



METROPOLITAN SERVICE DISTRICT

6400 S.W. CANYON COURT PORTLAND, OREGON 97221 (503) 297-3726

METROPOLITAN SERVICE DISTRICT BOARD

MSD Office
6400 SW Canyon Ct.

December 14, 1973
2:00 P.M.

A G E N D A

- I. MINUTES
- II. FINAL COMMENTS OR REVISION CHANGES FOR COR-MET SOLID WASTE PRE-FINAL SUBMITTALS
- III. PRE-FINAL SUBMITTAL VOLUME II - SOLID WASTE FINANCIAL PLAN FROM BARTLE-WELLS ASSOCIATES
- IV. PRE-FINAL SUBMITTAL OF REMAINING VOLUMES I & III - SOLID WASTE ENGINEERING PLAN FROM COR-MET
- V. DISCUSSION OF THE SOLID WASTE SIX MONTH CONTINUING WORK PROGRAM
- VI. DISCUSSION REGARDING JOHNSON CREEK IMPLEMENTATION PLANNING PROGRAM
- VII. NEW BUSINESS
 - . Discussion regarding other areas of interest



METROPOLITAN SERVICE DISTRICT

6400 S.W. CANYON COURT PORTLAND, OREGON 97221 (503) 297-3726

December 7, 1973

TO: Metropolitan Service District Board
FROM: MSD Staff
SUBJECT: STAFF REPORT FOR DECEMBER 14, 1973 MSD BOARD MEETING

Presented to the Board for transmittal information and recommended action are the following items:

Page

- | | |
|----|--|
| 1 | I. MINUTES |
| | <u>Action - Approval</u> |
| 10 | II. FINAL COMMENTS FROM COR-MET FIRST SOLID WASTE PRE-FINAL SUBMITTAL |
| | <u>Action - Approve</u> review comments and authorize integration into the final report |
| 12 | III. PRE-FINAL SUBMITTAL, VOLUME II - SOLID WASTE FINANCIAL PLAN FROM BARTLE-WELLS ASSOCIATES |
| | <u>Action - Authorize</u> a 30 day delay in Volume II financial plan submittal |
| 13 | IV. PRE-FINAL SUBMITTAL OF REMAINING PORTIONS OF VOLUME I AND III, SOLID WASTE ENGINEERING PLAN FROM COR-MET |
| | <u>Action - Accept</u> report and authorize dissemination for review |

Page

14 V. DISCUSSION ON SOLID WASTE SIX MONTH CONTINUING
 WORK PROGRAM

Action - Approve Work Scope and budget by
 Emergency Ordinance

31 VI. DISCUSSION REGARDING JOHNSON CREEK IMPLEMENTATION
 PLANNING PROCEDURES

Action - None required

VII. NEW BUSINESS

 . Discussion regarding other areas of interest

I. MINUTES

The following pages contain minutes of the last two MSD Board meetings of November 9, and 26, 1973. The staff recommends approval of the minutes.

II. FINAL COMMENTS FROM COR-MET FIRST SOLID WASTE PRE-FINAL SUBMITTAL

The attached report contains summary comments received after review of the first COR-MET solid waste pre-final submittal. The staff recommends approval of the review comments and authorizes integration into the final report.

COMMENTS ON COR-MET'S PRE-FINAL REPORT

On October 12, 1973, the MSD received the first submittal of COR-MET's pre-final solid waste report. Sixty copies of Volume I, Chapters 1, 3 through 11 and Volume III, Appendices A through G were sent to responsible people in the region for thorough review. This report summarizes the responses (corrections or revisions) that were submitted to MSD staff after a one month review period.

VOLUME I

Page 4 - 3	Entire Table 3 is difficult to read
Page 4 - 4	Agency 7 "Department of Public Works, Solid Waste Division" and the entire line should move up as part of Agency 6.
Page 5 - 4	Second line "in" not legible
Page 5 - 5	Table 6 difficult to read
Page 5 - 7	15th line - the second shredder is in operation.
Page 9 - 2	Table 17 - 4th site owner "Herb Frank" operator "Ed Roshak"
Page 10 - 2	Footnote i - there should be some better justification for the lack of hazardous waste quantities.

VOLUME III

Page C - 23	Table C-1
	Incinerator locations - This list doesn't seem to include incinerators in Beaverton School District.

