

MSD BOARD OF DIRECTOR

WATER BUREAU AUDITORIUM
1800 SW 6TH AVE.
PORTLAND

JANUARY 10, 1975
2:00 P.M.

A G E N D A

- * I. MINUTES
- * II. ACCOUNTS PAYABLE
- * III. ELECTION OF OFFICERS
- IV. PUBLIC COMMUNICATION
- V. DRAFT SOLID WASTE AGREEMENTS AND USER FEE ORDINANCE
DISCUSSION
- VI. OTHER BUSINESS

- * IMPORTANT AGENDA ITEMS

January 3, 1975

TO: MSD BOARD OF DIRECTORS
FROM: MSD STAFF
SUBJECT: STAFF REPORT FOR JANUARY 10, 1975

PRESENTED TO THE BOARD FOR TRANSMITTAL AND RECOMMENDED ACTION
ARE THE FOLLOWING ITEMS:

PAGE

- | | |
|----|--|
| 1 | I. MINUTES
Action - <u>Approve</u> the minutes of December 13,
1974. |
| 8 | II. ACCOUNTS PAYABLE
Action - <u>Approve</u> Accounts Payable for December,
1974. |
| 10 | III. ELECTION OF OFFICERS
Action - <u>Elect</u> Chairman and Vice-Chairman for
MSD for 1975. |
| 11 | IV. PUBLIC COMMUNICATION
Action none - <u>Receive</u> comments from the public
on items not specified on the Agenda. |

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V. DRAFT SOLID WASTE AGREEMENTS AND USER FEE
ORDINANCE DISCUSSION

Action - none

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VI. OTHER BUSINESS

I. MINUTES

THE FOLLOWING PAGES CONTAIN MINUTES FOR THE MSD BOARD MEETING OF JANUARY 10, 1975.

THE STAFF RECOMMENDS APPROVAL OF THE MINUTES.

II. ACCOUNTS PAYABLE

THE FOLLOWING PAGE CONTAIN A LIST OF ACCOUNTS PAYABLE ITEMS REQUESTED FOR PAYMENT FOR THE MONTH OF DECEMBER 1974 AND IN THE TOTAL AMOUNT OF \$3,890.17.

THE STAFF RECOMMENDS APPROVAL OF THE ACCOUNTS PAYABLE FOR PAYMENT.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 75-283

DATE 1-10-75

BY Jean M. Woodin

CLERK OF THE BOARD

III. ELECTION OF OFFICERS

THIS AGENDA ITEM ALLOWS FOR THE ANNUAL ELECTION OF OFFICERS FOR THE METROPOLITAN SERVICE DISTRICT. A CHAIRMAN AND VICE CHAIRMAN SHOULD BE SELECTED TO LEAD THE MSD BOARD FOR 1975.

IV. PUBLIC COMMUNICATION

THIS AGENDA ITEM ALLOWS FOR THE MSD BOARD TO HEAR COMMENTS FROM THE PUBLIC ON ITEMS NOT CONTAINED ON THIS AGENDA.

V. DRAFT SOLID WASTE AGREEMENTS AND USER FEE ORDINANCE DISCUSSION

THE FOLLOWING PAGES CONTAIN A SERIES OF DRAFT AGREEMENTS BETWEEN THE MSD AND CLACKAMAS, MULTNOMAH, WASHINGTON COUNTIES AND THE CITY OF PORTLAND. THE DRAFT OF THE PROPOSED MSD USER CHARGE ORDINANCE IS BEING REVIEWED BY THE MSD ATTORNEY AND WILL BE FORWARDED TO YOU AS SOON AS POSSIBLE. AS YOU REMEMBER, THE STAFF WAS AUTHORIZED TO DEVELOP THESE ITEMS FOR THE MSD BOARD REVIEW. IN ORDER TO BE TIMELY WITH THE MSD FY 75-76 BUDGET PREPARATION PROCESS, THE MSD STAFF IS RECOMMENDING THE BOARD REVIEW THESE DOCUMENTS AND AT THE JANUARY 24, 1975 MEETING THE MSD BOARD SHOULD:

- 1) HOLD THE FIRST PUBLIC HEARING ON THE SOLID WASTE USER CHARGE ORDINANCE; AND
- 2) DISTRIBUTE THE MSD/LOCAL JURISDICTION SOLID WASTE AGREEMENTS.

NO ACTION IS REQUESTED AT THIS MEETING.

