus be equivalent to \$1.67 per pound, even though the average market price of aluminum cans is only about \$0.27 per pound.

Why a New Incentive Structure is Needed

Metro will soon install a new truck scale at the Metro South transfer station and begin weighing self-haul loads. This raises the question of how rate incentives for recycling should work after the switch from a flat fee system to a weight based system for self-haul.

Difficulties Related to the Weighing of Recyclables

One of the difficulties in implementing a weight based system at Metro South is that installation of the scale still will not allow a complete conversion to weight based disposal charges. Due to limited accuracy at low weights, the gatehouse scales presently being considered cannot legally be used in trade for weighing loads of less than 500 pounds (excluding the weight of the vehicle). Use of a somewhat more sensitive scale may be feasible but scales that are accurate at low weights are less usable at higher weights. A second problem is that the outbound scale is not sensitive at low weights, though it may be possible to recalibrate it for somewhat greater sensitivity.

This effectively creates two different categories of self-hauler; those with loads of more than 500 pounds and those with 500

pounds or less. Those in the heavy category can save money by separating out their recyclables and saving on the weight charge with an approximate sensitivity of plus or minus five pounds. Those in the light category cannot be weighed accurately and will continue to pay a flat fee for disposal. Thus a self-hauler with less than 500 pounds will have no incentive to lighten his load.

A second difficulty is that with an inbound weighing and an outbound weighing there is no way to separate the weight of the recyclables from the weight of the garbage. Both will have to be weighed together. The only way to prevent self-haulers from having to pay the weight charge on the recyclable portion of the load would be to unload the garbage keeping the recyclables on the vehicle for the outbound weighing and then to make another circuit through the transfer station to unload the recyclables. This would probably not be a very effective incentive to recycle. Unless one had a relatively large volume of recyclables it is doubtful that the avoided weight charge would be worth the inconvenience.

Difficulties with a Disposal Incentive

There are several difficulties with providing a disposal discount such as the one presently in place. First, the decision of whether or not a self-hauler has a sufficient quantity of recyclables to legitimately qualify for a discount is a highly subjective one. Recyclable materials brought to the transfer station tend to be highly irregular in shape and extremely variable in weight and density. Second, the necessity of keeping loads covered during transport coupled with the need to expedite the flow of traffic through the gatehouse during peak hours often makes it impractical to actually check for recyclables. Thus it becomes necessary to rely on a "honor system" where self-haulers are simply asked whether or not they have source separated recyclables. Repeat self-haulers quickly learn that an affirmative response results in a discount.

Disposal discounts also create an artificial and transferable value for recyclables. The result is an incentive to acquire recyclables to use as money to pay garbage disposal fees at the transfer station. These could be recyclables that the self-hauler had already source separated or had acquired from someone else.

Purpose of a Recycling Incentive

The purpose of a recycling incentive is to promote the recycling of material that, in the absence of the incentive, would have been landfilled. An incentive that merely results in a shifting of recyclables from curbside and depot systems to the transfer station would not be producing the desired result. It is also

important that the recycling incentive chosen be equitable and practical to administer.

Alternative Proposals for a Recycling Incentive

Six recycling incentive alternatives are offered for consideration. These alternatives are explained below.

Alternative #1 - Construction of a Recycling Depot Separate from the Transfer Station

The Metro South transfer station is functionally obsolete and cannot efficiently facilitate even garbage disposal, much less the handling of recyclables. Given the facility's current configuration and limited space there does not appear to be any fully satisfactory way to handle recyclables. Typically an integrated waste management system will incorporate a recycling buy-back center upstream of the transfer station. This is not possible at Metro South due to a lack of space.

In the long run, the best solution might be for Metro to buy or lease a nearby property for construction of a separate recycling depot. The triangular parcel of property that lies on the south side of Washington Street and to the west of the transfer station has already been leased by Metro for temporary storage of transfer trailers and might be a suitable site for such a depot. Access to the site is an issue of concern with this proposal. The site has two paved access points from Washington Street which would facilitate traffic in and out of the property. However, at present, the part of Washington Street adjacent to these access points is divided by a double yellow line. In order to facilitate the flow of traffic a left hand turn lane for vehicles entering the depot from the east. Another possibility is to access the property from the entry point directly opposite the transfer station and to drive through the property currently used by Keller Drop Box. This might cause too much traffic congestion at the entrance to the transfer station. Public access through the drop box area might also cause operational difficulties.

The depot would consist of a pole barn with a set of scales and drop boxes. The facility could be a drop off center, a buy-back facility, or it could issue weight tickets good for disposal credits at the transfer station. Self-haulers would be diverted to this facility to unload their recyclables before entering the transfer station. Prominent signage would direct vehicles with recyclables to the depot.

The recycling drop boxes presently situated at the transfer station would be retained in their present location and used for recyclables that are either separated by spotters or deposited by customers who may choose not to use the recycling depot.

However, no rebate would be given for recyclables brought to the transfer station.

A possible problem with this proposal is the inconvenience of having to untarp the load at the depot and then tarp it again for the short trip down the street to the transfer station. Many haulers may not bother to securely re-tarp their loads.

Another concern is the cost to implement such a solution. In addition to the cost of the site, building, scales, and drop boxes, the area would have to be fenced and manned.

The advantages of this solution are minimal disruption of transfer station operations and efficient handling of recyclables.

Alternative #2 - Recycling Depot in "The Loop"

Another solution is to enable self-haulers to unload recyclables before crossing the scales. This alternative would eliminate the need to weigh or estimate the weight of incoming recyclables.

After the compactors are relocated, the loop presently used for loading transfer trailers will be used for access to the household hazardous waste facility which will be located in what is now a lawn in the center of the loop. One way to unload recyclables before weighing would be to locate recycling drop boxes in the area that is now a steeply sloped grass strip bordering the south end of the loop. Under this scenario no disposal discount would be offered. Lightening the load would be the incentive to recycle. However, this would only apply to heavy loads. Self-haulers with loads of less than 500 pounds would still have no incentive to unload their recyclables separately.

There are several possible problems to be overcome in order to implement this solution, the most serious of which is a liability issue due to the proximity to the household hazardous waste (HHW) facility. According to law a HHW facility must be sited at the transfer station. In order to divert the maximum amount of hazardous waste from the MSW stream and to assure the safety of other transfer station users, this facility must be located upstream of the scalehouse. The only possible location for the facility is the loop. The presence of hazardous waste including potentially explosive materials most likely precludes this area from being used as a recycling depot.

A second potential problem is the width of the road between the barrier wall and the recycling drop boxes. It must be determined whether or not the width would be adequate to meet any relevant requirements.

A third problem is a requirement by the city of Oregon City that all unloading be done in a covered area. For this solution to be implemented either a waiver would have to be granted or the recycling area would have to be covered.

A fourth problem is simply the traffic flow. Household hazardous waste collection is a careful and deliberate process that will require a relatively slow traffic flow. The number of HHW participants is projected to be less than 100 even on the busiest day of the year. For most days it is projected to be well under 50. Unloading recyclables, on the other hand, is a rapid process and will have a much heavier traffic volume. Routing two different traffic flows through the same area when they are very different in both volume and speed may create a serious logistical problem.

Finally, it might be difficult for a pickup truck and trailer to make a sharp enough right turn at the end of the loop to smoothly enter the flow of traffic to the fee booth and scales in order to dispose of the garbage portion of the load.

Alternative #3 - Disposal Discount for Flat Fee Customers Only

Under this alternative, avoidance of payment for the weight of recyclables contained in garbage loads would be the primary incentive to recycle for self-haulers with loads in excess of 500 pounds. However, there would be a disposal discount incentive for light weight loads subject to the flat fee. A potential problem with this alternative is that it may be perceived by the public that flat fee customers are being offered a recycling incentive while weighed customers are not.

It would be incumbent upon the self-hauler to make the material easily accessible for inspection by the gatehouse staff. Transition to the new system would be preceded by an informational program to publicize and explain the new system.

Alternative #4 - Continuation of Disposal Discount for All Self-haul Customers

This alternative consists of a flat fee disposal discount for self-haulers who bring in some minimum quantity of any recyclable materials. Whether or not the quantity of recyclables brought in is sufficient to qualify for the discount would be estimated at the gatehouse just as it is now. Recyclables would be weighed along with the garbage but the increased weight would be more than offset by the disposal discount up to some break-even point.

The difficulty of such a system is that weighing combined with a discount on recyclables, which are also weighed, gives two conflicting incentives. Weighing provides an incentive not to bring recyclables to the transfer station while a disposal

discount is an incentive to do just that. The self-hauler's decision may then be based on which is the greater incentive. With a large enough disposal discount one may choose to pay the charge for the additional weight in order to get the discount. With a smaller discount one may choose to forego the discount and save on the weight. A self-hauler with a large volume of recyclables may be better off to take them to a depot or buy-back center.

The above analysis only applies to self-haulers with loads over 500 pounds. A self-hauler with a light load will have an incentive to bring in enough recyclables to qualify for the discount but will not be concerned about weight. A 400 pound load will cost the same to dispose of as a 200 pound load.

Alternative #5 - Separate Scales to Weigh Recyclables

Another possible solution that was studied is to install one or two small scales inside the transfer station. These scales would be designed to weigh lighter weights and smaller increments than the gatehouse scales. Recyclables would be unloaded onto carts by transfer station staff who would roll the carts over the scales before depositing the recyclables into drop boxes. A weight ticket would then be issued which would be given to the gatehouse attendant on the way out. The weight ticket on recyclables would be valid for a credit on the garbage disposal charge. In order to make it worth the effort to separate recyclables, it may be necessary to offer a credit that is greater than the avoided weight charge. At \$55 per ton the avoided charge for 40 pounds of recyclables is only \$1.10. A credit equal to double the avoided charge would probably be a sufficient incentive to recycle. This would still be less than the disposal discounts currently being offered by Metro. For ease of administration Metro would issue the same credit for all types of recyclables and would not differentiate among different recyclable materials.

The advantages of such a system would be accurate charges, the elimination of subjectivity in determining volumes of recyclables, and an ability to maintain records on the amount of material recycled. The disadvantage of such a system is greater complexity due to the need for dealing with second weight ticket. However, since each customer must present a weight ticket at the gatehouse anyway, this may not be a significant change.

Of more concern is the bottleneck in traffic flow that would be created by the delay as recyclables are weighed and credit tickets are issued. Even if two scales are used and if an efficient system of traffic flow and cart routing can be devised, it seems unlikely that such a system could be made workable. Even on slow days the self-haul side of the Metro South transfer station is a somewhat disorganized and dangerous place as

vehicles jockey for positions within the tightly restricted space between the pit and at the recyclables loading dock. At the same time users who have backed up to the pit are dodging traffic as they walk across the transfer station to the loading dock with armfuls of recyclables. In this environment it is unlikely that users would tolerate the added complication of having to weigh recyclables. They might in fact dispose of them in the pit rather than go to the trouble to recycle them.

Alternative #6 - Weight Based Rates as a Recycling Incentive

A weight based disposal rate is, by itself, be an efficient market driven incentive to recycle. The less a load weighs, the less it costs to dispose of. It is analogous to the incentive that garbage customers have to recycle enough material at curbside to enable them to realize a savings on their garbage bills. The only way a self-hauler can realize a savings is to actually remove the recyclables from his garbage load and the savings is directly related to the quantity of recyclables diverted.

The key reason for having weight reduction as the sole incentive is that combining a weight based disposal rate with a disposal discount would create conflicting incentives. Weighing provides an incentive to remove recyclables from garbage loads for curbside recycling or drop-off at a recycling depot before bringing the non-recyclable fraction to the transfer station for disposal. A disposal discount, on the other hand, encourages self-haulers to bring their recyclables to the transfer station along with their garbage.

Second, giving disposal discounts for bringing recyclables to the transfer station may not serve as an incentive to separate additional recyclable material from MSW but may instead simply be an incentive to take already separated recyclables to the transfer station.

A key point is that weight based rates and disposal discounts are not different *degrees* of the same kind of incentive. Rather they are different *kinds* of incentives that result in different kinds of behavior. With weight based rates the value is associated with the garbage and not the recyclables. By contrast, with a discount system the value is associated with the recyclables rather than the garbage. Recyclables now take on an additional value over and above the savings realized on garbage bills. This additional value derives from the fact that recyclables can be used by self-haulers in lieu of money to pay for disposal charges at Metro South.