NOTE: The DEQ revisions were submitted separately to COR-MET

III. PRE-FINAL SUBMITTAL, VOLUME II - SOLID WASTE FINANCIAL PLAN
FROM BARTLE-WELLS ASSOCIATES

The MSD financial consultants, Bartle-Wells Associates, are requesting a schedule delay to January 11, 1973 in submitting the Solid Waste Financial Plan. The reasons for this request are:

1. Several key financing questions remain to be answered.
2. Engineering system costs have delayed some of the financial work.
3. The last COR-MET report submittal can be reviewed by Bartle-Wells before the financial report submittal.

This delay will result in the final report revisions being received at the earliest by February 8, 1974. The MSD staff recommends authorization of a 30 day delay in Bartle-Wells financial plan (Volume II) submittal.

Ch...
**Bartle
Wells
Associates**

Municipal Financing Consultants
150 Post Street, San Francisco 94108

(415) 981-5751

December 12, 1973

Mr. Charles C. Kemper
MSD Program Coordinator
6400 S.W. Canyon Court
Portland, Oregon 97221

Re: Extension Date for Financial Plan Pre-Final Submittal

Dear Mr. Kemper:

Although we have proceeded with the financial plan of the MSD Solid Waste Management Study as information was obtained, we anticipate that the pre-final report will not be completed until January 11, 1973.

The delay in completing the report resulted from the following:

1. Several key financing questions under study remain to be answered.
2. Calculation of project costs for the processible waste program can be completed only after receipt of additional data this week from COR-MET.

Because the pre-final engineering report is now available, we wish to review the report prior to completion of the financial report.

We respectfully request a 30-day delay in the submittal of the report, with a revised submittal date of January 11, 1973.

Yours very truly,

BARTLE WELLS ASSOCIATES

R. K. O'Neil

R. K. O'Neil

RKO:kpe

RECEIVED
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COLUMBIA REGION ASSN.
OF GOVERNMENTS

IV. PRE-FINAL SUBMITTAL OF REMAINING VOLUMES I AND III -
SOLID WASTE ENGINEERING PLAN FROM COR-MET

The remaining portions of Volumes I and III, the COR-MET Solid Waste Engineering Plan, will be received by the MSD Board at this meeting.

The MSD staff recommends the Board accept the reports and authorize dispersement to appropriate groups for review. It is expected some comments should be received by the January 11, 1974 Board meeting, however, a special Board meeting in January may be necessary to adopt the final review comments and authorize go-ahead for the last series of Public Meetings.

V. DISCUSSION OF THE SOLID WASTE SIX MONTH CONTINUING
WORK PROGRAM

The following report describes a proposed work scope and budget (\$81,667) for continuation of the Solid Waste Management Program (Phase II). At the time this report was prepared, the MSD staff had requested engineering consultants COR-MET to propose to the MSD Board a work program continuation that would lead to preliminary design and site selection. By not receiving the requested funding (\$350,000) from the Emergency Board, MSD must reduce the consulting engineering efforts under Phase II to \$40,000.

Therefore, the MSD Board may be asked to adopt an Emergency Ordinance regarding the proposed budget, the MSD work scope, the consultants contract, the engineering consultants work program, and the MSD/CRAG contract.

SOLID WASTE MANAGEMENT PLAN
PHASE II

On November 30, 1973, the Oregon State Emergency Board allowed continuation of the MSD Solid Waste Management Planning Program by authorizing approximately \$82,000 for initial funding for Phase II. The Emergency Board understood the funding concerns of MSD and encouraged MSD to return with detailed financing plans at the earliest time. However, as a result of limited Phase II funding (\$81,667 for six months), the MSD Board must establish a priority for the expenditure of that money in a way that will bring MSD to the next logical funding milestone.

The Phase II Programs originally prioritized by the MSD Board are:

1. Processible Solid Waste Program
2. Tire Processing and Disposal Program

In addition, it will probably be shown that the: 3. Non-Processible Solid Waste Program should also be included.

In developing this continuing program work scope and budget, the MSD staff kept in mind that the additional Phase II funds (\$350,000) should be sought in the near future. The staff has developed a continuing program that is oriented to design and construction at an early date.

The intent of the Work Scope outlined below is to define the maximum amount of work that could be accomplished. The MSD staff will seek to perform as much of the programs as possible.

WORK SCOPE

PROGRAM 1. PROCESSIBLE SOLID WASTE PROGRAM

The three main components of the Processible Solid Waste Program are: a) the adoption of the Regional Solid Waste Plan; b) the preparation of the Solid Waste Plan for system design; c) the Solid Waste Planning and Management Program; and, d) Solid Waste System Preliminary Design.