D R A F T

THIS AGREEMENT, MADE AND ENTERED INTO THIS
___ DAY OF _____, 1975
BY AND BETWEEN
THE COUNTY OF WASHINGTON AND
THE METROPOLITAN SERVICE DISTRICT
BOTH OF WHICH ARE MUNICIPAL CORPORATIONS
OF THE STATE OF OREGON

WHEREAS, the Metropolitan Service District (MSD) is an independent municipal corporation organized by the electorate of the Portland Metropolitan area pursuant to ORS Chapter 268; and

WHEREAS, ORS Chapter 459 and ORS Chapter 268.310 authorizes the MSD to dispose and provide facilities for disposal of solid wastes; and

WHEREAS, Washington County has adopted Ordinance No. 59 as amended regulating the collection and disposal of solid waste and Ordinance No. 83, as amended, regulating solid waste disposal sites; and

WHEREAS, Washington County presently has no landfill open to the public accepting putrescible solid wastes; and

WHEREAS, the DEQ goals and regulations are limiting the development of new putrescible landfills in the Metropolitan Service District area; and

WHEREAS, the Metropolitan Service District for the protection of the health, safety and welfare of the public has completed a Solid Waste Management Plan to maximize resource recovery for portions of Clackamas, Multnomah, and Washington Counties; and

WHEREAS, the MSD Solid Waste Management Plan recommends development of a program that stresses resource recovery that will meet statewide goals of 90% material reuse by 1982; and

WHEREAS, the MSD Solid Waste Management Plan was adopted by the MSD Board of Directors by Ordinance No. 9, on May 10, 1974; and

WHEREAS, the MSD Solid Waste Management Plan was approved by the Department of Environmental Quality of the State of Oregon; and

WHEREAS, Washington County by Resolution and Order Number 74-122 dated June 11, 1974, approved the concept of implementation of the MSD Solid Waste Management Plan in the county:

THEREFORE BE IT RESOLVED that Washington County and the Metropolitan Service District hereby agree to the following:

That Washington County shall:

1. Support and seek Legislative support for the MSD Solid Waste Energy Recovery Program;
2. Maintain authority for the collection of solid waste within the county jurisdiction;
3. Establish collection rates within the county after review on an annual basis;
4. Assist in controlling that mixed solid wastes will only be disposed at MSD facilities;
5. Assist the MSD with site selection of processing/transfer and disposal facilities so that land use and bonding requirements can be satisfied.
6. After review, allow realistic increases as a result of the MSD disposal user charges be reflected in the local collection rates;
7. Allow the Metropolitan Service District to assume regulatory authority for the disposal of solid wastes within Washington County.

That the Metropolitan Service District shall:

1. Provide the design, construction and operation of at least one solid waste transfer and/or processing/transfer facility at a site in Washington County to be determined
2. Assume the regulatory authority for disposal of all solid wastes within Washington County;
3. Establish landfill regulations;
4. Develop a Non-processible (demolition) Solid Waste Program that will include: a) landfill regulations; b) quality of service criteria; c) site selection criteria; d) schedule of activation of non-processible landfills; e) program management and enforcement; and f) time schedule.
5. Establish rates for the disposal of processible solid waste at the processing/transfer stations;
6. Establish rates for the disposal of non-processible solid wastes at non-processible landfills;
7. Assist Washington County and the solid waste collectors in establishing collection rates;
8. If at some point the MSD fails to operate the processing/transfer facilities in an efficient manner, Washington County may, after showing just cause, conducting public hearings, and negotiating with the MSD, resume authority for solid waste disposal within Washington County.

In witness whereof, the respective governing Boards of the parties have caused these present to be executed the day and year set forth herein:

WASHINGTON COUNTY

by: _____
Chairman

ATTEST:

METROPOLITAN SERVICE DISTRICT

by: _____
Chairman

ATTEST:

D R A F T

THIS AGREEMENT, MADE AND ENTERED INTO THIS

___ DAY OF _____, 1975

BY AND BETWEEN

THE COUNTY OF MULTNOMAH AND
THE METROPOLITAN SERVICE DISTRICT
BOTH OF WHICH ARE MUNICIPAL CORPORATIONS
OF THE STATE OF OREGON

WHEREAS, the Metropolitan Service District (MSD) is an independent municipal corporation organized by the electorate of the Portland Metropolitan Area pursuant to ORS Chapter 268; and

WHEREAS, ORS Chapter 459 and ORS Chapter 268.310 authorizes the MSD to dispose and provide facilities for disposal of solid wastes; and

WHEREAS, Multnomah County regulates solid waste disposal by nuisance Ordinance No. 69; and

WHEREAS, Multnomah County presently has no landfill open to the public accepting putrescible solid wastes; and

WHEREAS, the DEQ goals and regulations are limiting the development of new putrescible landfills in the Metropolitan Service District area; and

WHEREAS, the Metropolitan Service District for the protection of the health, safety and welfare of the public has completed a Solid Waste Management Plan to maximize resource recovery for portions of Clackamas, Multnomah, and Washington Counties; and

WHEREAS, the MSD Solid Waste Management Plan recommends development of a program that stresses resource recovery that will meet statewide goals of 90% material reuse by 1982; and