The disadvantage of this alternative is that minimum fee customers will have no incentive to lighten their loads and thus will still have no incentive to recycle. It is estimated that

approximately one third of self-haulers presently fall into this category. However, assuming a fairly constant ratio of recyclables to garbage in loads of different weights, the third of the self-haulers that fall into the minimum fee category would account for less than a third of the recyclable material. Furthermore, it is anticipated that, with the new fee structure, there will be a decline in the number of light loads being self-hauled to the transfer station.

Summary

The alternatives for dealing with the recycling of source separated material brought to the transfer station along with MSW can be conceptualized relative to where in the process the recycling takes place.

Recycling at a separate site involves the complications of siting and constructing the facility. However, given the severe space and logistical problems associated with recycling at the transfer station itself, it could be the most practical and cost effective solution in the long run. Having the capability to accurately weigh recyclables regardless of the total weight of material to be disposed is a superior incentive in that the disposal rebate is proportional to the amount of material recycled. A major disadvantage is the high cost of siting, constructing, and manning such a facility. A second disadvantage is that operation of a recycling depot by Metro may be perceived as working at cross purposes to Metro's stated policy of promoting curbside collection as the preferred method of dealing with recyclables.

Recycling at the loop would avoid all of the complications and inequities, both real and perceived, inherent in trying to administer a disposal discount program. The problem with this alternative is that it poses a number of potential traffic flow and liability problems due to the proximity of the household hazardous waste facility.

Providing a recycling incentive at the fee booth can only be done through continuation of a disposal discount. The monitoring problems described above may allow self-haulers to claim the discount without really bringing in recyclables. Such a system also tends to overprice recyclables and has limited value as a recycling incentive in that, for flat fee customers, there is no advantage to separating out any more recyclables than the minimum necessary to qualify for a discount and there is no correlation between the volume of material recycled and the discount received. For weighed self-haulers there are two conflicting incentives. The advantage of this alternative is that it requires no structural reconfiguration in order to be implemented.

The weighing of recyclables on carts rolled over small scales set into the floor of the transfer station appears to be a relatively low cost solution requiring only marginal modifications of the procedures currently in use. However, this solution may pose insurmountable operational difficulties due to limited space both for queuing and for weighing recyclables within the transfer station.

A weight based disposal rate charged for all material self-hauled past the gatehouse is, by itself, an effective market driven incentive to recycle. Under such a system, the only way a self-hauler can realize a savings is to actually remove the recyclables from his garbage load and the amount of savings is directly related to the amount of diversion. A weight based disposal rate is also consistent with other elements of the region's recycling programs in that it encourages the use of curbside collection and depots.

A technical difficulty of this system is the limited scale sensitivity which precludes the weighing of loads of less than about 500 pounds. An operational disadvantage of a weight based system is that it requires transfer station users to have knowledge of how the system works. An uninformed self-hauler does not have an opportunity to recycle at no cost after arriving at the transfer station. A second disadvantage is that a weight based incentive is less visible than other alternatives and, for this reason, will be misperceived by some as not being an incentive at all.

Disposal discounts create an artificial and transferable value for recyclables. The result is not an incentive for further source separation but rather an incentive to acquire a predetermined quantity of recyclables to use as money for the payment of garbage disposal fees at the transfer station. These could be recyclables that the self-hauler had already source separated for curbside collection or had acquired from someone else (recyclables are, after all, are a free good placed at the curb by most of the self-hauler's neighbors).

Most of the recycling incentives discussed above pose serious problems for both the users and the operators of the transfer station. Upon further investigation some may prove to be infeasible. Given functional obsolescence of the Metro South transfer station, any option chosen will have to be a difficult compromise that balances the factors of the strength of the incentive to effect source separation with safety factors, cost, and operational feasibility.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1337 FOR THE PURPOSE OF ESTABLISHING INCENTIVES THAT ENCOURAGE GREATER WASTE REDUCTION AND RECYCLING

November 20, 1990

Presented by: Debbie Gorham
Terry Petersen

Metro staff has completed an evaluation of economic incentives that could be used to reduce waste. The types of incentives included in the analysis are those that are related to collection rates or disposal fees. Incentives that local governments, as well as Metro, are responsible for are included.

Resolution No. 90-1337 includes economic incentives that staff recommends for adoption. A summary that includes all incentives examined and action required for implementation is shown on the reverse side.

BACKGROUND

Environmental Quality Commission Order SW-WR-89-01 required that by January 1, 1990, Metro "conduct a study of the effectiveness of present rate incentives at reducing waste, and possible modifications to the rate structure that would further encourage the recovery of paper products, yard debris, metals, lumber, other salvageable building materials, asphalt, and other materials". A report was submitted to the DEQ that described the effectiveness of existing incentives and Metro's options for possible future incentives.

The DEQ and the Metro Council Solid Waste Committee requested that staff complete a more in-depth analysis of alternative incentives by October 1, 1990. To accomplish this, a series of meetings have been held to get ideas and reviews from haulers, processors, local governments, and recycling advocates. A draft report and update was presented to the Solid Waste Technical Committee on August 31. An oral status report was delivered to the Council Solid Waste Committee on September 4. The draft was reviewed by the Waste Reduction Subcommittee on September 5 and the Solid Waste Policy Committee on September 14. In October, meetings were held with members of the Association of Oregon Recyclers, Recycling Advocates, and the Oregon Environmental Council.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 90-1337, approving recommendations for economic incentives.

TP:jc
October 2, 1990
INCENT\STAF1002.RPT

SUMMARY: IMPLEMENTATION

	<u>TARGET DATE</u>	<u>ACTION REQUIRED</u>
GENERATOR INCENTIVES		
1. Self-Haul Recycling at Transfer Stations		
a. Provide drop-off of recyclables at no charge. Weight-based fee system provides incentive to separate recyclables. Recycling credit of \$3.00 is given to all customers who bring recyclables to existing facilities.	FY90/91	DO NOT IMPLEMENT
b. Same as a. but at Metro South and Metro East haulers have option of crossing scales twice in order to drop off heavy recyclables prior to weighing of waste.		AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
c. Do not provide free drop off. Apply full tip fee on all material delivered to transfer stations to encourage use of curbside and private depots.		DO NOT IMPLEMENT
2. Volume-Based Collection Rates With Mini-Can Service		
a. Charge for each additional can is constant (levelized rates).	FY90/91	MODIFY LOCAL GOVERNMENT WORK PLAN
b. Per-can charge increases with each additional can (variable rates). Exemptions are provided for large families.		DO NOT IMPLEMENT
HAULER INCENTIVES		
3. Diversion of Source-Separated Yard Debris from Metro Facilities		
a. Apply full tip fee at Metro facilities to provide maximum incentive for delivery to private yard debris processors. Transfer stations recover clean yard debris for delivery to processors.	FY91/92	DO NOT IMPLEMENT
b. A "three-tier" rate structure in which the yard debris fee at transfer stations is less than the fee for waste but more than the yard debris fee at private processors.		AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
4. Recycling "Rebates" for Haulers		
Metro increases the tip fee to create a fund to pay haulers on a per ton basis for material collected and marketed.		DO NOT IMPLEMENT
5. Routing of food Waste to the MSW Compost Facility		
Metro and Riedel establish a tip fee incentive that encourages haulers to create special collection routes for high-organic loads.	FY91/92	METRO AND RIEDEL DISCUSSIONS
6. Recovery of Construction/Demolition Debris		
a. Local governments increase disposal fees at out-of-region limited-purpose landfills to levelize fees with recovery facilities.	FY94/95	DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM
b. Utilize Metro's flow control authority and franchises to divert material from landfills to recovery facilities.	FY94/95	DEFER TO PROCUREMENT OF SPECIAL WASTE SYSTEM
PROCESSOR INCENTIVES		
7. Support of Commercial Mixed-Waste Paper Collection Programs		
a. Increase the per ton payment of the existing \$2 per ton incentive.		DO NOT IMPLEMENT
b. Eliminate existing \$2 per ton incentive because it is not effective.	FY91/92	AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
c. Financial support is provided to private processors so that collection programs are not interrupted during market downturns. Payments are based on tonnage marketed. Payments decrease as the market improves.		DO NOT IMPLEMENT
8. User Fee Waiver		
a. Maintain current fee waiver but establish a minimum recovery level to determine eligibility for waivers.	FY91/92	AMEND METRO CODE CHAPTER 5.02 (SOLID WASTE DISPOSAL FEES)
b. Make the current user fee waiver at high-grade facilities dependant on the facility's recovery level.		DO NOT IMPLEMENT
9. Recycling Credits for Non-Profit Charitable Organizations		
	FY90/91	IMPLEMENTED (ORDINANCE No. 90-362)
10. Loan Program		
Loan program to fund recycling businesses unable to get 100% conventional financing. Ten-year program administered jointly by Portland Development Commission and Metro.		LOAN PROGRAM PROPOSAL

Agenda Item No. 7.7
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1345

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 90-1345, FOR THE PURPOSE OF AUTHORIZING ISSUANCE OF A REQUEST FOR BIDS FOR MARION COUNTY WASTE TRANSPORT SERVICES AND ENTERING INTO A CONTRACT WITH THE LOW RESPONSIBLE, RESPONSIVE BIDDER

Date: November 7, 1990

Presented by: Councilor DeJardin

Committee Recommendation: At the November 6, 1990 meeting the Committee voted unanimously to recommend Council adoption of Resolution No. 90-1345. Voting in favor were Councilors Buchanan, Collier, DeJardin, Saucy and Wyers.

Committee Issues/Discussion: Chuck Geyer, Senior Management Analyst, explained that the resolution would authorize the issuance of a request for bids for waste hauling services to Marion County, and would also authorize the Executive Officer to enter into a contract with the low responsible, responsive bidder.

He said that Metro has entered into an agreement to supply Marion County with up to 40,000 tons of waste. The agreement provides Marion County with sufficient waste to maximize energy production at its Waste to Energy facility. Metro also benefits because the transport charge is less than the cost of transporting waste to Columbia Ridge Landfill.

The waste presently is hauled by Jack Grey Transport (JGT), under a change order which expires January 31, 1991. The Department is requesting authority to issue an RFB now so that the vendor will have approximately one month to mobilize.

Councilor Saucy asked how this agreement relates to the requirement that 90 percent of landfilled waste must go to Columbia Ridge. Mr. Geyer said there would be no impact since the waste is going to a recovery facility rather than a landfill.

TD:KF:pa
K1:90-1345.RPT

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING ISSUANCE)	RESOLUTION NO. 90-1345
OF A REQUEST FOR BIDS FOR MARION COUNTY)	
WASTE TRANSPORT SERVICES AND ENTERING)	Introduced by Rena Cusma,
INTO A CONTRACT WITH THE LOW,)	Executive Officer
RESPONSIVE, RESPONSIBLE BIDDER)	

WHEREAS, It is necessary to procure waste transport services from the Metro South Station to the Marion Co. Energy Recovery Facility contained in Exhibit 1; and

WHEREAS, The labor and materials necessary to perform such services can be acquired through issuance of the Request for Bids attached as Exhibit 1.; and

WHEREAS, It is in the best interest of Metro to acquire these services as soon as possible to maximize mobilization of the selected contractor; and

WHEREAS, Pursuant to Code Section 2.04.033(a)(1) Council approval is required because the contract commits the District to expend sums from future fiscal years budgets; and

WHEREAS, Pursuant to Section 2.04.033 of the Metro Code, the Metro Council may, at the time it approves a Request for Bids, waive the requirement of Council approval of a contract prior to execution of the contract by the Executive Officer; now, therefore,

BE IT RESOLVED,

1. That, pursuant to Metro Code 2.04.033, the Council of the Metropolitan Service District approves the form and substance of the Request for Bids for Marion Co. Waste Transport Services prepared by the Solid Waste Department attached as Exhibit 1.

2. That the Director of the Solid Waste Department is requested to advertise for bids and do all other things necessary to solicit bids for Marion Co. Waste Transport Services.