Task A Adoption of Regional Solid Waste Plan

The adoption of the Regional Solid Waste Plan is projected to come before the MSD Board within six months. The five-month period following completion of the plan will be needed to provide the public and local jurisdictions sufficient time for review and comment on the proposed regional solid waste system. The MSD Board, staff, and Advisory Committees will be actively involved in developing the financial and administrative components of the regional solid waste system. Public hearings will be organized to receive comments and suggestions of interested citizens and groups as the work progresses. In addition, intergovernmental agreements and other ordinances necessary for adoption will be prepared for approval by local jurisdictions. The on-going Public Information Exchange Program will be continued during this period and include the third color slide presentation and the educational television program scheduled to be shown for the first time in February. No additional expenditures are contemplated for public information during this portion of Phase II.

Task B Preparation of the Solid Waste Plan for Design of the System

Once the proposed Regional Solid Waste Plan has been adopted by the MSD Board, the staff will proceed with the additional planning required for system design. This work will include the following:

1. Develop procedures to accomplish site selection;
2. Identify the most appropriate site locations for the transfer stations and processing equipment;
3. Identify the most appropriate disposal site locations;
4. Perform preliminary design of the solid waste system (see Task D);
5. Develop procedures for acquiring solid waste site property and obtain options for lease or purchase;
6. Obtain zoning approval and permits to operate disposal facilities on all the site locations from the local jurisdictions;
7. Prepare the design and construction work scope for Phase III;
8. Develop and pursue the appropriate financing procedure(s) for the design engineering and construction of the disposal facilities;
9. Develop the agreements or ordinances between other governmental authorities or private industry that are required to provide the efficient operation of the Regional Solid Waste System;
10. Select the engineering design team and prepare and negotiate the appropriate contractual agreements.

Throughout all of the requirements listed above, the public and local jurisdictions will be kept informed and be requested to participate in the decision-making process. This is anticipated to require extensive public meetings and public hearings to be held by the MSD Board, staff, and advisory committees. The Public Information Exchange Program will be continued to provide the preparation and organization necessary to maintain public interest and involvement with the development of the regional solid waste system.

Task C The Solid Waste Planning and Management Program

The third component of this work task is the solid waste planning and management program. The purpose of this program is to provide the coordination, organization, and preparation required to accomplish the implementation of the regional solid waste system. Experience during Phase I planning has shown that tasks such as preparation for the MSD Board meetings, coordination with the local jurisdictions, and preparation and coordination for the MSD Advisory Committees are very time consuming, but well worth the effort.

Task D Solid Waste System Preliminary Design

The final component of this program is probably the most important Task in the Work Scope because it finalizes site selection, accomplishes soil and groundwater engineering by site, develops Environmental Impact Assessments (EIA), accomplishes preliminary design engineering, and develops pre-design costs. Approximately \$40,000 has been estimated for this function. An engineering consultant would be retained to perform this work.

In order to obtain site zone changes within the MSD area, legal requirements indicate thorough pre-engineering plans including Environmental Impact Assessments must be developed. The preliminary design plans and comments will address environmental concerns by expanding the Phase I, System Environmental Impact Assessment. These concerns include: noise, water, pollution, effects on nature, traffic, and energy, to name a few. In addition, preliminary design engineering will address utilities design, drainage, soils, structural, aesthetics, overall operational effects, etc.

The preliminary design will also include layout drawings, property requirements, and other technical information necessary to present to local jurisdictions for zone changes.

This sub-Task and schedule has been developed so that the high level of momentum generated under Phase I can be sustained. In addition, design and construction earlier will effectively reduce total system costs. From the public contacts made during Phase I, the public expects the system to be constructed in the near future.

The Processible Solid Waste Program, is the most extensive activity contained in Phase II planning. It represents the major investment of time, effort and funds, and will most directly provide the solution to the solid waste problems of this region.

The original schedule proposed for Phase II assumed full funding of \$350,000. However, since a portion of funding was allowed, maintenance of the overall schedule can not be guaranteed.

PROGRAM 2. TIRE PROCESSING AND DISPOSAL IMPLEMENTATION

One of the special programs resulting from the Solid Waste Management Study Phase I was an analysis of the present tire disposal situation in the four county study area. On March 31, 1973 the consultants submitted an interim report on tire processing and disposal. As a result of the consultants' recommendations, the Board of Directors of the Metropolitan Service District adopted two ordinances on August 10, 1973. The first regulates the carrying of scrap tires, issuance of permits and requires tires be disposed of in such places and in such a manner as set by the District. The second ordinance adopted established the form into which tires must be processed before being incorporated into a landfill.

Before these ordinances can take effect certain work must be undertaken. These are described below and include Task A - Scrap Tire Carrier Permits; Task B - Scrap Tire Processing Certificates; and Task C - Program Administration and Enforcement.

