

MSD BOARD OF DIRECTORS

MINUTES OF DECEMBER 13, 1974 MEETING

BOARD MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman
Burton Wilson
Charles Becker
Mel Gordon
Miller Duris

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 75-282

DATE 1-10-75

BY Jean M Woodman
CLERK OF THE BOARD

ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Bill Culham, SWC
Bob Brown, DEQ

GUESTS IN ATTENDANCE

Larry Burrig, Oregon Recycling
Homer Spencer, City of Beaverton
Douglas Lee, Multnomah County
Gary Miller, Washington County Assn.
Carl Miller, Local 220
Jack Schwab, CCRDA
Lee Kell, CWSI
Dick Glanz, O.S.D.B.A.
Bob Martinson, Gresham Outlook

STAFF IN ATTENDANCE

Charles Kemper
Merle Irvine
Bill Deming
John Hankee
Rena Smith
Jean Woodman

I. MINUTES

Commissioner Gordon moved to approve the minutes of November 14, 1974 and November 22, 1974 as submitted. Commissioner Wilson seconded the motion. The motion carried unanimously.

II. ACCOUNTS PAYABLE

In reviewing the Accounts Payable for the second half of November 1974, Commissioner Gordon questioned whether the legal fees listed were part of those incurred prior to development of the Solid Waste Study. Ms. Smith stated that the legal fees noted here in the amount of \$8,521.88 were incurred since January 1974. Commissioner Gordon suggested that staff draft a letter to the new members of the Board explaining the status of legal fees earned by Cake Hardy Buttler McEwen & Weiss since activation of the MSD in 1970.

Commissioner Wilson moved to approve the Accounts Payable Voucher Numbers 25 through 43 in the total amount of \$12,333.84. Commissioner Gordon seconded the motion. The motion carried unanimously.

III. PUBLIC COMMUNICATIONS

Mr. Kemper read letters received from Edith Green, Robert Packwood and Mark Hatfield responding to a letter sent by staff soliciting their support of the Solid Waste Resource Recovery Program.

Commissioner Schumacher asked if there was anyone in the audience that wished to address the Board on matters not specified on the agenda, and there was no response.

IV. EMERGENCY ORDINANCE NO. 27 - RFP EVALUATION TEAM RESPONSIBILITIES

The intent of Ordinance No. 27 was to approve the selection of an RFP Evaluation Team, however, it was the Attorney's opinion that the approval would be better done in Resolution form. The Board, therefore, considered Resolution No. 16 approving the RFP Evaluation Team which will consist of five people

technically oriented to evaluate responses from prospective bidders on the Solid Waste Resource Recovery System. The proposed names for serving on the committee will be considered in Executive Session.

Two corrections were noted on Page 2 of Resolution No. 16 amending item No. 5 to read (e) and item No. 6 to read (f).

Commissioner Gordon moved to approve Resolution No. 16 as amended. Commissioner Wilson seconded the motion. The motion carried unanimously.

V. RFP DOCUMENT AMENDMENT AUTHORIZATION

Mr. Kemper presented Amendment No. 1 on the RFP Document which contained changes in time scheduling and the addition of escalating cost indices. Staff was requesting approval for distribution of Amendment No. 1 to the registered RFP holders. Staff was also requesting authorization for incorporating future amendments as necessary to cover such items as date of public opening of bids, contract terms, schedules, and specifications.

Councilman Becker moved to approve staff recommendations to distribute Amendment No. 1 and to authorize Charles Kemper to make future amendments as necessary. Mayor Duris seconded the motion. The motion carried unanimously.

VI. RFP EVALUATION TEAM ADMINISTRATIVE PROCEDURES

Mr. Kemper reviewed the administrative procedures to be used by the Proposal Evaluation Team in evaluating bid responses on the Solid Waste Program. No action was required.

VII. JOHNSON CREEK PHASE I AUTHORIZATION

Mr. Hankee addressed the Board with a progress report on the Johnson Creek Implementation Program stating that letters were received from Multnomah County pledging \$5,050; the City of Portland pledging \$2,363; and the City of Gresham pledging \$2,450 in loan money. The program is contingent upon Clackamas County's pledge being received prior to January 1, 1975. Staff was requesting authorization to continue into Phase I after receiving the Clackamas County portion of the Phase I loan money.