3. That the Council of the Metropolitan Service District, pursuant to Section 2.04.033 (6) of the Metro Code, waives the requirement of Council approval of the contract resulting from the bid process, and authorizes the Executive Officer to execute a contract for Marion Co. Waste Transport Services with the low, responsible, responsive bidder in accordance with the requirements of the Metro Code.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

EXHIBIT 1

METROPOLITAN SERVICE DISTRICT

PORTLAND, OREGON

CONTRACT DOCUMENTS

for

MARION COUNTY WASTE TRANSPORT SERVICES

(90B-136-SW)

November 1990

INVITATION TO BID

INVITATION TO BID

Sealed bids for the hauling of solid waste from the Metro South Station to the Marion County Waste-to-Energy Facility, addressed to the Metropolitan Service District (Metro), attention Chuck Geyer, will be received at the office of the Director, Solid Waste Department, 2000 S.W. First Avenue, Portland, OR 97201-5398, until 3:00 p.m., PST, on the 13th day of December, 1990, and then will be publicly opened and read.

The work contemplated consists of the hauling of approximately 18,500 tons of solid waste annually from the Metro South Transfer Station to the Marion County Waste-to-Energy Facility for a period of three years. Waste will be loaded into the successful bidder's transport vehicle by a solid waste compactor. The transport vehicle must be capable of hauling a minimum 20-ton payload. The vehicle must be capable of unloading the waste at the Marion Co. Waste-to-Energy Facility. The weekly amount of waste to be hauled will be specified each preceding Friday. Waste volumes will vary by week and month.

The period of operations will extend from February 1, 1991, to January 31, 1994. The period of operations may be shortened if the agreement between Marion County and Metro is canceled.

Metro South Station is a full service transfer station serving commercial waste haulers and the general public. Waste is unloaded into a pit and then compacted into untied bales for transport. Metro South Station is located at 2001 Washington Street in Oregon City, Oregon, near the Park Place Interchange of Interstate 205. It is owned by Metro and operated under contract by a private firm (Waste Management of Oregon).

The Marion Co. Waste-to-Energy Facility is a facility which burns solid waste to make electricity. It is owned by Marion County, Oregon, and operated by a private firm. Waste is unloaded onto a tipping floor prior to incineration. The Marion Co. Waste-to-Energy Facility is located at 4050 Brooklake Road, Brooks, Oregon, off Exit 263 of Interstate 5. It is approximately 35 miles from Metro South Station.

All work shall be completed in accordance with the Contract Documents. Three copies of the Documents will be sent to interested bidders at no charge.

Bids must be submitted on the prescribed forms. Before a contract is awarded, Metro may conduct such investigations as are necessary to determine whether a bidder is qualified.

Bidders are required to comply with Metro's Disadvantaged Business Program, if any of the work is subcontracted.

Metro reserves the right to reject all Bids or any Bids not conforming to the intent and purpose of the Contract Documents, to

reject for good cause any and all Bids upon a finding by Metro that it is in the public interest to do so or to waive any informality or irregularity in any Bid or Bids. Metro further reserves the right to award the Contract at any time within forty-five (45) days following the Bid opening date.

For information concerning the proposed work, or to make an appointment to visit the sites of the proposed work, contact Chuck Geyer, Senior Planner, Metropolitan Service District, (503) 221-1646.

Dated on this ___th day of November, 1990.

METROPOLITAN SERVICE DISTRICT

By: _____

Bob Martin, Director
Solid Waste Department

RFB No. 90B-136-SW

INSTRUCTIONS TO BIDDERS

INSTRUCTIONS TO BIDDERS

1. Description of Services and/or Goods Covered by Bid

The services and/or goods covered by this Bid are described generally in the Invitation to Bid. A more detailed description of services and/or items covered by this Bid is contained in the Scope of Work.

2. Definitions

Except as otherwise specifically provided herein, all words and phrases defined in the Scope of Work shall have the same meaning and intent in these Instructions to Bidders.

3. Interpretation of Contract Documents

Any person contemplating the submission of a bid shall have thoroughly examined all of the various parts of the Contract Documents. If there is any doubt as to the meaning or intent of the Contract Documents, the Bidder shall request in writing any interpretation thereof. Such request shall be delivered to Chuck Geyer at Metro at least ten (10) calendar days prior to Bid opening. Any interpretation or change in the Contract Documents will be made only in writing, in the form of a clarification, or an Addendum to the Contract Documents which will be furnished to all Bidders receiving a set of the Contract Documents. Bidders shall submit with their Bids, or indicate receipt of, all Addenda. Metro will not be responsible for any other explanation or interpretation of the Contract Documents.

4. Bidder's Understanding

Before submitting a Bid, Bidders shall fully examine and read the Contract Documents. They shall visit the Metro South Station (MSS) and Marion County Waste-to-Energy Facility (MWEF) and fully inform themselves of all conditions on, in, at and around the sites and surrounding areas and of all other conditions relating to the execution of the work to be performed under the Contract. Failure to do so will not relieve the successful Bidder of their obligation to enter into a Contract and to completely perform the Contract in strict accordance with the Contract Documents. Bidder acknowledges by the submission of its Bid that it has satisfied itself as to the nature of the work involved and all matters which may in any way affect the work or the cost of the performance of this Contract, whether or not the same is specifically mentioned herein.

Each Bidder shall inform himself/herself of, and the Bidder awarded a Contract shall comply with, federal, state, regional, and local laws, statutes, regulations, ordinances,

orders, and all other requirements of law relative to the performance of the Contract. This requirement includes, but is not limited to, applicable requirements concerning minimum wage rates, nondiscrimination in the employment of labor, protection of the public and employee safety and health, transportation, environmental protection, the protection of natural resources, fire protection, permits, fees and other legal requirements.

5. Unit Price Bid

A unit price bid will be accepted on the work set forth in the Contract Documents. The estimates of quantity of work to be done are tabulated in the Bid Schedule and, although stated with as much accuracy as possible, are approximate only and are assumed solely for the basis of calculation upon which the award of Contract shall be made. Data concerning unit price quantities are provided in the Appendix.

6. Preparation of Bids

All blank spaces in the Bid Forms must be completed either by typing or in ink. The unit price bid in the Bid Schedule (contained within the Bid Forms) shall be shown in both words and figures. No changes shall be made in the phraseology of the forms.

Any bid may be deemed nonresponsive which contains omissions, alterations, or additions of any kind, or prices uncalled for, or in which any of the prices are obviously unbalanced, or which in any manner shall fail to conform to the conditions of the Documents.

Each Bid shall give the full business address of the Bidder and be signed with the Bidder's legal signature in accordance with the provisions below.

A. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by one of the members of the partnership authorized to sign contracts on behalf of the partnership, or by an authorized representative, followed by the printed name and title of the person signing.

B. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the president, secretary or other person authorized to bind it in the matter. When requested by Metro, satisfactory evidence of the authority of the officer signing in behalf of the corporation shall be furnished.

C. In the event that a Bid is submitted by a joint venture, then a copy of the legal agreement constituting such joint

venture shall be attached to the Bid.

The name of each person signing shall also be typed or printed below the signature. Signatures of all individuals must be in longhand.

Failure to fulfill any of the above requirements may render the Bid nonresponsive.

7. Submission of Bids

All Bids must be submitted not later than the time prescribed, at the place, and in the manner set forth in the Invitation to Bid. Bids must be made on the Bid Forms provided in the Appendix of the Contract Documents (additional forms are available from Metro). Each Bid must be submitted in a sealed envelope, along with the attachments described herein, so marked as to indicate its contents without being opened, and addressed in conformance with the instructions in the Invitation to Bid.

8. Modification or Withdrawal of Bid

Any Bid may be modified after delivery to the location specified in the Invitation to Bid by physically delivering to the same location, before the time fixed for the Bid opening, a written sealed supplement to the original Bid, marked "Supplement to Bid of (Name of Bidder) for Marion County Waste Transport Services." Such supplement shall clearly identify the Bid item(s) which is (are) changed by setting forth the original Bid item(s), and the modified item(s). Metro may reject any supplemental Bid which, in its opinion, does not set forth the proposed modifications clearly enough to determine the definiteness and certainty of the item(s) offered by the Bidder. Telephone or telegraphic modifications are invalid and will not receive consideration.

Bids may be withdrawn by the Bidder prior to the time fixed for the receipt of Bids by having an authorized representative of the Bidder, with sufficient identification, personally pick up the Bid. Said representative shall provide Metro with formal, written notification of the Bidder's intent to remove its Bid. Bids may not be withdrawn for a period of forty-five (45) days after the opening of Bids nor may they be withdrawn on or prior to the last date of any extension of such time as may be agreed upon between Metro and the Bidder.

9. Bid Security

Bids must be accompanied by a certified check or cashier's check drawn on a bank in good standing, or a bid bond issued by a surety authorized to issue such bonds in Oregon and having a rating of at least "A" and being the appropriate class for the bond amount according to Best's Key Rating

Guide, and must be in the amount of \$1,000. This bid security shall be given as a guarantee that the Bidder will not withdraw his/her bid for a period of forty-five (45) days after the Bid opening, and that if awarded the Contract, the successful Bidder will execute the attached Contract.

The Attorney-in-Fact (Resident Agent) who executes the Bid Bond on behalf of the Surety must attach a notarized copy of his/her Power of Attorney as evidence of his/her authority to bind the Surety on the date of execution of the Bond.

10. Return of Bid Security

Bid securities will be held until the Contract has been finally executed or the forty-five (45) day period described above has elapsed, whichever shall occur first, after which all bid securities, other than those which have been forfeited, will be returned to the respective bidders whose bids they accompanied.

11. Basis of Award

A contract for this project will be awarded to the lowest, responsive, responsible Bidder. Metro staff will examine the Bid information submitted to determine whether the Bid is responsive. Based on the information submitted, any additional information gathered by Metro, and the Total Bid Price, Metro will determine the low, responsive, responsible Bidder.

Metro reserves the right to waive any informality or irregularity in any Bid received and to reject any Bid not in compliance with all prescribed public bidding procedures and requirements of the Contract Documents.

12. Award of Contract

Within 45 days of bid opening, Metro will accept the lowest, responsive, responsible Bid. The acceptance of the Bid will be by written Notice of Award, mailed or delivered to all Bidders at the locations designated in the Bids. The Notice of Award shall not entitle the party to whom it is delivered to any rights whatsoever. Award may be subject to approval by the Metro Council.

In the event of failure of the lowest responsive, responsible Bidder to sign and return the Contract as prescribed herein, Metro may award the Contract to the next lowest responsive, responsible Bidder. Such award if made, will be made within forty-five (45) days after the opening of Bids.

Metro reserves the right to, for good cause, reject any or all Bids upon a finding by Metro that it is in the public interest to do so.

13. Execution of Contract

The successful Bidder shall, within ten (10) working days after receiving Notice of Award, sign and deliver to Metro the Contract attached hereto together with any other documents required by these Contract Documents. Upon receipt of the signed Contract and all other documents required to be submitted by the successful Bidder, Metro shall sign the Contract.

14. Failure to Execute Contract

A Bidder who receives Notice of Award and who fails to promptly and properly execute the Contract shall forfeit the bid security that accompanied his/her Bid, and the bid security shall be retained as liquidated damages by Metro, and it is agreed that this sum is a fair estimate of the amount of damages Metro will sustain in case the Bidder fails to enter into a Contract.

15. Disadvantaged Business Program Compliance

Metro has made a strong commitment to provide maximum opportunities to Disadvantaged and Women-Owned Businesses in contracting. If subcontractors are used, the successful Bidder will be required to meet Metro's Disadvantaged Business Program goals or clearly demonstrate that a good faith effort has been made to meet the goals. For any task or portion of a task to be undertaken by a subcontractor or materials supplier, the Contractor shall not sign up a DBE/WBE subcontractor or materials supplier on an exclusive basis prior to Contract Award.

The participation goals for this Contract are: Disadvantaged Business Enterprises (DBEs) -- seven percent (7%), and Women-Owned Business Enterprises (WBEs) -- five percent (5%) of the Total Bid Price. DBEs and WBEs must be certified by the state of Oregon prior to Bid opening as DBEs/WBEs to be counted toward the Contract goals.