Task A Scrap Tire Carrier Permits

The tire carrying permit will serve two purposes. It will identify the people responsible for carrying tires, and ensure that somebody is responsible for serving every part of the four-county area.

MSD will identify the areas for which carrying permits will be granted. These would consist of some areas in which only one permit would be issued and other areas in which two or more carriers would be allowed to collect tires. MSD would then advertise for applications for permits for the first year of operation, and would require that the applicants as a whole serve the entire area. All the permits would be granted on recommendations of the staff designating the carrier and the area to be served by him. For those carriers wishing to haul their own scrap tires, special permit identification will be made.

Annually the MSD would advertise again for permit applications and reallocate the service areas on the basis of the applications received. In the event that two or more carriers want to serve one area previously designated for service by only one carrier, MSD could adjust the boundaries and allow both to serve if the volume of tires justifies the change.

MSD will establish minimum standards of service for each of the service areas based on the approximate volume of waste tires. This would mean estimating the origin of about 1,400,000 passenger tires by service area in order to establish a reasonable service schedule. Carriers will be required to collect tires from every source offering them at least once in a specified period of time. They might also be required to collect tires in batches of 50 or more on demand. Failure to maintain these standards of service would be cause for revocation of the permit.

Task B Scrap Tire Processing Certificates

Regarding scrap tire processing, MSD will use either a permit or franchising system. The franchising system would involve grants of exclusive territory, and carries with it the obligation to regulate the price which can be charged for shredding. The permit procedure may be better because MSD need regulate only the quality of service, not the price. The price can be regulated indirectly by enlarging the number of permits to be granted.

If the permit approach is used, permits should be specified for a period long enough is amortize the necessary equipment, probably three to five years. Permits would specify disposal at a particular site.

In granting permits MSD will consider the following factors: 1) the character and capacity of the equipment; 2) the availability of a disposal site; 3) the location of the processing site relative to the origins of waste tires; 4) the record of the processor in complying with MSD regulations and reporting on the number of tires processed.

After issuance, permits could be withdrawn for failure to report, for failure to comply with disposal standards, or if the disposal site should for any reason be disapproved.

Permits need not be limited to any one brand or size of shredder. However, a standard of performance should be included in the permit. Operational specifications will be prepared including availability to scrap tire haulers, publicly posted schedule of charges, a specified quality of end product and methods of disposal.

Task C Program Administration and Enforcement

Enforcement will begin with record keeping. Forms will be designed and a definite plan laid for their distribution, receipt, recording and review. Failures to report will be followed up and inconsistencies in the record will be called to the attention of the field inspector or verified with the permittee.

Field inspection will involve periodic verification on the quality of service provided by tire carriers, the handling of tires at the shredding site, the stockpiling and rehandling of tires at other disposal sites, and checking on complaints regarding roadside disposal. In the event of a violation, an enforcement action will be required. This might consist of recommending the removal of the permit and presentation of evidence regarding the permittee for consideration by the MSD Board. Actions to remove any permit have to be reasonably well documented and the permittee should be allowed an opportunity for a hearing.

Enforcement may also require taking a complaint regarding disposal before DEQ for action. Quite possibly, though MSD may have power to regulate tire disposal, DEQ may be the only agency authorized to order closure of a site.

An understanding will be established with each law enforcement agency regarding how they will handle these complaints, what evidence they will need in order to pursue them. Since the violation is a penal ordinance, MSD personnel will also have to appear in court from time to time to testify and produce evidence.

Besides developing these procedures MSD will take some other steps before enacting or enforcing the Tire Disposal Ordinance. One of these steps is to ask the counties to enact similar ordinances for the areas outside MSD. Although the counties will be under some pressure to enact tire disposal ordinances

to discourage illegally dumped tires, they will want to know how the ordinances are to be enforced, and how collection is to be ensured. MSD will be prepared to discuss these questions before taking the problem to the adjoining counties.

PROGRAM 3. NON-PROCESSIBLE SOLID WASTE PROGRAM

The Comprehensive Solid Waste Management Plan will include guidelines and criteria for an ongoing program of site selection, evaluation and operation of demolition disposal sites. Specific sites, time phasing of sites and total system costs will be defined for the proposed system. The components of the Non-Processible Solid Waste Program will be: A) Evaluation of Proposed Disposal Sites; B) Permit System; and C) Future Planning and Management.

Task A Evaluation of Proposed Disposal Sites

To insure an efficiently and economically operated disposal site system, minimum standards of service will be defined. Types of acceptable non-processible wastes will be defined and coordinated with the processible solid waste system.