Commissioner Wilson moved to approve staff recommendation to authorize the Chairman to execute agreements with the local jurisdictions for the funding approved by the individual governmental units; to set a January 1, 1975 deadline for approval by Clackamas County to transfer \$4,571.51 in remitted taxes to MSD and to approve at least \$5,000 in loan/grant money for Phase I; to rescind MSD's resolution to assume responsibility for sponsorship of flood control measures in the Basin if the January 1, 1975 deadline is not met by Clackamas County; to guarantee to the City of Gresham on behalf of the MSD Board that a public hearing will be held as a part of Phase I as soon as alternative methods of dealing with flood control and drainage have been sufficiently developed for public review but no later than June 1975; that the staff be authorized to work with the Board members to appoint members of the Drainage Committee prior to January 15, 1975; that the Board authorize the Chairman to negotiate and execute a contract with a local jurisdiction or CRAG for personal services to provide staff support through the remainder of the fiscal year; and that the Board approve the detailed budget for Phase I of the Drainage Management Program. Commissioner Gordon seconded the motion. The motion carried unanimously.

VIII. CODIFICATION OF MSD ORDINANCES

Mayor Duris moved to authorize codification of the MSD ordinances by the MSD Legal Counsel with the cost not to exceed \$300. Councilman Becker seconded the motion. The motion carried unanimously.

IX. OTHER BUSINESS

A. Multnomah Land Reclamation Application

Mr. Kemper reviewed the Multnomah Land Reclamation Application for a demolition site to be located at 10717 SE Division in the City of Portland and the staff recommendation to table further decisions on demolition landfills until the MSD Non-processible Program is in operation. Mr. Culham stated that the Solid Waste Committee concurred with staff recommendation. Commissioner Gordon felt that some indication should be given in the Non-processible Program for priority on which sites would be filled first. Mr. Kemper stated that the jurisdictions will be approached on this issue when the program goes into implementation.

Commissioner Schumacher asked if there was anyone in the audience that wished to comment on the Multnomah Land Reclamation, Inc. Application and there was no response.

Commissioner Gordon moved to approve staff recommendation to table the Multnomah Land Reclamation Application. Commissioner Wilson seconded the motion. The motion carried unanimously.

B. Recycling Management Program

Mr. Kemper addressed the Board with a request that staff be authorized to begin a Recycling Management Program. Mr. Kemper felt that the program was necessary to attempt to tie the recycling programs on-going in the MSD area together. Staff was recommending that the MSD Board authorize the following:

1. The MSD staff to proceed with the Recycling Management Program;
2. The MSD staff to seek additional funding from the EPA and/or DEQ for \$2,000 additional funding that would be required to provide report preparation work for Part I.
3. The MSD Board Chairman to contract as necessary for report preparation up to \$2,000 after MSD Legal Counsel Review; and
4. The MSD Solid Waste Advisory Committee review the product and provide recommendations to the Board.

Commissioner Gordon moved to add an item No. 5 to include a recommendation for strong recycling legislation. Mayor Duris seconded the motion. The motion carried unanimously.

Commissioner Gordon moved to approve the staff report as amended. Commissioner Wilson seconded the motion. The motion carried unanimously.

X. EXECUTIVE SESSION - RFP EVALUATION TEAM APPOINTMENTS

Commissioner Schumacher cited Chapter 172 Oregon Laws 1973 Section 6, Subsection 1(A) as authorization for holding an Executive Session. He also stated that the purpose of the Executive Session is to consider and appoint members for the MSD Solid Waste Request for Proposal Evaluation Team. It is also the purpose of the Executive Session to protect the appointed persons from possible lobbying and pressures that may affect the outcome of the proposal evaluation and to allow MSD to comply with the Oregon Statutes regarding bidding.

The Board held an Executive Session.

There being no further business to come before the Board, the formal meeting adjourned at 3:30 P.M.