The Bid submitted must contain a fully completed Disadvantaged Business Program Compliance form contained herein. The apparent low Bidder, and any other Bidders requested by Metro to do so, shall submit completed DBE and WBE Utilization forms (also contained herein) by the close of the next working day following Bid opening. Detailed procedures for completing the forms and for demonstrating good faith efforts are contained in Metro Code Section 2.04 (Metro's Disadvantaged Business Program) contained in the Appendix. Bidder's special attention is directed to Section 2.04.155 (Contract Award Criteria), and Section 2.04.160 (Determination of Good Faith Efforts). Bidders should note the following requirement of the latter section:

Advertising in, at a minimum, a newspaper of general circulation, and trade association, minority and trade-oriented, women-focused publications, if any, concerning the subcontracting or material supply opportunities on the project at least ten (10) days before Bids or proposals are due.

The following are minority-oriented newspapers published in the Portland metropolitan area:

The Skanner, 2337 N. Williams Avenue, Portland, OR 97211
(503) 287-3562.

The Portland Observer, P.O. Box 3137, Portland, OR 97208
(503) 288-0033

The American Contractor, P.O. Box 11233, Portland, OR 97217
(503) 285-9000

The El Hispanic, 3302 S.E. 20th Avenue, Portland, OR 97202 (503)
232-5269

The requirement to advertise is but one of the actions necessary to demonstrate good faith efforts under this program.

Failure of the Bidder to substantially comply with all of the requirements of the Disadvantaged Business Program will result in the Bid being deemed nonresponsive.

PUBLIC CONTRACT

PUBLIC CONTRACT

THIS Contract is entered into between the METROPOLITAN SERVICE DISTRICT, a municipal corporation, whose address is 2000 S.W. First Avenue, Portland, Oregon 97201-5398, hereinafter referred to as "METRO," and _____, whose address is _____ 97____, hereinafter referred to as the "CONTRACTOR."

THE PARTIES AGREE AS FOLLOWS:

ARTICLE I

SCOPE OF WORK

CONTRACTOR shall perform the work and/or deliver to METRO the goods described in the Scope of Work attached hereto as Attachment A. All services and goods shall be of good quality and, otherwise, in accordance with the Scope of Work.

ARTICLE II

TERM OF CONTRACT

The term of this Contract shall be for the period commencing February 1 , 1991 through and including January 31, 1994.

ARTICLE III

CONTRACT SUM AND TERMS OF PAYMENT

METRO shall compensate the CONTRACTOR for work performed and/or goods supplied as described in Attachment B. Metro shall not be responsible for payment of any materials, expenses or costs other than those which are specifically included in Attachment B.

ARTICLE IV

LIABILITY AND INDEMNITY

CONTRACTOR is an independent contractor and assumes full responsibility for the content of its work and performance of CONTRACTOR's labor, and assumes full responsibility for all liability for bodily injury or physical damage to person or property arising out of or related to this Contract, and shall indemnify and hold harmless METRO, its agents and employees, from any and all claims, demands, damages, actions, losses, and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Contract. CONTRACTOR is solely responsible for paying CONTRACTOR's subcontractors. Nothing in this Contract shall create any contractual relationship between any subcontractor and METRO.

ARTICLE V

TERMINATION

METRO may terminate this Contract upon giving CONTRACTOR seven (7) days written notice. In the event of termination, CONTRACTOR shall be entitled to payment for work performed to the date of termination. METRO shall not be liable for indirect or consequential damages. Termination by METRO will not waive any claim or remedies it may have against CONTRACTOR.

ARTICLE VI

INSURANCE

CONTRACTOR shall maintain such insurance as will protect CONTRACTOR from claims under Workers' Compensation Acts and other employee benefits acts covering all of CONTRACTOR's employees engaged in performing the work under this Contract; and from claims for damages because of bodily injury, including death and damages to property, all with coverage limits satisfactory to METRO. Liability insurance shall have minimum coverage limits of at least the dollar amounts listed in ORS 30.270. Automobile liability insurance in the amount of \$1,000,000 per occurrence, combined single limit personal injury and property damage; and comprehensive general liability in the amount of \$1,000,000 per occurrence shall be maintained during the terms of this agreement unless those required in ORS 30.270 are greater, in which case CONTRACTOR shall maintain the greater amounts. This insurance must cover CONTRACTOR's operations under this Contract, whether such operations be by CONTRACTOR or by any subcontractor or anyone directly or indirectly employed by either of them. CONTRACTOR shall immediately increase the amounts of liability insurance required to reflect any changes in Oregon Law so that the insurance provided shall cover, at a minimum, the maximum liability limits under the Oregon Tort Claims Act.

CONTRACTOR shall provide METRO with a certificate of insurance complying with this article and naming METRO and Marion County as an additional insured within fifteen (15) days of execution of this Contract or twenty-four (24) hours before services under this Contract commence, whichever date is earlier.

ARTICLE VII

PUBLIC CONTRACTS

All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the State of Oregon, are hereby incorporated as if such provision were a part of this Agreement, including, but not limited to, ORS 279.310 to 279.320 and ORS 279.334 (overtime wage requirements). Specifically, it is a condition of this contract that Contractor and all employers working under this Agreement are subject employers that will

comply with ORS 656.017 as required by 1989 Oregon Laws chapter 684.

ARTICLE VIII

ATTORNEY'S FEES

In the event of any litigation concerning this Contract, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to any appellate courts.

ARTICLE IX

QUALITY OF GOODS AND SERVICES

Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of the highest quality. All workers and subcontractors shall be skilled in their trades. CONTRACTOR guarantees all work against defects in material or workmanship for a period of one (1) year from the date of acceptance or final payment by METRO, whichever is later. All guarantees and warranties of goods furnished to CONTRACTOR or subcontractors by any manufacturer or supplier shall be deemed to run to the benefit of METRO.

ARTICLE X

OWNERSHIP OF DOCUMENTS

All documents of any nature including, but not limited to, reports, drawings, works of art and photographs, produced by CONTRACTOR pursuant to this agreement are the property of METRO and it is agreed by the parties hereto that such documents are works made for hire. CONTRACTOR does hereby convey, transfer and grant to METRO all rights of reproduction and the copyright to all such documents.

ARTICLE XI

SUBCONTRACTORS; DISADVANTAGED BUSINESS PROGRAM

CONTRACTOR shall contact METRO prior to negotiating any subcontracts and CONTRACTOR shall obtain approval from METRO before entering into any subcontracts for the performance of any of the services and/or supply of any of the goods covered by this Contract.

METRO reserves the right to reasonably reject any subcontractor or supplier and no increase in the CONTRACTOR's compensation shall result thereby. All subcontracts related to this Contract shall include the terms and conditions of this agreement. CONTRACTOR shall be fully responsible for all of its subcontractors as provided in Article IV.

If subcontracting is utilized in the performance of any services and/or supply of any of the goods covered by this Contract,

CONTRACTOR agrees to make a good faith effort, as that term is defined in METRO's Disadvantaged Business Program (Section 2.04.160 of the Metro Code) to reach the goals of subcontracting seven percent of the contract amount to Disadvantaged Business Enterprise and five percent of the contract amount to Women-Owned Business Enterprise. METRO reserves the right, at all times during the period of this agreement, to monitor compliance with the terms of this paragraph and METRO's Disadvantaged Business Program.

ARTICLE XII

RIGHT TO WITHHOLD PAYMENTS

METRO shall have the right to withhold from payments due CONTRACTOR such sums as necessary, in METRO's sole opinion, to protect METRO against any loss, damage or claim which may result from CONTRACTOR's performance or failure to perform under this agreement or the failure of CONTRACTOR to make proper payment to any suppliers or subcontractors.

If a liquidated damages provision is contained in the Scope of Work and if CONTRACTOR has, in METRO's opinion, violated that provision, METRO shall have the right to withhold from payments due CONTRACTOR such sums as shall satisfy that provision. All sums withheld by METRO under this Article shall become the property of METRO and CONTRACTOR shall have no right to such sums to the extent that CONTRACTOR has breached this Contract.

ARTICLE XIII

SAFETY

If services of any nature are to be performed pursuant to this agreement, CONTRACTOR shall take all necessary precautions for the safety of employees and others in the vicinity of the services being performed and shall comply with all applicable provisions of federal, state and local safety laws and building codes, including the acquisition of any required permits.

ARTICLE XIV

INTEGRATION OF CONTRACT DOCUMENTS

All of the provisions of any bidding documents including, but not limited to, the Invitation to Bid, Instructions to Bidders, Scope of Work, and Bid Forms which were utilized in conjunction with the bidding of this Contract are hereby expressly incorporated by reference.

Otherwise, this Contract represents the entire and integrated agreement between METRO and CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral. This Contract may be amended only by written instrument signed by both

METRO and CONTRACTOR. The law of the state of Oregon shall govern the construction and interpretation of this Contract.

ARTICLE XV

ASSIGNMENT

CONTRACTOR shall not assign any rights or obligations under or arising from this Contract without prior written consent from METRO.

(Contractor)

METROPOLITAN SERVICE DISTRICT

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

AMH:jp:bl
CONTRACT.FOR
10/19/89

ATTACHMENT "A"

SCOPE OF WORK

SCOPE OF WORK

1.0 GENERAL

This Scope of Work describes the services required to transport mixed solid waste from Metro South Station (MSS) to the Marion Co. Waste-to-Energy Facility (MWEF), as well as the operating conditions in which the services are to be performed. The description of the work is not intended to be comprehensive in nature, and the Contractor agrees to provide the labor, equipment and materials necessary to meet the performance requirements contained in the Contract Documents for the Project - "Marion Co. Waste Transport Services."

The transport services described in the Contract Documents are necessary to fulfill the terms of an agreement between Metro and Marion County, Oregon. The purpose of the agreement is to provide the MWEF with waste, as needed, for efficient operation. Waste has been needed the most during the Winter months when waste flows from within Marion Co. to the facility are low.

Metro has agreed to supplement the waste flow to the MWEF from waste delivered to MSS. Metro has provided waste for a number of years and has projected future waste flows to the MWEF. These patterns are presented in the Appendix on a monthly basis, under the column entitled "From Metro South."

Metro will provide the waste on an on-call basis through the Contractor. The MWEF facility manager will contact the Contractor on Friday of each week with projected waste needs for the coming week. The Contractor must provide the waste as specified by the MWEF manager, subject to the limitation that the Contractor is only required to use a single walking floor trailer to perform the work. The Contractor may, at its option, use additional trailers to supply the MWEF with the specified quantities which exceed the capacity of a single trailer.

MSS is operated by a private firm, Waste Management of Oregon, Inc., who is responsible for receiving waste from haulers and preparing loads for transport. Jack Gray Transport, Inc. is the firm which transports the majority of MSS's waste to the Columbia Ridge Landfill in Gilliam County, Oregon. The Contractor shall coordinate his/her activities with the above contractors as well as any additional Metro contractors or Metro personnel. The Contractor shall operate under direction from Metro's Facilities Manager or his designated representative.

Loads of waste will be compacted by two types of compactors. One is an Amfab Transpak 500 which makes a single waste bale approximately 39 feet long. The other is a Shredding Systems, Inc. (SSI) compactor which builds two bales approximately 19 feet each per bale. With the SSI compactor, the first bale is partially extruded

into the trailer and remains in that position while the second bale is formed. Once the second bale is formed, the compactor pushes the second bale into the first bale until both bales are completely inside the trailer.

2.0 OPERATING PLAN - GENERAL

The Contractor is responsible for moving an empty trailer to the compactor and then setting and holding brakes until a load is received. The MSS operator is responsible for extruding the untied bale(s) of waste into the transfer trailer and installing a seal on the door handle.

The Contractor is responsible for inspecting the loaded trailers for damage and verifying that the seal was installed properly before transporting the load of waste from the transfer station. If Contractor's inspection of the seal indicates that the seal has been improperly installed, the Contractor shall immediately notify the transfer station operator and request a new seal. Failure to do so will preclude Contractor from any recovery for damages arising out of any improperly installed seal (see Item 7.2).

Contractor and transfer station operator shall use an interchange agreement for inspection of trailers, or a similar agreement as approved by Metro. Any damage caused to the trailer from receiving a load of waste must be noted on the interchange agreement. Any claims for damage resulting from receiving a load shall be made against the transfer station operator.