Specific disposal sites will be evaluated by taking into consideration existing and proposed land uses. In addition, because volumes and sources of non-processible waste cannot be predicted for long periods, continued monitoring of these wastes will be accomplished to determine the need for future sites.

Task B Develop Permit System

When the disposal site system has been selected, the MSD Board will consider the system operation. If the owner of the site is determined as an acceptable landfill operator, then a permit could be issued. However, if the land owner does not want to operate the landfill then MSD could act on proposals submitted, advertise for proposals, or choose to operate the site themselves. An accepted proposal should be followed by a permit.

Engineering field inspections will be made to insure compliance with adopted standards. The MSD staff will maintain records system and develop franchise or royalty agreements for operation and control of the disposal of non-processible waste.

Task C Future Planning and Management

The MSD staff will analyze the program to determine existing and future needs for demolition landfills. Further, the Public Informational Program will be continued if possible to include specific information pertaining to non-processible wastes. To help coordinate the program, the staff will work closely with local jurisdictions' planning departments, citizens, private industry and DEQ. A management system will be developed to continue the handling of non-processible waste in an efficient and economical manner.

BUDGET

The attached detail budget proposes approximately 82% of the funding be expended on Program 1, Processible Solid Waste Program. The remainder is proposed to be divided equally between Program 2, Tire Processing and Disposal Program and Program 3, Non-Processible Solid Waste Program.

The budget identifies three MSD staff personnel for 6 months. they are:

- . Manager
- . Solid Waste Coordinator
- . Secretary

Further, the budget proposes \$40,000 be expended for the engineering consultant to proceed into preliminary design. Original estimates for this work were approximately \$60,000. Therefore, some reduction in the site selection efforts must be made in order to maintain the budget.

M.S.D.

SUMMARY BUDGET REQUEST BY PROGRAM

FISCAL YEAR 1974		DEPARTMENT SOLID WASTE		DIVISION		ACCOUNT NUMBER PHASE II - FIRST PORTION		PAGE OF 1 5							
A. PROGRAMS BY TITLE		B. SALARIES AND RELATED EMPLOYEE BENEFITS		C. MAN MONTHS		D. MATERIALS & SERVICES		E. CAPITAL OUTLAY		F. ESTIMATED CURRENT FISCAL YEAR		G. REQUESTED		H. BUDGETED	
PROGRAM #1 PROCESSIBLE		15961		11		49,627		1450				67,038			
PROGRAM #2 TIRES		4938		4		2902		-				7,840			
PROGRAM #3 NON-PROCESSIBLE		4233		3		2556		-				6,789			

BUDGET REQUEST - SALARIES

U.S.D.

FISCAL YEAR
1974

DEPARTMENT
Solid Waste

DIVISION

ACCOUNT NUMBER

PHASE II - First Position

PAGE OF

2 5

TOTAL APPROVED

TOTAL REQUESTED

A.
POSITION BY
TITLE ONLY

B.
TOTAL
MAN MONTHS

1
2
3 MONTH
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MANAGER

Solid Waste Coord

SECRETARY

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15,961

4,938

4,233

21,854

3,278

25,132

BUDGET REQUEST - MATERIALS - SUPPLIES - SERVICES

[illegible]

BUDGET REQUEST - CAPITAL OUTLAY

' PAGE 4 CES

FISCAL YEAR
1974

DEPARTMENT
SOLID WASTE

DIVISION

ACCOUNT NUMBER
PHASE II • FIRST PORTION

TOTAL APPROVED

TOTAL REQUESTED

A. ACCOUNT
TITLE

B.
COD

PROGRAMS

[illegible]

DESK & CHAIR (2)

300

FILE CABINETS (2)

100

TYPEWRITER (1)

650

UNDEFINED CAPITAL

400

TOTAL

14500

MSD

BUDGET REQUEST - MATERIALS - SUPPLIES - SERVICES

Fiscal Year 1974 -	Department SOLID WASTE	Division	Account Number PHASE II FIRST PHASE	Page 5 of 5							
PROGRAMS			Total Approved								
			Total Requested								
A. Account Title	B. Code	PROCESSABLE 1. Amount	TIRES 2. Amount	NON- PROCESSABLE 3. Amount	4. Amount	5. Amount	6. Amount	7. Amount	8. Amount	9. Amount	Total
OPERATING OVERHEAD											
• PHONE											
• RENT											
• POSTAGE											
• OFFICE SUPPLIES											
• REPRODUCTION											
• AUTO, TRAVEL											
• TRAINING											
• PUBLICATIONS											
• MEMBERSHIPS											
• RENTAL OF											
• OFFICE EQUIPMENT											
• CONTINGENCY											
Total		3470	1074	920							5464

Cost Estimate COR MET Interim Consulting Interim Period, January-June, 1974

Purpose: To conduct predesign investigations for specific transfer station locations, to assist MSD in obtaining approval for transfer station sites, and disposal sites, to assist MSD in securing buyers for light combustible portions of the refuse, and to provide general advise and support to the MSD staff in its activities during this period.

