

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE)	RESOLUTION NO. 86-724
TRANSFER OF FRANCHISE PERMIT #5,)	
TO WASTECH, INC.)	Introduced by the
)	Executive Officer

WHEREAS, Section 5.01.090 of the Metropolitan Service District (Metro) Code requires that a franchisee may not transfer its franchise unless an application has been filed in accordance with Section 5.01.060 of the Metro Code and has been granted the transfer approval by the Council; and

WHEREAS, Genstar Waste Transfer, Inc. (Genstar) was granted Franchise Permit No. 5 to operate a solid waste processing facility at 701 N. Hunt, Portland, Oregon; and

WHEREAS, Genstar has agreed to transfer ownership and operation of this facility to Wastech, Inc. contingent on the transfer of existing permits, franchise, and operating contracts, and has requested that Permit No. 5 be transferred to Wastech, Inc.; and

WHEREAS, Wastech, Inc. has filed the appropriate application and has met the requirements of Sections 5.01.090 and 5.01.060 of the Code as set out in the Staff Report; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District authorizes the transfer of Franchise Permit No. 5 from Genstar Waste Transfer, Inc. to Wastech, Inc., contingent upon the transfer of ownership to Wastech, Inc., the transfer of DEQ solid waste disposal

permit and other required permits and licenses, and procurement of required bonds and insurance.

ADOPTED by the Council of the Metropolitan Service District
this 18th day of December, 1986.



Richard Waker, Presiding Officer

SR/gl
6695C/485-3
12/15/86

STAFF REPORT

Agenda Item No. 9.6

Meeting Date Dec. 18, 1986

CONSIDERATION OF RESOLUTION NO. 86-724 APPROVING
THE TRANSFER OF FRANCHISE PERMIT NO. 5 FROM
GENSTAR WASTE TRANSFER, INC. TO WASTECH, INC.

Date: December 15, 1986

Presented by: Steve Rapp

FACTUAL BACKGROUND AND ANALYSIS

The Council of the Metropolitan Service District adopted Resolution No. 84-522 in December 1984 granting a processing facility franchise to Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. This franchise was for the operation of the Oregon Processing and Recovery Center. The Council later approved the transfer of the franchise to Genstar Waste Transfer, Inc. with the adoption of Resolution No. 85-572 on May 23, 1985. The facility is now being purchased by Wastech, Inc., contingent upon the successful transfer of existing permits, franchise, and operating contracts.

In order to transfer the franchise, a transfer application must be submitted and a new resolution adopted as specified in Metro Code Section 5.01.090, Transfer of Franchises. That section requires the submission of a formal application which satisfies the conditions of Metro Code Section 5.01.060, Applications. Those conditions are detailed in Exhibit "A" of this Staff Report. The transferee has submitted a completed application along with (1) proof of ability to obtain required insurance and bonding; (2) letter of intent to transfer; (3) information on ownership of new entity; (4) proof of DEQ site permit application; and (5) signed consent of the property owner.

Neither principal stockholder of Wastech, Inc., Wayne D. Trewhitt and Merle Irvine, are involved in collecting refuse, a requirement of Metro Code Section 5.01.120(1).

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 86-724 to transfer Franchise Permit No. 5 from Genstar Waste Transfer, Inc. to Wastech, Inc. subject to successful transfer of ownership to Wastech, Inc., delivery of the required bonds and insurance certificates, transfer of required permits and licenses and any other requirement of the Metro Code or Franchise Permit No. 5.

SR/gl
6695C/485-3
12/15/86



Department of Environmental Quality

522 S.W. FIFTH AVENUE, BOX 1760, PORTLAND, OREGON 97207 PHONE: (503) 229-5696

RECEIVED DEC 22 1986

CERTIFIED MAIL NO. P-467 854 706

- Mr. Merle L. Irvine
Executive Vice President
Wastech Inc.
P. O. Box 17561
Portland, OR 97217

Re: Oregon Processing and
Recovery Center
Multnomah County
SW Permit No. 245

Dear Mr. Irvine:

At your request Solid Waste Disposal Permit No. 245 has been amended to reflect the following:

1. Permit issued to Wastech Inc.
2. Owner and operator changed to Wastech Inc.

All other conditions of the permit will remain unchanged.

The enclosed addendum will become effective twenty (20) days from receipt and should be attached to Solid Waste Permit No. 245.

Sincerely,

Fred Hansen
Director

FH:m
SM698
Enclosure
cc: Metro
Northwest Region

Permit Number: 245
Expiration Date: 9/30/89
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SOLID WASTE DISPOSAL PERMIT

Department of Environmental Quality
811 Southwest Sixth, Portland, OR 97204

Issued in accordance with the provisions of
ORS Chapter 459

ISSUED TO:

Wastech Inc.
P. O. Box 17561
Portland, Oregon 97217

OWNER:

Wastech, Inc.