The MSS operator is responsible for providing a road legal load to the Contractor. Contractor is responsible for ensuring the load is road legal prior to leaving the site. Scales will be available onsite to determine if the load is road legal. If Contractor determines the load is not road legal, he/she shall utilize the walking floor to shift or unload waste as necessary to achieve a legal weight. Any unloading of waste shall be performed under the direction of the MSS operator. The MSS operator is responsible for providing assistance in achieving a road legal weight or in unloading an overloaded trailer if necessary.

Contractor is also responsible for any storage, maintenance, cleaning and replacement of trailers. No storage of trailers will be provided at MSS without the prior approval of Metro. No cleaning of trailers will be allowed at MSS without the prior approval of Metro.

The Contractor is allowed to utilize his/her equipment for purposes other than those connected with this Contract when not needed to perform this Contract, with the prior approval of Metro, except that the hauling of any food-related items in the trailers is prohibited. Such approval shall not be unreasonably withheld by

Metro.

The services provided by the Contractor shall be performed in accordance with all state, federal and local regulations. Any changes in operating procedures as described by these documents, or submitted by the Contractor as part of his/her bid, must be approved by Metro.

The Contractor will conduct his/her activities so as to maximize coordination with any Metro-designated party, and to minimize loading and unloading time spent at the transfer station and the MWEF, in a cost effective manner.

2.1 OPERATING PLAN - LIMITATIONS

Contractor is required to transport waste to the MWEF as requested, subject to the following conditions.

2.1.1 EQUIPMENT LIMITATIONS. Contractor is required to supply only one walking floor trailer. If Contractor is unable to transport the requested volumes with one walking floor trailer, it is at the option of the Contractor to supply the additional equipment, personnel, etc. to transport the requested volumes. However, the Contractor must transport waste when available throughout any given day and/or week to attempt to supply the requested amounts of waste. Contractor may utilize used trailers and tractors to provide the services required.

2.1.2 WASTE AVAILABILITY. Contractor is only responsible to transport waste as it is available. Contractor must continue to transport waste throughout the day/week if waste is available and the MWEF is willing to accept it, regardless of whether MSS is open to the public. Contractor must provide sufficient personnel to continue to transport waste in any given day/week without violating applicable regulations. Metro, or its designated representative, will determine the availability of waste.

2.1.3 MWEF REQUIREMENTS Contractor shall halt its transport of waste to the MWEF upon instruction from the designated MWEF representative, even though the requested amounts may have not been transported.

2.1.4 ROUTE LIMITATIONS Contract must use I-205 and I-5 in routing the trailers. Contractor shall access and egress I-205 and I-5 using the ramps closest to MSS and the MWEF.

3.0 COORDINATION

The Contractor is responsible for coordinating with the MSS operator, and the waste transporter, a schedule to receive loads of waste. The Contractor is also responsible for coordinating the unloading of the waste with the MWEF operator. Metro will act as the arbitrator of any disputes between Contractor and the other parties.

Contractor shall consult with both the MSS operator and the waste transport contractor daily to minimize disruptions to their operations. Metro's Facilities Manager, or designated representative, will issue guidelines as to queuing and other onsite activities.

Coordination meetings may be held monthly to review the progress of the work, discuss operational problems and procedures, and complaints. It will be the responsibility of the Contractor to prepare for and respond to complaints, charges, and allegations brought against him/her prior to this meeting. The Contractor will also be required to present a monthly report summarizing activities during the prior month and plans and schedules for future activities. The organization of and invitation to the meeting will be the responsibility of Metro.

The monthly summary report shall include at a minimum:

- Manifest of the tonnage by load.
- Complaint forms and recommended actions.
- Any extraordinary occurrences affecting Metro.
- Status of operating equipment.
- Any correspondence between Contractor and governmental bodies relevant to this Contract.

4.0 WASTE FLOW AND HOURS OF OPERATION

MSS is open between the hours of 6:00 a.m. to 6:00 p.m., Monday through Saturday; and 8:00 a.m. to 4:00 p.m. on Sunday. Waste volumes at the facility will fluctuate daily, weekly and monthly. Peak periods at MSS generally occur daily between 10:00 a.m. and 2:00 p.m. All waste is removed from the facility daily, usually by 10 p.m. weekdays.

5.0 OPERATING RECORDS

The Contractor shall keep accurate records of all transactions in connection with this Contract. This includes, but is not limited to, Metro Transaction Tickets received at MSS, any receipts or correspondence from the MWEF and any communication from public agencies. Copies of such records shall be forwarded to Metro as

requested. Metro shall be informed of the existence of all such communications or correspondence through the monthly report.

Upon accepting the sealed load of waste the Contractor will receive three copies of a Metro Transaction Ticket from the MSS operator. The ticket will include the time, date, seal number, and tare weight of the vehicle components and the weight of the load as measured by the compactors' scales.

After transporting the trailer to the MWEF the MWEF operator completes and signs the Metro Transaction Ticket indicating the time and date received, verifying the seal number of the trailer, and verifying that the seal is intact. The Contractor, MWEF operator and Metro all receive a copy of the completed ticket. The Contractor shall forward Metro's copy of the ticket with the monthly billing.

The MWEF operator will weigh the Contractor's vehicle to determine the weight of the load. The MWEF operator will issue a receipt which the Contractor shall retain for his/her records. A copy of this receipt will accompany the monthly billing.

6.0 PAYMENT

Payment for the transport of solid waste will be made based on the Contractor's per ton waste bid price multiplied by the number of tons transported per month. The number of tons will be determined by the MWEF operator's weighing of the load. Detailed payment procedures are contained in Attachment "B".

7.0 Trailer Performance Requirements

Waste will be compacted at MSS by compacting equipment such as an AMFAB Transpak Model 500, or Shredding Systems Compaction System, designed to produce efficient payloads. Trailers shall be of the rear-load design capable of receiving an extruded load from the compactor. Walking floor trailers shall be used so waste can be unloaded at the MWEF.

Trailers shall be designed to minimize the spillage of liquids from the waste. The spillage of waste from the trailer while in transit or storage is prohibited. Consideration in the design should also be given to minimizing odor. The trailer must have solid walls, floor and rear doors. The roof of the trailer must be tarped at a minimum, or be solid. The use of screens is unacceptable. The doors must be fitted with seals to minimize the escape of liquids.

It is the intent of these Specifications to ensure that Contractor equipment is suitable for the arduous, heavy-duty service connected with solid waste transport. Trailers shall be of a construction capable of withstanding the extreme abuse expected from receiving

compacted solid waste. Contractor shall be fully responsible for replacing any trailer equipment which does not meet these standards, and for repairing any damage which occurs to the equipment as a result of loading, unless Contractor can demonstrate that such damage was attributable to compactor operator error.

All contractor-furnished equipment shall be properly maintained in a safe working condition at all times. Transfer tractors and trailers shall be suitably painted and/or furbished so that they present an acceptable appearance in the opinion of Metro.

7.1 Packaging Densities

The transfer station operator is responsible for the compaction and extrusion, into the Contractor's trailer, of an untied bale(s) of waste. The load of waste measures seven feet by seven feet up to 40 feet when inside the compactors. The MSS operator can vary the length and/or density of the bale(s) to optimize payloads. The Contractor must accept a load of waste weighing at least 20 tons while remaining road legal.

7.2 Trailer Seals

At the completion of extruding the waste into the trailer, the transfer station operator will install a lock seal on the trailer such as a flat metal seal that prohibits removal by hand. Each seal will be marked with three letters (e.g., MSS for Metro South Station) identifying the facility, Contractor and a sequentially increasing set of at least four digits.

Example: MSS-CON-0000

It is the responsibility of Contractor to ensure that the seal was properly installed before the trailer leaves the transfer station. Once the Contractor has verified that the seal is properly installed the waste contained within the trailer is the responsibility of the Contractor until the seal is broken by the disposal site operator. If the seal is broken by other than disposal site personnel, the Contractor will be responsible for all associated costs and liabilities involved with managing any waste contained within the trailer, above and beyond normal disposal costs.

7.3 Trailer Cleaning

The Contractor shall clean trailers as often as necessary to prevent malodor, unsightliness, or attraction of vectors.

8.0 TYPES OF WASTES ACCEPTED

The Contractor shall accept and transport to the MWEF all waste which is sealed into Contractor's trailers at MSS. Contractor is prohibited from adding any material to the load once the seal has been installed. It will be the transfer station operator's responsibility to provide loads of acceptable solid waste for transport by the Contractor.

9.0 UNLOADING WASTE AT DISPOSAL FACILITY

Contractor is responsible for unloading all waste transported pursuant to this Contract at the MWEF. Upon arrival at the MWEF, Contractor and the MWEF operator will mutually inspect the trailer seal. The MWEF operator will indicate on all copies of the Metro Transaction Ticket whether the seal is intact and then sign for receipt of the load. If the seal is not intact Contractor shall notify Metro immediately and the load shall be unloaded per instructions from the MWEF operator. If the seal is intact, Contractor shall proceed to the unloading area.

10.0 INSPECTION

The Contractor shall permit inspection of all facets of the work by Metro, its representatives, and governmental authorities having jurisdiction over any parts of the work at all times. The inspectors for Metro will have all rights and duties granted to Metro.

Directions from such inspectors shall not relieve the Contractor of any responsibility or liability associated with his/her operations. Contractor shall remain fully responsible for all injuries, accidents, and other mishaps associated with his/her operations.

Metro will inform the Contractor at a premobilization meeting and at subsequent meetings as to which of Metro's employees will be responsible for routine inspections, and what authority such inspectors will have.

11.0 TRANSPORT SYSTEM REGULATIONS

11.1 General

The Contractor shall be responsible for obtaining all necessary approvals and permits for the services rendered under this Contract including, but not limited to, complying with all applicable State, Federal and Local regulations. Copies of all current permits and conditions shall be submitted with the Bid, together with a timetable for obtaining necessary permits not yet approved.

11.2 Trucking

All truck equipment shall comply with applicable local codes, state laws, and applicable federal requirements including, but not limited to, the following:

DEPARTMENT OF TRANSPORTATION
Federal Motor Vehicle Safety Standards (FMVSS)
Federal Motor Carrier Safety Regulations (FMCSR)
Interstate Motor Carrier Noise Emission Standards

PUBLIC UTILITY COMMISSION OF OREGON REQUIREMENTS

ENVIRONMENTAL PROTECTION AGENCY (EPA)
Control of Air Pollution from New Motor Vehicles and New
Motor Vehicle Engines
Interstate Motor Carrier Noise Emission Standards

Each tractor shall be equipped with a two-way radio capable of communicating with the Contractor's office and the appropriate personnel at the MWEF. All tractors shall be equipped with a 10-pound ABC fire extinguisher with a 4A 60BC UL rating. The use of "Jake" brakes is prohibited.

12.0 CONTINGENCY PLANS

12.1 General

The Contractor will submit to Metro comprehensive plans for dealing with the following:

- A. Emergency operating procedures in the event of a work stoppage by any of the Contractor's employees or subcontractors.
- B. Emergency procedures in the event of breakdown or accident of any of the major equipment components directly involved in the transport of waste controlled by the Contractor.
- C. Emergency procedures in the event of a breakdown in the unloading operation.
- D. Emergency inclement weather operating procedures to avoid any interruption of service.

Plans must include time frame, sources for the implementation of the plan, and a description of replacement equipment. Contingency plans must be approved by Metro but such approval shall not be construed as a limitation on Contractor's obligation to transport waste in a timely manner as described elsewhere in this contract.

12.2 Back-Up System

The Contractor shall provide back-up equipment within 8 hours of a breakdown.

12.3 Emergency

Contractor will provide to Metro a comprehensive plan designed to minimize hazards (during storage and transit) to human health and the environment; damage to property; the interruption of waste transfer and/or traffic along transportation routes due to:

- A. Fires and explosions
- B. Release of hazardous/unacceptable waste constituents
- C. Release of any solid waste constituents

The contingency plan must include:

- 1. A description of actions which transport personnel must take in response to A, B, and C above.
- 2. Evidence of arrangements with local emergency response agencies setting forth what services will be rendered by each agency in the event of an emergency.

The Emergency Contingency Plan in no way lessens the Contractor's full responsibility to comply with all applicable regulatory provisions for transporting solid waste.