Work of Consultant:

1. Investigation of specific sites for transfer stations (including contacts with owners, checking on zoning, assistance to MSD on acquisition procedures, and preliminary site layouts).

Six transfer stations at 15 man days/station
at \$150/man day

12,500
~~\$13,500~~

2. Predesign soils exploration to determine suitability of transfer station sites. (Note: Additional borings may be required for final design.)

Assume six sites plus two extra sites at
two borings/sites at 50 feet/boring at \$10/ft.

8,000

Review and appraisal of borings: eight sites
at 2 man days/site at \$150/man day

2,400

3. Setting up groundwater monitoring at two new disposal sites:

Assume two observation wells at Durham and
four at Cipole, at 50 ft/well at \$10/ft.

\$ 3,000

Water level recorders at six wells at \$300/
installation \$ 1,100

Review an assessment of data (in six-month
period), 10 man days at \$150/man day 1,500

4. Environmental impact assessment (Note: Depending
on final requirements of regulatory agencies, this work task
may require expansion.)

Assume ten sites at 5 man days/site at \$150/man day ^{6,500}
~~7,500~~

5. General advise and support to the MSD staff during
the six-month period 4,300

TOTAL \$42,000
40,000

NOTE FROM MELISSA:

The proposed consulting would be accomplished with monthly
progress report and no final document.

ORDINANCE NO. 5

An Ordinance adopting the revised budget of the Metropolitan Service District for the period beginning January 1, 1974 making appropriations from the funds of the District in accordance with said revised budget, authorizing the drawing of warrants, limiting expenditures for salaries and wages to the positions listed in the detailed approved budget, and declaring an emergency so that the budget may be adopted for the period beginning January 1, 1974, and so that the fiscal obligations of the District may be met.

THE METROPOLITAN SERVICE DISTRICT ORDAINS:

Section 1. The Board directs that the Multnomah County Tax Supervising and Conservation Commission be notified on the revised budget of the Metropolitan Service District for that portion of the fiscal year beginning January 1, 1974 and ending June 30, 1974; and that the budget should now be adopted so that there will be no further delay in establishing the budget authority for conducting the business of the District; now, therefore, the revised budget of the Metropolitan Service District as presented at the hearing of the MSD Board on December 14, 1973.

Section 2. To authorize expenditures in accordance with the annual budget adopted by Section 1 of this ordinance, amounts are hereby appropriated for the remaining portion of the fiscal year beginning July 1, 1973 from the funds and for the purposes listed in the attached budget document.

December 14, 1973

Lloyd E. Anderson, Chairman
Metropolitan Service District

Robert Schumacher, Vice Chairman
Metropolitan Service District

MSD

SUMMARY BUDGET REQUEST BY PROGRAM

[illegible]

C. R. A. G.

MSD

BUDGET REQUEST - SALARIES

[illegible]

MSD

BUDGET REQUEST - MATERIALS - SUPPLIES - SERVICES

Fiscal Year
1973 - 74

Department SOLID WASTE

Division

Account Number

Page 3 of 4

PROGRAMS

Total Approved:

Total Requested

A. Account Title

B.

1

2

3

4

5

6

17

8

19

Total	
-------	--

Code

Amount

Amount

Amount

Amount

Amount

Amount

Amount

Amount

Απομνη

1

CONTACT SERVICES

COR-MET

BATTLE WELLS

196747

31.862

OPERATING OVERHEAD
(25% OF BASE SALARY)

3963

Total

232572

C. R. A. G.

BUDGET REQUEST - CAPITAL OUTLAY

MSD

FISCAL YEAR
1973-74

DEPARTMENT

SOLID WASTE

DIVISION

ACCOUNT NUMBER

PAGE 4 OF 4

A.

ACCOUNT
TITLE

B.