OPERATOR:

Wastech, Inc.

FACILITY COVERED BY THIS PERMIT:

FACILITY NAME:

Oregon Processing and
Recovery Center

FACILITY TYPE AND LOCATION:

Solid Waste Processing Facility
Section 10, TIN, RIE, W.M.
Multnomah County

ISSUED IN RESPONSE TO AN APPLICATION RECEIVED: December 4, 1986

ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY


Fred Hansen, Director

DEC 17 1986

Date

ADDENDUM NO. 1

In accordance with Oregon Administrative Rules 340-14-040, Solid Waste Disposal Permit No. 245 is hereby amended as follows:

- #1. The permit is issued to and the owner and operator is changed to Wastech Inc.

This Addendum shall be attached to and made part of Solid Waste Disposal Permit No. 245.

This modification shall be effective 20 days from receipt.

PSW245.A

to negotiate a contract with the City of Portland and BioGas for methane gas recovery at St. Johns Landfill. If a contract were not negotiated by that date, all rights would revert back to the City. Mr. Drennen said because gas prices had lowered drastically, it no longer made economic sense to continue with negotiations for gas recovery.

Councilor Kirkpatrick requested a recap of all project expenditures to date by Metro.

9.4 Consideration of Resolution No. 86-722, for the Purpose of Amending Resolution No. 86-659, Revising FY 1986-87 Budget and Appropriations and Creating New Positions (Public Hearing)

Executive Officer Gustafson reviewed staff's report. The Resolution would create two new positions: full-time Finance & Administration Department Director and full-time Executive Management Secretary. The current part-time Deputy Executive Officer position would become a full-time position. The Executive Officer reported the Executive Officer-elect supported the Resolution and additional staff were required with the added responsibility of the Convention Center.

Motion: Councilor DeJardin moved the Resolution be adopted and Councilor Van Bergen seconded the motion.

Councilor Kirkpatrick requested staff return on January 8, 1987, with an Ordinance providing for Council confirmation of the new Finance & Administration Director position.

Responding to Councilor Collier's question, the Executive Officer said the Executive Officer would be in charge of preparing General Obligation bonds for the Convention Center Project. Financial control and establishment of finance systems would be the responsibility of the Finance and Administration Department.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, DeJardin, Frewing, Gardner, Hansen, Kirkpatrick, Knowles, Ragsdale, Van Bergen and Waker

Absent: Councilors Cooper and Kelley

The motion carried and Resolution No. 86-722 was adopted.

9.6 Consideration of Resolution No. 86-724, for the Purpose of Approving the Transfer of Franchise Permit No. 5 from Genstar to Waste Transfer, Inc. to Wastech, Inc.

Steve Rapp, Solid Waste Engineer, summarized staff's written

report. The Resolution would transfer operation of the Clackamas Transfer & Recycling Center from Genstar to Wastech. He explained the transfer followed a series of corporate purchases that began in May 1986. In that month Imasco Ltd., a large Canadian firm, bought the entire Genstar corporation. In October 1986 the solid waste divisions of Genstar were sold to Laidlaw Transportation Ltd. In November 1986 the CTRC operations contract was sold, subject to Metro approval, to Wastech, Inc. The firm was owned by Wayne Trewhitt and Merle Irvine, he explained. Mr. Trewhitt had managed CTRC for Genstar since the beginning of the contract in 1982. No change in operating or management personnel was expected because of the transfer.

Motion: Councilor DeJardin moved the transfer be approved and Councilor Gardner seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, DeJardin, Frewing, Gardner, Hansen, Kelley, Kirkpatrick, Knowles, Ragsdale, Van Bergen and Waker

Absent: Councilors Cooper

The motion carried and the transfer from Genstar to Wastech was approved.

9.8 Consideration of Resolution No. 86-727, for the Purpose of Expressing Appreciation to John Frewing for Services Rendered to the Region

Presiding Officer Waker announced that Councilor Frewing's term expired at the end of December. He then introduced and read a Resolution citing the numerous contributions John Frewing had made to Metro and regional government.

Motion: Councilor DeJardin moved the Resolution be adopted and Councilor Ragsdale seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Collier, DeJardin, Frewing, Gardner, Hansen, Kelley, Kirkpatrick, Knowles, Ragsdale, Van Bergen and Waker

Absent: Councilors Cooper

The motion carried and Resolution No. 86-727 was adopted.