13.0 SAFETY AND EMERGENCY RESPONSE TRAINING PROGRAM

Contractor is responsible for the safety of his/her employees. At a minimum an employee safety orientation and training program will be implemented prior to February 1, 1990 and will continue throughout the Contract term. The Contractor will designate a staff member to serve as the transportation system safety coordinator. The coordinator will be responsible for the implementation of the following program requirements:

- A. Newly hired employees will be provided with an orientation of the safety program, instructions regarding personal safety and the emergency and general contingency plan.

- B. A thorough investigation of all accidents to ascertain the cause and methods of preventing a reoccurrence of similar accidents.

If death or serious injuries or serious damages are caused by an accident related to this Contract the accident shall be reported immediately by telephone or messenger to Metro Solid Waste Department. In addition, the Contractor must promptly report in writing to Metro all accidents whatsoever arising out of, or in connection with the performance of the work, giving full details and statements of witnesses.

If a claim is made by anyone against the Contractor or any subcontractor as a result of any accident related to this Contract, the Contractor shall promptly report the facts in writing to Metro, giving details of the claim.

14.0 CONTRACTOR LIABILITY

The Contractor will be held responsible for any damage attributed to his/her operations including, but not limited to, equipment used in the loading the trailer. The Contractor shall repair or replace any such damage at no additional charge to Metro in a timely manner.

The Contractor will be responsible for all costs incurred from any release of solid waste or liquids during transport and storage. Contractor is responsible for any costs associated with unacceptable waste if the seal on the trailer is broken prior to being broken by the MWEF operator.

15.0 ADDITIONAL WORK

Metro reserves the right to negotiate with the Contractor for the transportation of waste from or to any additional sites.

ATTACHMENT "B"

Compensation

1. Rates. For all work required under this Contract, Metro will make monthly payments to Contractor based on the rates set forth in the Contractor's Bid.

On or prior to the eighth day of each month, Contractor will submit to Metro a billing which indicates the quantity of waste transported from each transport site pursuant to the Contract. The value of unit price work shall be based upon the number of tons of waste actually transported according to the weight records from the MWEF for the calendar month just completed.

The Contractor shall furnish to Metro such detailed information as set forth in these Contract Documents (including records from the MWEF and MSS) and as Metro may request to aid in the preparation of monthly payments. After approval of Contractor's invoice by Metro, Metro will remit payment to the Contractor by the 25th day of the following month.

- B. Price Adjustment. Unit prices shall be adjusted up or down each year of this Contract, beginning one year from the first day of the month in which this Contract is signed, to reflect changes in the cost of doing business. The price adjustment change at the beginning of the second Contract year shall be in a percentage amount equal to the change of the Consumer Price Index between the previous year and the current year times the percentage adjustment bid in Contractor's Bid, as described below.

The following formula will be used to calculate the price adjustment: $AU = \frac{((CI_x - CI_B) + 1)}{CI_B} \times PU$

AU = Adjusted unit price
CI_x = Consumer Price Index in the current year (average)
CI_B = Consumer Price Index in the previous year (average)
PU = Previous year's unit price

The Consumer Price Index will be based on the index entitled "West-A" from the U. S. Department of Labor, Bureau of Labor Statistics' publication entitled "Consumer Price Indexes, Pacific Cities and U.S. City Average/All Urban Consumers." The index will be a twelve (12) month average for the current year minus a twelve (12) month average for the previous year divided by the previous year's average. The price adjustment shall take place as soon as data are available retroactive to the Contract anniversary date.

APPENDIX: Consisting of-

**Flow projections to the MWEF
Metro Disadvantaged Business Program
Bid Forms**

**Flow Projections to the MWEF for:
1989 - 1993**

Marion County Annual Tonnage From Metro South Station

Month	1989	1990	1991	1992	1993	1994
January	4,026	1,098	3,592	3,592	3,592	3,592
February	0	1,182	1,371	1,371	1,371	
March	0	1,060	2,424	2,424	2,424	
April	1,537	13	0	0	0	
May	802	559	1,149	1,149	1,149	
June	744	866	0	0	0	
July	1,086	92	331	331	331	
August	0	75	0	0	0	
September	0	21	0	0	0	
October	0	1,000	1,978	1,978	1,978	
November	1,326	1,000	3,572	3,572	3,572	
December	0	1,000	4,116	4,116	4,116	
TOTAL	9,521	7,966	18,533	18,533	18,533	

Metro Disadvantaged Business Program

Chapter 2.04, Metro Contract Procedures-
Disadvantaged Business Program will be included in
Documents released to Bidders

BID FORMS: Consisting of-

**Cover Pages
BID SCHEDULE
Questionnaire
Bid Bond Form
Disadvantaged Business Program Forms
Resident/Non-Resident Bidder Status Form
Signature Page**

COVER PAGES

NOTE TO BIDDER: Please type or use ink for completing BID FORMS.

To: METROPOLITAN SERVICE DISTRICT - Solid Waste Department

Address: 2000 S.W. First Avenue, Portland, OR 97201-5398

Bid Title: MARION CO. WASTE TRANSPORT SERVICES (NO. 90B-136-SW)

Bidder:

Address:

Date:

Bidder's Person to Contact for Additional Information on this Bid:

Name/Title:

Telephone No:

BIDDER'S DECLARATION AND UNDERSTANDING

The Bidder, whose lawful signature binding it to the terms of this Bid as found on the Signature Page, declares that the only persons or parties interested in this Bid are those named herein, that this Bid is, in all respects, fair and without fraud, that the prices bid are made without collusion with any official, agent or employee of Metro, and that the Bid is made without any connection or collusion with any person submitting another Bid on this Contract.

The Bidder further declares that he/she has carefully examined all of the Contract Documents, that he/she has satisfied himself/herself as to the quantities and conditions of the work involved, and that this Bid is subject to and made in accordance with the provisions and under the terms of all of the Contract Documents, which Documents are hereby made a part of this Bid.

Any printed matter or any letter or paper enclosed herewith which is not part of the Bidding Documents prepared by Metro or which was not requested by Metro is not to be considered a part of this Bid, and the undersigned agrees that such matter shall be entirely disregarded and, notwithstanding such printed matter, that the Bid is an offer to do all of the work in strict accordance with the Contract Documents.

This Bid is irrevocable for forty-five (45) days following opening

This Bid is irrevocable for forty-five (45) days following opening of bids.

CONTRACT EXECUTION

The Bidder agrees that if this Bid is accepted, he/she will, within ten (10) days, not including Sundays and legal holidays, after Notice of Conditional Award, sign the Contract in the form annexed hereto, and will at that time, furnish descriptions of all equipment, personnel, sites and other means necessary to do the work and descriptions of all materials necessary to complete all work as specified or indicated in the Contract Documents, and as requested by Metro.

SALES AND USE TAXES

The Bidder agrees to accept as full payment for the goods and/or services covered by this Bid the unit price amounts supplied by the Bidder. The Bidder agrees that the unit prices represent a true measure of the labor and materials required to complete the Contract, including all allowances for overhead and profit.

START OF WASTE TRANSPORT OPERATIONS AND CONTRACT COMPLETION TIME

The Bidder further agrees to begin waste transport services as described in the Contract Documents on February 1, 1991, and to terminate such transport services on January 31, 1994, subject to the provisions set forth in Article V of the General Conditions.

The Bidder should be aware that it is Metro's intent to reduce the amount of waste landfilled, and that these efforts may significantly reduce the rate at which waste is transported for disposal.

BID SCHEDULE
(Fill in all blank spaces)

<u>ITEM</u>	<u>FIGURES</u>	<u>WORDS</u>
1. Price per ton =	\$ _____ (Unit Price)	_____
TOTAL BID PRICE =		
\$ _____ (Price per ton)	X 55,599 (tons)	= \$ _____ (Total Bid Price)

ADDENDA

The Bidder hereby acknowledges that he/she has received Addenda Numbers _____ (Bidder: Insert number of each Addendum received) to these Specifications.

CONTRACT QUESTIONNAIRE

The following Questionnaire asks for information concerning the Contractor's organization, experience in projects similar to those described in the Contract Documents, and information relating to the equipment and operating plan the Contractor proposes to use during the Contract. If a partnership, firm, corporation or other entity owns a controlling interest in the Bidder, responses to each question in the Questionnaire must be submitted for both the Bidder and the parent entity. For purposes of this paragraph, "controlling interest" shall mean ownership of ten percent (10%) or more of the beneficial ownership of Bidder. Information submitted in response to this Questionnaire will be considered binding on the successful Bidder, and any substitutions or deviations shall be approved by Metro.

Manner of Preparing and Filling in Forms

Unless indicated otherwise, the Contractor shall include information for only the specific single business organization or entity which is submitting a Bid for the work described in the Contract Documents and which would be the signatory on the Contract.

All answers and other entries on the forms, except signatures, shall be filled in on a typewriter or legibly printed. It is the responsibility of the Contractor to return all pages. Failure to do so may be grounds for rejection.

All answers and entries shall be specific and complete in detail. Metro reserves the right to make independent inquiries concerning the information submitted herein, to conduct any additional investigation necessary to determine the Contractor's qualifications, and to require the Bidder to supply additional information.

Use of Attachments

Schedules, resumés, reports, diagrams, and other forms of information may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form and provided that the Bidder clearly references the attachments on this form. The purpose of this Questionnaire and any attachments is to supply information about the Bidder to Metro, so that Metro may determine the Bidder's qualifications to perform the work.

Submission

The Questionnaire shall be submitted along with the Contractor's Bid in accordance with the information contained in the INVITATION TO BID section of the Contract Documents.

7. Please attach the most recent financial statement for your firm.

Confidential Information

Information submitted in this Questionnaire will be treated as confidential, as permitted in ORS 192.500, if requested by the Contractor. Do you wish to have the information treated as confidential? yes no
(check one)

If yes which portions. _____

SUBMIT WITH BID

BID BOND

BOND NO. _____
AMOUNT: \$ _____

KNOW ALL MEN BY THESE PRESENTS, that _____
hereinafter called the PRINCIPAL, and _____
a corporation duly organized under the laws of the state of _____
having its principal place of business at _____
_____, in the state of _____,
and authorized to do business in the state of Oregon, as SURETY, are
held and firmly bound unto _____

hereinafter called the OBLIGEE, in the penal sum of ONE THOUSAND DOLLARS
(\$1,000), for the payment of which we bind ourselves, our heirs,
executors, administrators, successors, and assigns, jointly and
severally, firmly by these presents.

WHEREAS the PRINCIPAL is herewith submitting his/her or its Bid
for Waste Transport Services, said Bid, by reference thereto, being
hereby made a part hereof.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

If the Bid submitted by the PRINCIPAL is accepted, and the Contract
awarded to the PRINCIPAL, and if the PRINCIPAL shall execute the
proposed Contract and shall furnish other documents as required by the
Contract Documents within the time fixed by the Contract, then this
obligation shall be null and void; if the PRINCIPAL shall withdraw its
Bid within forty-five (45) days of the Bid opening date or otherwise
fail to execute the proposed Contract, the SURETY hereby agrees to pay
to the OBLIGEE the penal sum as liquidated damages, within ten (10) days
of such failure.

Signed and sealed this _____ day of _____, 1990.

PRINCIPAL

By _____

SURETY

By _____
Attorney-in-Fact

DISADVANTAGED BUSINESS PROGRAM COMPLIANCE FORM

(To be submitted with Bid or Proposal)

Name of Metro Project: Marion County Waste Transport Services

Name of Bidder: _____

Address: _____

Telephone: _____

In accordance with Metro's Disadvantaged Business Program, the above-named Bidder has accomplished the following:

- _____ 1. Has fully met the Contract goals and will subcontract _____ percent of the Contract amount to DBEs and _____ percent to WBEs.

- _____ 2. Has partially met the Contract goals and will subcontract _____ percent of the Contract amount to DBEs and _____ percent to WBEs. The Contractor has made good faith efforts prior to Bid opening (or proposal submission date, as applicable) to meet the full goals and will submit documentation of the same to Metro within two working days of Bid opening (or proposal submission date).

- _____ 3. Will not subcontract any of the contract amount to DBEs or WBEs but has made good faith efforts prior to Bid opening (or proposal submission date, as applicable) to meet the contract goals and will submit documentation of such good faith efforts to Metro within two working days of Bid opening (or proposal submission date).