CODE

PROGRAMS

TOTAL APPROVED

TOTAL REQUESTED

1.		2.		3.		4.		5.		6.		7.		8.		9.			
AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%		

OFFICE EQUIPMENT

800

TOTAL

800

Denny-Wagoner-Wright

Public Relations • Promotions • Product Publicity • Advertising
4100 S.W. Barbur Boulevard • Portland, Oregon 97201 • 503/226-2471

October 11, 1973

RECEIVED
OCT 17 1973

MEMO TO: MS. MELISSA BROWN

FROM: TED H. WAGONER

COLUMBIA REGION ASS'N.
OF GOVERNMENTS

SUBJECT: PROPOSED TIMETABLE FOR MSD SOLID WASTE STUDY
INFORMATION PROGRAM

Three projects still to be implemented under our firm's proposal for a public information program for the MSD solid waste management study are: (1) Tabloid Newspaper, (2) Television Film, and (3) Slide Show No. 3.

For purposes of this proposed timetable, we are assuming that the final reports and recommendations from Cor-Met and Bartle Wells will not be available until December 14, 1973, when they are to be submitted to the MSD Board.

We also have assumed that these recommendations will include a form of financing requiring a public vote at the May, 1974 primary election. We realize that none of the informational program material can be timed or presented in a manner intended to promote public acceptance, but must be strictly an objective and informative account of the study.

We are of the opinion that all three remaining projects should be interrelated to "cross-promote" each other. That is, the tabloid and TV film can refer to each other as well as calling to the public's attention the fact that public meetings with slide show presentations will be held to answer questions.

Finally, we are confronted with certain limitations on when we can air a television program on KGW-TV. It cannot, for instance, be accommodated by the station during the period of February 5 to March 6, 1974, because they will be undergoing another rating period and refuse to pre-empt regularly sponsored programs for specials, except when the network releases time as noted below.

October 11, 1973

Considering all of the foregoing factors and our discussions with you on these matters, as well as realizing the need for at least 60 days to accommodate our production requirements on these three major projects, we recommend the following timetable:

Sunday, February 10, 1974--TV film airing on KGW-TV tentatively planned for 10 to 10:30 p.m. based on projected release of time by NBC network.

Wednesday, February 13, 1974--Tabloid newspaper publication and distribution by Community Press and other weekly newspapers.

Wednesday, February 13, 1974--Slide Show No. 3 to be ready for public showings.

We do not think it is feasible to complete these three projects in less than the allotted time--December 14, 1973, when the final reports and recommendations first become available, to February 10, 1974, when the TV film is to be aired tentatively.

In addition to research, writing, photography, art work, editing, printing, recording, etc., lead time of at least 10 days must be provided to permit scheduling of air time for TV and printing and distribution of the newspaper. We also are well aware that these activities probably should not occur any closer to the May Primary Election in view of possible public criticism that they are being used to promote public acceptance of the proposed financing methods.

VI. JOHNSON CREEK IMPLEMENTATION PLANNING PROGRAM

The following pages describe some concerns regarding development of a financial plan to implement flood control improvements on Johnson Creek. A cost estimate is also provided to indicate the size and scope of the proposed flood control improvements.

The staff recommends the report be reviewed by the TAC with recommendations to be submitted to the Board at the earliest time. In addition, it is recommended the Board authorize staff to investigate the possibilities of establishing a flood control utility within the Johnson Creek Basin and report to the Board at their next meeting.

JOHNSON CREEK IMPLEMENTATION PLANNING

GENERAL PROCEDURES

The MSD Board has expressed a desire to establish an assessment district for the Johnson Creek Drainage Basin. Funds from the dissolved Johnson Creek Water Control District which were dispersed to both Clackamas and Multnomah Counties, have been requested by MSD for the purpose of flood control on the Creek. This report outlines some of the areas of concern which will require detailed study before a special assessment can be levied. In addition, a cost estimate of these work items is also included.

Notification Procedure

The Board suggested that the property within the basin could be assessed by a nominal amount for planning and administrative purposes. However, care should be taken to assess the property on an equitable basis according to benefits received. A formula of 50¢ an acre on all district property was found to be a tax and not a special assessment in West Tennessee Flood Control & Soil Conservation District vs Wyatt. The court stated that because no adequate formula to portion the benefits within the district, the assessment was in fact a tax and therefore void.

Another concern with special assessments is making sure that sufficient remonstrance procedures and appeal procedures are incorporated into the process so that the constitutional requirement of "Due Process" is met. In an opinion from David S. Shannon of Shannon, Johnson and Sharp, Attorneys at Law, it was stressed that three notices should be given. They include:

1. Notice to review the construction and financing plans in the initiation of a project;
2. Notice of an opportunity of the homeowner to protest his individual assessment; and

3. Notice to homeowner of his opportunity to pay his obligation in installments, if the size of his assessment exceeds \$100.

ORS 268.510, Metropolitan Service District, speaks only of one notice and it is the "notice requirement of initiating a public improvement project".