Authorized Signature

Date

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION FORM

1. Name of Metro Project Marion County Waste Transport Services

2. Name of Bidder _____

Address of Bidder _____

3. The above-named bidder intends to subcontract _____ percent of the Total Bid Price to the following Disadvantaged Business Enterprises (DBEs):

Names, Contact Persons, Addresses and Telephone Numbers of DBE Firms Bidder Anticipates Utilizing	Nature of Participation	Dollar Value of Participation
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

	Total	_____
	Amount of Total Bid Price	_____
	DBE Percent of Total Bid Price	_____

Authorized Signature

Date: _____

THIS FORM IS TO BE COMPLETED, SIGNED AND SUBMITTED BY THE CLOSE OF THE NEXT WORKING DAY FOLLOWING BID OPENING

INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT

1. This Non-Collusion Affidavit is material to any Contract awarded pursuant to this Bid. According to the Oregon Public Contracts and Purchasing Laws, a public contracting agency may reject any or all bids upon a finding of the agency that it is in the public interest to do so (ORS 279.035). Metro finds that it is in the public interest to require the completion of this Affidavit by potential contractors.
2. This Non-Collusion Affidavit must be executed by the member, officer or employee of the Bidder who makes the final decision on prices and the amount quoted in the Bid.
3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of Bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself or herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the Bidder with responsibilities for the preparation, approval or submission of the Bid.
4. In the case of a Bid submitted by a joint venture, each party to the venture must be identified in the Bid Documents, and an Affidavit must be submitted separately on behalf of each party.
5. The term "complementary bid" as used in the Affidavit has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than the bid of another firm, any intentionally high or noncompetitive bid, and any other form of bid submitted for the purpose of giving a false appearance of competition.
6. Failure to file an Affidavit in compliance with these instructions will result in disqualification of the Bid.

NON-COLLUSION AFFIDAVIT

Contract: Marion Co. Waste Transport Services

STATE OF _____)
County of _____) ss.

I state that I am _____ (Title) of _____ (Name of Firm) and that I am authorized to make this Affidavit on behalf of my firm, and its owners, directors, and officers. I am the person responsible in my firm for the price(s) and the amount of this Bid.

I state that:

(1) The price(s) and amount of this Bid have been arrived at independently and without consultation, communication or agreement with any other contractor, Bidder or potential Bidder, except as disclosed on the attached appendix.

(2) That neither the price(s) nor the amount of this Bid, and neither the approximate price(s) nor approximate amount of this Bid, have been disclosed to any other firm or person who is a Bidder or potential Bidder, and they will not be disclosed before Bid opening.

(3) No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a Bid higher than this Bid, or to submit any intentionally high or noncompetitive Bid or other form of complementary Bid.

(4) The Bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive Bid.

(5) _____ (Name of Firm), its affiliates, subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last four years been convicted of or found liable for any act prohibited by state or federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as listed and described on the attached sheet.

I state that _____ (Name of Firm) understands and acknowledges that the above representations are material and important, and will be relied on by _____ (Name of Public Entity) in awarding the contract(s) for which this Bid

is submitted. I understand and my firm understands that any misstatement in this Affidavit is and shall be treated as fraudulent concealment from _____ (Name of Public Entity) of the true facts relating to the submission of Bids for this Contract.

Name of Company/Position

Sworn to and subscribed before me this _____ day of _____, 1990.

Notary Public for _____

My Commission Expires: / /

SIGNATURE PAGE

The name of the Bidder submitting this Bid is _____

_____ doing business at

_____ (Street)

_____ (City)

_____ (State)

_____ (Zip)

which is the full business address to which all communications concerned with this Bid and with the Contract shall be sent.

The names of the principal officers of the corporation submitting this Bid, or of all of the partners, if the Bidder is a partnership or joint venture, or of all persons interested in this Bid as individuals are as follows:

If Individual

IN WITNESS hereto the undersigned has set his/her hand this _____ day of _____, 1988.

Signature of Bidder

Printed Name of Bidder

Title

If Partnership or Joint Venture

IN WITNESS hereto the undersigned has set his/her hand this _____ day of _____, 1990.

Name of Partnership or Joint Venture

By: _____

(Printed name of Person Signing)

Title: _____

SIGNATURE PAGE (continued)

If Corporation

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this _____ day of _____, 1988.

Name of Corporation

State of Incorporation

By: _____

Printed Name of Person Signing

Title: _____

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1345 FOR THE PURPOSE OF AUTHORIZING ISSUANCE OF A REQUEST FOR BIDS FOR MARION COUNTY WASTE TRANSPORT SERVICES AND ENTERING INTO A CONTRACT WITH THE LOW, RESPONSIBLE, RESPONSIVE BIDDER

Date: October 25, 1990

Presented by: Chuck Geyer

PROPOSED ACTION

Adopt Resolution No. 90-1345 authorizing issuance of the request for bids for Marion County Waste Transport Services (attached to the resolution as Exhibit 1) and authorizing the Executive Officer to enter into a contract with the low, responsive, responsible bidder in accordance with the requirements of the Metro Code.

FACTUAL BACKGROUND AND ANALYSIS

Metro entered into an agreement with Marion County, Oregon, effective February 1990, to dispose of up to 40,000 tons of waste per year at the Marion County Waste-to-Energy Facility. Metro has provided waste to the facility since 1987. Per the agreement, Metro is to deliver the majority of this waste from the Metro South Station.

The request for bids for Marion County Waste Transport Services solicits bids from contractors to provide the transport services from Metro South Station to the Marion County Waste-to-Energy Facility. The transport services are currently being provided by Jack Gray Transport, Inc. through a change order to the Waste Transport Services contract which expires January 31, 1991.

The current project schedule (Attachment 1) shows that bids would be received in mid-December, 1990. Staff recommends that a month of mobilization time be provided the selected contractor. In order to provide at least a month for the selected contractor to mobilize, Resolution 90-1345 authorizes the Executive Officer to enter into a contract with the low, responsive, responsible bidder.

BUDGET IMPACTS

Adequate funds exist in the FY 1990-91 budget for initial payments. Based on the contract entered into, appropriate funds will be budgeted in future fiscal years.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution 90-1345 which authorizes the issuance of an RFB for Marion County Waste Transport Services, and execution of the resulting contract.

Attachment #1

CSWC Consideration of Bid Documents	Nov 6, 1990
Council Consideration of Bid Documents	Nov 22, 1990
Release Bid	Nov 23, 1990
Vendor Review	3.00 Weeks
Bids Received	Dec 13, 1990
Staff Review for Award	5.00 Days
Award	December 21, 1990

If Council Awards

CSWC Consideration of Award	January 15, 1991
Council Consideration of Award	January 24, 1991
Award	January 25, 1991

cc:jc
marlon\staff.rpt

Agenda Item No. 7.8
Meeting Date: November 29, 1990

RESOLUTION NO. 90-1355

SOLID WASTE COMMITTEE REPORT

RESOLUTION NO. 90-1355, FOR THE PURPOSE OF APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF OREGON CITY PROVIDING FOR THE PAYMENT OF A \$.50 PER TON MITIGATION AND ENHANCEMENT FEE

Date: November 21, 1990

Presented by: Councilor DeJardin

Committee Recommendation: At the November 20, 1990 Solid Waste Committee meeting, Councilors Collier, DeJardin and Saucy voted unanimously (DeJardin; 3/0 vote) to recommend Council adoption of Resolution No. 90-1355. Councilors Buchanan and Wyers were excused.

Committee Discussion/Issues: Bob Martin, Director of Solid Waste, and Sam Chandler, Solid Waste Facilities Manager, gave staff's report. Mr. Martin said the intergovernmental agreement committed Metro to Oregon City's time schedule with specific tonnages. He said Metro South Station would handle 400,000 tons in 1991. He said the agreement would ultimately scale Metro South to a maximum of 250,000. Staff planned to direct waste to the Riedel composter facility. Councilor Collier asked if Metro would be penalized if the tonnage limitations were not met. Mr. Martin said there was no specific penalty and that staff had a working relationship with Oregon City to alleviate any problems.

The Committee had no further questions or comments and voted unanimously to recommend the full Council adopt Resolution No. 90-1355.

TD:DEC:pa
90-1355.RPT

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING AN)
INTERGOVERNMENTAL AGREEMENT WITH)
THE CITY OF OREGON CITY PROVIDING)
FOR THE PAYMENT OF A FIFTY CENT PER)
TON MITIGATION AND ENHANCEMENT FEE)

RESOLUTION NO. 90-1355

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metropolitan Service District (Metro), pursuant to Metro Resolution No. 88-938, entered into an Intergovernmental Agreement with the City of Oregon City on June 9, 1988, providing for the payment of a \$0.50 per ton mitigation and enhancement fee, and revising the tonnage limitation at the Metro South Transfer Station; and

WHEREAS, the Intergovernmental Agreement between Metro and the City of Oregon City expires December 31, 1990; and

WHEREAS, Metro and the City of Oregon City desire to enter into another Intergovernmental Agreement providing for the payment of a mitigation and enhancement fee; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District authorizes the Executive Officer to enter into an Intergovernmental

Agreement with the City of Oregon City, attached hereto as Exhibit A, providing for the payment of a mitigation and enhancement fee.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

RB:JC
November 8, 1990
SW901355.RES

EXHIBIT A

AGREEMENT

THIS AGREEMENT is entered into by and between the CITY OF OREGON CITY, OREGON, ("OREGON CITY"), and the METROPOLITAN SERVICE DISTRICT ("METRO"). The parties agree as follows:

A. METRO agrees to:

1. Subject to the limitations expressed elsewhere in this Agreement, pay to OREGON CITY an amount equal to 50¢ per ton for all solid waste received at the facility known as the Metro South Station (hereinafter "the FACILITY") except for source separated recyclable materials. This amount shall be referred to as the "total amount." Payments to OREGON CITY shall be made according to the following provisions and shall be made on a quarterly basis.

a. As part of the total amount paid to OREGON CITY by METRO, an amount equal to the current millage rate assessed by OREGON CITY against all property located within the boundaries of OREGON CITY times the true cash value of the FACILITY, shall be paid by METRO directly to the OREGON CITY General Fund and be subject to expenditure at the discretion of the Oregon City Commission for general governmental purposes. Such amount shall be credited against the total amount payable by METRO. The true cash value of the FACILITY shall be determined by mutual agreement of the parties. If the parties fail to agree on what the true cash value is the question of true cash value shall be determined by binding arbitration pursuant to the rules of the American Arbitration Association. For the purpose of this section "FACILITY" shall include the entire real property and all improvements thereon.

b. The balance of the total amount payable by METRO shall be deposited in a separate, dedicated fund for the purpose of rehabilitation and enhancement of the area around the transfer station within the city limits of Oregon City as determined by OREGON CITY pursuant to the terms of this Agreement.

2. Deliver to OREGON CITY monthly reports of activity at the FACILITY including data on the gross weight of solid waste received in vehicles that are weighed as they enter the FACILITY, the number of other vehicles assessed fees on an estimated volume basis, and the tonnage of solid waste transferred from the FACILITY.

3. Not exceed the volume limitation provided for in section B(5) hereof and to take every measure feasible to reduce tonnage at the FACILITY to 700 tons per day on a monthly average by January 1, 1992.

B. OREGON CITY will:

1. Appoint a citizens' advisory committee to recommend to the City Commission plans, programs and projects for the rehabilitation and enhancement of the area around the FACILITY. The committee shall include as members a member of the HOPP community, a member of the Oregon City Planning Commission, a member of the Oregon City Commission, and the Metro Council member representing the district which includes Oregon City.

2. The City Commission after receiving a recommendation from the citizens' committee shall determine the boundary of the area eligible for rehabilitation and enhancement.

3. Create a special fund and ensure that only plans, projects and programs determined by the City Commission to be suitable for the rehabilitation and enhancement are authorized for funding from such special fund.

4. Report annually to METRO on the expenditures of the special fund and fund balance no later than September 1 of each year.

5. Acting in its role as a quasi-judicial body, continue in effect the following tonnage limitation on use of the FACILITY:

The current tonnage limitation at the FACILITY shall be a monthly average of 1,200 tons per day for the months of July, August, September, October, May and June of each year, and 1,000 tons per day for the months of November, December, January, February, March and April. The tonnage limitations for each month shall be cumulative so that any amounts by which METRO does not meet or exceed the monthly tonnage allowance in any given month may be carried over and credited to the tonnage limitation in any future month at METRO's discretion during the term of this Agreement. Further, METRO shall not be in violation of the tonnage limitation if the total tonnage by which METRO may have exceeded the allowed tonnage during any one month (taking into account METRO's allowance for previous underutilized monthly tonnage as described above) does not exceed one-half the total monthly tonnage allowed for the month in which the excess has occurred; provided, however, that such excess tonnage shall not cumulatively exceed 18,600 tons over the life of this Agreement.

OREGON CITY may review the conditions contained in the Conditional Use permit other than the tonnage limitations on an annual basis.

6. OREGON CITY agrees if during the term of this Agreement it adopts such a tax or charge that imposes a fee on

haulers of commercial solid waste or other users of the FACILITY except as may be imposed by any tax duly adopted by OREGON CITY of general applicability to all persons doing business in Oregon City, then METRO shall have no further obligation to pay the sums provided for in paragraphs A 1. and 2. above and the tonnage limitations provided for in B. 5. shall be continued.

C. Term. The term of this Agreement is for the sixty (60) months commencing on January 1, 1991, except that the provision for payment of the 50¢ per ton fee to OREGON CITY shall only be in effect during such time as OREGON CITY shall continue to allow the tonnage levels at the limits provided for in section B. 5. above.

D. Notice. Any notice required pursuant to this Agreement shall be delivered as follows:

If to OREGON CITY:

City Manager
City Hall
320 Warner-Milne Road
Oregon City, OR 97045

Copy to:

Edward J. Sullivan
City Attorney
c/o Mitchell, Lang & Smith
101 S. W. Main Street
Portland, OR 97204

If to METRO:

Executive Officer
Metropolitan Service District
2000 S. W. First Avenue
Portland, OR 97201-5398

Copy to:

Daniel B. Cooper
General Counsel
Metropolitan Service District
2000 S. W. First Avenue
Portland, OR 97201-5398

Or as to such individuals as the parties may designate in writing in the future.

E. This Agreement sets forth the entire obligation of the parties to each other in connection with the FACILITY herein

described except for further conditions not inconsistent with this Agreement have previously been provided for in the Conditional Use approval entered by OREGON CITY in 1981 as has been amended from time to time.

F. This Agreement is subject to specific enforcement by the courts at the request of either party.

G. Remedies.

1. A default of this Agreement by METRO shall result in reinstatement of the 700 ton per day limitation on operation of the FACILITY contained in the Conditional Use permit conditions in effect on June 1, 1988. In addition, METRO shall continue to be liable for the payment of the fees provided for in section A. 1. and A. 2. above.

2. Default by OREGON CITY for failure to comply with its obligations in section B. above (excepting those quasi-judicial actions which METRO is requesting of OREGON CITY), shall be grounds for METRO to seek specific enforcement of the terms of this Agreement allowing utilization of the FACILITY subject to the tonnage limitation provided herein and further shall be grounds for METRO withholding any further payments due to OREGON CITY pursuant to the terms of paragraph A. above and OREGON CITY shall not be entitled to any payment from METRO for tonnage received during the period which the default exists. If at any time during the term of this Agreement, OREGON CITY, acting in a quasi-judicial or legislative capacity, changes any of the terms of the request by METRO contained in section B. 5. above, then for the duration of any such change METRO shall not be obligated to make any payments under section A. 1. of this Agreement.

3. Each party agrees to give thirty (30) days written notice to the other in the event that it determines a default exists specifying the nature of the default and giving the other party the opportunity during said 30-day period to cure the default before taking any further action.

H. This Agreement shall become effective upon execution by the parties after prior approval of the terms of this Agreement by the Metro Council and Oregon City Commission.

DATED this _____ day of _____, 1990.

CITY OF OREGON CITY

METROPOLITAN SERVICE DISTRICT

By: _____
David Spear
Title: Mayor
/////

By: _____
Rena Cusma
Title: Executive Officer

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Oregon City City Attorney

Metro General Counsel

DBC/gl
1040

GRANT/CONTRACT NO. 901547

BUDGET CODE NO. 531-312410-528100-75000

FUND. Operations DEPARTMENT: Solid Waste

IF MORE THAN ONE

SOURCE CODE (IF REVENUE)

INSTRUCTIONS

1. OBTAIN GRANT/CONTRACT NUMBER FROM CONTRACTS MANAGER. CONTRACT NUMBER SHOULD APPEAR ON THE SUMMARY FORM AND ALL COPIES OF THE CONTRACT.
2. COMPLETE SUMMARY FORM.
3. IF CONTRACT IS —
 - A. SOLE SOURCE, ATTACH MEMO DETAILING JUSTIFICATION.
 - B. UNDER \$2,500, ATTACH MEMO DETAILING NEED FOR CONTRACT AND CONTRACTOR'S CAPABILITIES, BIDS, ETC.
 - C. OVER \$2,500, ATTACH QUOTES, EVAL FORM, NOTIFICATION OF REJECTION, ETC.
 - D. OVER \$50,000, ATTACH AGENDA MANAGEMENT SUMMARY FROM COUNCIL PACKET, BIDS, RFP, ETC.
4. PROVIDE PACKET TO CONTRACTS MANAGER FOR PROCESSING

1. PURPOSE OF GRANT/CONTRACT Mitigation and Enhancement Fee

2. TYPE OF EXPENSE

<input type="checkbox"/> PERSONAL SERVICES	<input type="checkbox"/> LABOR AND MATERIALS	<input type="checkbox"/> PROCUREMENT
<input type="checkbox"/> PASS THROUGH AGREEMENT	<input checked="" type="checkbox"/> INTER-GOVERNMENTAL AGREEMENT	<input type="checkbox"/> CONSTRUCTION
		<input type="checkbox"/> OTHER

OR

TYPE OF REVENUE GRANT CONTRACT OTHER

3. TYPE OF ACTION

<input type="checkbox"/> CHANGE IN COST	<input type="checkbox"/> CHANGE IN WORK SCOPE
<input type="checkbox"/> CHANGE IN TIMING	<input checked="" type="checkbox"/> NEW CONTRACT

4. PARTIES Metropolitan Service District and City of Oregon City

5. EFFECTIVE DATE January 1, 1991

TERMINATION DATE December 31, 1995

(THIS IS A CHANGE FROM N/A)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW:	\$	<u>656,000</u>
	PREV. AMEND		<u>N/A</u>
	THIS AMEND		<u>N/A</u>
	TOTAL	\$	<u>656,000</u>

7. BUDGET INFORMATION

A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 19 <u>90-91</u>	\$	<u>101,500</u>
B. BUDGET LINE ITEM NAME <u>Payment Other Agency</u> AMOUNT APPROPRIATED FOR CONTRACT	\$	<u>157,778</u>
C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF <u>November 1, 1990</u>	\$	<u>110,240</u>

8. SUMMARY OF BIDS OR QUOTES (PLEASE INDICATE IF A MINORITY BUSINESS ENTERPRISE)

SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	

9. NUMBER AND LOCATION OF ORIGINALS _____

11. IS CONTRACT OR SUBCONTRACT WITH A MINORITY BUSINESS? YES NO
IF YES, WHICH JURISDICTION HAS AWARDED CERTIFICATION _____

12. WILL INSURANCE CERTIFICATE BE REQUIRED? YES - NO

13. WERE BID AND PERFORMANCE BONDS SUBMITTED? YES NOT APPLICABLE

TYPE OF BOND _____ AMOUNT \$ _____

TYPE OF BOND _____ AMOUNT \$ _____

14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

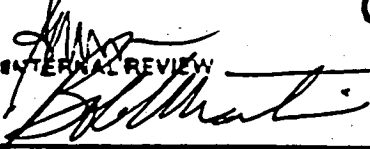
15. IF THE CONTRACT IS OVER \$10,000

A. IS THE CONTRACTOR DOMICILED IN OR REGISTERED TO DO BUSINESS IN THE STATE OF OREGON?
 YES NO

B. IF NO, HAS AN APPLICATION FOR FINAL PAYMENT RELEASE BEEN FORWARDED TO THE CONTRACTOR?
 YES DATE _____ INITIAL _____

16. COMMENTS:
Amount of Contract is based upon an estimated 1,311,900^{tons} @ \$0.50/ton for the 5-year contract period.

GRANT/CONTRACT APPROVAL

INTERNAL REVIEW

DEPARTMENT HEAD

CONTRACT REVIEW BOARD
(IF REQUIRED) DATE _____
1. _____
COUNCILOR

COUNCIL REVIEW
(IF REQUIRED)
DATE _____

FISCAL REVIEW

2. _____
COUNCILOR

BUDGET REVIEW

3. _____
COUNCILOR

LEGAL COUNSEL REVIEW AS NEEDED:

A. DEVIATION TO CONTRACT FORM _____

B. CONTRACTS OVER \$10,000 _____

C. CONTRACTS BETWEEN GOVERNMENT AGENCIES _____

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1355 FOR THE PURPOSE OF APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF OREGON CITY PROVIDING FOR THE PAYMENT OF A FIFTY CENT PER TON MITIGATION AND ENHANCEMENT FEE

Date: November 7, 1990

Presented by: Sam Chandler
Ray Barker

PROPOSED ACTION

Adoption of Resolution No. 90-1355, authorizing the Executive Officer to enter into an agreement with Oregon City for the payment of a mitigation and enhancement fee.

FACTUAL BACKGROUND AND ANALYSIS

The Metro South Station (MSS) was issued a Conditional Use Permit in 1981. In July, 1986, Oregon City imposed a 700 ton per day limit on solid waste delivered to MSS. Metro was unable to meet the 700 ton per day limit.

In the Spring of 1987, Oregon City initiated legal action to force Metro to comply with the 700 ton per day limit in the Conditional Use Permit. The solid waste staff, the Council Solid Waste Committee and the Metro Council considered various actions to achieve compliance to the permit, including closing the MSS when the maximum daily total limit was reached.

In June 1988 Metro and Oregon City entered into an agreement that provided for the payment of a \$0.50 per ton mitigation and enhancement fee, and a revision of the tonnage limitation at MSS. The term of the agreement was July 1, 1988 through December 31, 1990.

The agreement with Oregon City provided that the City would appoint a citizen's advisory committee to recommend plans, programs and projects for the enhancement of the area around MSS, and a boundary of the area eligible for enhancement. In addition, the City was to create a special fund to fund authorized plans, projects and programs, and to report annually to Metro on the expenditures of the special fund. The City has complied with all of these requirements.

Oregon City agreed to increase the tonnage limitation to a monthly average of 1,200 tons per day for the months of July, August, September, October, May and June of each year, and 1,000 tons per day for the months of November, December, January, February, March and April.

Metro agreed to pay Oregon City \$0.50 per ton for all solid waste received at MSS except for source-separated recyclable materials. Metro also agreed to not exceed the volume limitation and to take measures to reduce tonnage at MSS to 700 tons per day on a monthly average by January 1, 1991.

NEW AGREEMENT

The proposed new agreement between Metro and Oregon City is for a five-year period: January 1, 1991 through December 31, 1995. It is estimated that \$656,000 will be paid to Oregon City during the contract period. This amount is based upon an estimated 1,311,900 tons of solid waste @ \$0.50 per ton. The tonnage was estimated as follows:

<u>Year</u>	<u>Tons</u>	<u>Cost</u>
1991	406,000	\$203,000
1992	305,900	152,950
1993	200,000	100,000
1994	200,000	100,000
1995	<u>200,000</u>	<u>100,000</u>
Total	1,311,900	\$655,950

The existing agreement and the proposed new agreement are very similar. The only differences are as follows:

1. The current agreement states that Metro will take every measure feasible to reduce tonnage at the facility to 700 tons per day on a monthly average by January 1, 1991. The proposed agreement provides a new date: January 1, 1992 (see Section A.3).
2. The term of the new agreement is 60 months - the existing contract is 30 months.
3. The proposed agreement does not contain any reference to the dismissal of METRO's appeal of the decision of the Circuit Court for Clackamas County in Case No. 87-5-295. This is no longer applicable.

EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 90-1355.