For the Johnson Creek Basin, it is estimated that each notice sent to the approximately 70,000 property owners will cost between \$15,000 and \$20,000. Therefore, it is imperative that a firm notification procedure be established to reduce cost to a minimum and also protect MSD against court action that could void all assessments.

Financing Maintenance and Operation

Another area which should receive attention is the method of financing a continuing program for the operation and maintenance of the drainage system. As you will recall, one of the conditions of the "formal assurance" signed with the Corps of Engineers is that MSD will provide a continuing maintenance program for Johnson Creek. This program could be financed by a district tax or by user charges. The taxing method would require a vote of the people where as the user charge can be imposed by the Board. In the City of Billings, Montana vs Nore, the court upheld the method of user charge to finance the operation of its storm sewer system. If this approach is followed, care must be taken to allocate the charge in relation to benefits received.

Inclusion of a Park Plan

Some concern has been expressed regarding the acceptability of a special assessment from property owners who are not directly affected by flooding (i.e. upland properties of the Basin). To obtain general overall support, a park and recreation program could be incorporated in the proposal. In this manner every property in the drainage basin, be it within the flood plain or at the higher elevation, would be benefited.

In 1971 CRAG published the "Urban Outdoors" which proposed a Metropolitan Park and Open Space System. A series of greenways, bikeways, and regional parks was included within the Johnson Creek Drainage Basin. It was also recommended that MSD assume responsibility for managing such a program.

The Corps of Engineers is reviewing the up-dated design memo submitted by Haner, Ross & Sporseen, Engineers. Unfortunately MSD will not have the opportunity to review this document until sometime after January 1974. The Corps has indicated that the design does not address itself to the recreational aspect but only to flood control aspects. If this is in fact the case and if a park and recreation program is to be incorporated, the Board will have to postpone any flood control construction until a recreation plan has been developed. In addition, the S.C.S. anticipates funds shortly to proceed with their study of three proposed reservoirs. These reservoirs are projected to have some recreational capabilities which would also require financing by local funds.

Summary

To establish an assessment district the size of the Johnson Creek Drainage Basin, which is approximately 55 square miles, a great deal of administrative and legal work must be accomplished. A program and an estimated cost to arrive at a point where preassessment will be levied can be formed in Table 1. Unfortunately, the limited MSD staff can not undertake such a program.

It is therefore recommended that management and financial consultants be retained to 1) define benefited property; 2) determine methods of assessing; 3) prepare an on-going operation and maintenance program; and 4) determine staff requirement needed to implement and administer the program. Further, it is recommended, that MSD proceed with development of a park and recreation plan for the area.

There is a distinct possibility that the Corps of Engineers Johnson Creek report will not address all of the engineering concerns necessary for MSD to proceed with basin improvements. If this occurs, the MSD may want to expand the engineering solutions by performing additional engineering work. The traditional "open channel" engineering solution may require considerable evaluation in order to integrate a park and recreation plan.

T A B L E 1

PROCEDURES NECESSARY TO PROVIDE FLOOD CONTROL IMPROVEMENTS TO JOHNSON CREEK

TASK	RESPONSIBILITY	\$
1. Adopt Engineering Plan	Staff	30,000
2. Define Benefited Property	Staff & Consultants	7,200
3. Determine Assessment method (by benefit criteria)	Consultant	8,000
4. O & M Financing System	Staff & Consultant	6,000
5. Determine legal ownership	Counties & staff	7,200
6. Estimate Assessment	Staff	15,000
7. Establish Special Assessment District	Staff/Board	200
8. Adopt Ordinance to notify property owners	Board	200
9. Prepare improvement & Assessment Notice for mailing containing a) intent to make improvement and assess; b) advising of public hearing for opportunity to remonstrate; c) provide general method of assessing; d) recording of assessment liens; and e) making of supplemental assessments and repairs (3 notices)		(11,000/ notice)
	Staff	33,000
10. Mail notices (3 mailings)	Staff	21,600
11. Hold three public hearings not less than 20 days after mailing of notices	Board	600
12. Levy pre-assessments	Staff	200
13. Provide for Bancroft Bonding (10 days)	Staff	1,000
14. Establish accounting system	Staff & Consultant	15,000
15. Obtain right-of-way	Staff & Consultant	30,000
16. Construct Improvement	Corps w/MSD	N.E.
17. Determine final costs & assessment	Staff	N.E.
18. Hold Public Hearings for assessment adjustment	Staff/Board	N.E.
19. Maintain Accounting System (on-going)	Staff	N.E.
20. Operation and Maintenance (on-going)	Staff	N.E.

N.E. - Not Estimated