WHEREAS, the MSD Solid Waste Management Plan was adopted by the MSD Board of Directors by Ordinance No. 9, on May 10, 1974; and

WHEREAS, the MSD Solid Waste Management Plan was approved by the Department of Environmental Quality of the State of Oregon; and

WHEREAS, Multnomah County by a Resolution dated June 13, 1974, approved the concept of implementation of the MSD Solid Waste Management Plan in the country:

THEREFORE BE IT RESOLVED that Multnomah County and the Metropolitan Service District hereby agree to the following:

That Multnomah County shall:

1. Support and seek Legislative support for the MSD Solid Waste Energy Recovery Program;
2. Maintain authority for the collection of solid waste within the county jurisdiction;
3. Maintain authority to establish collection rates within the country after review on an annual basis;
4. Assist in controlling that mixed solid wastes will only be disposed at MSD facilities;
5. Assist the MSD with site selection of processing/transfer and disposal facilities so that land use and zoning requirements are satisfied;
6. After review, allow realistic increases as a result of the MSD disposal user charges be reflected in the local collection rates;
7. Allow the Metropolitan Service District to assume regulatory authority for the disposal of solid wastes within Multnomah County on

That the Metropolitan Service District shall:

1. Provide the design, construction and operation of at least one solid waste transfer and/or processing/transfer facilities to serve Multnomah County at sites to be determined.
2. Assume the regulatory authority for disposal of all solid wastes within Multnomah County on
3. Establish landfill regulations;
4. Develop a Non-processible (demolition) Solid Waste Program that will include: a) landfill regulations; b) quality of service criteria; c) site selection criteria; d) schedule of activation of non-processible landfills; e) program management and enforcement; and f) time schedule.
5. Establish rates for the disposal of processible solid waste at the processing/transfer stations;
6. Establish rates for the disposal of non-processible solid wastes at non-processible landfills;
7. Assist Multnomah County and the solid waste collectors in establishing collection rates;
8. If at some point the MSD fails to operate the processing/transfer facilities in an efficient manner, Multnomah County may, after showing just cause, conducting public hearings, and negotiating with the MSD, resume authority for solid waste disposal within Washington County.

In witness whereof, the respective governing Boards of the parties have caused these present to be executed the day and year set forth herein:

MULTNOMAH COUNTY

by: _____
Chairman

ATTEST:

METROPOLITAN SERVICE DISTRICT

by: _____

ATTEST:

D R A F T

THIS AGREEMENT, MADE AND ENTERED INTO THIS
____ DAY OF _____, 1975

BY AND BETWEEN

THE CITY OF PORTLAND AND
THE METROPOLITAN SERVICE DISTRICT
BOTH OF WHICH ARE MUNICIPAL CORPORATIONS
OF THE STATE OF OREGON

WHEREAS, the Metropolitan Service District (MSD) is an independent municipal corporation organized by the electorate of the Portland Metropolitan area pursuant to ORS 268; and

WHEREAS, ORS Chapter 459 and ORS Chapter 268.310 authorizes the MSD to dispose and provide facilities for disposal of solid wastes; and

WHEREAS, the City of Portland establish and regulates the burial of refuse and the disposal of carcasses and refuse by chapters 3.54 and 8.36 respectively; and

WHEREAS, the City of Portland presently operates the St. John's Sanitary Landfill open to the public accepting putrescible solid wastes; and

WHEREAS, the St. John's Sanitary Landfill accepts waste generated from areas outside the City of Portland; and

WHEREAS, the St. John's Sanitary Landfill must be expanded to provide for final disposal of refuse within the area; and

WHEREAS, the DEQ goals and regulations are limiting the development of new putrescible landfills in the Metropolitan Service District area; and

WHEREAS, the Metropolitan Service District for the protection of the health, safety and welfare of the public has completed a Solid Waste Management Plan to maximize resource recovery for portions of Clackamas, Multnomah, and Washington Counties including the City of Portland; and

WHEREAS, the MSD Solid Waste Management Plan recommends development of a program that stresses resource recovery that will meet state-wide goals of 90% material reuse by 1982; and

WHEREAS, the MSD Solid Waste Management Plan was adopted by the MSD Board of Directors by Ordinance No. 9, on May 10, 1974; and

WHEREAS, the MSD Solid Waste Management Plan was approved by the Department of Environmental Quality of the State of Oregon; and

WHEREAS, the City of Portland by Resolution Number 31426 dated June 5, 1974, recommended continuance of the MSD Solid Waste Management Plan in the City:

THEREFORE BE IT RESOLVED that the City of Portland and the Metropolitan Service District hereby agree to the following:

That the City of Portland shall:

1. Support and seek Legislative support for the MSD Solid Waste Energy Recovery Program;
2. Maintain authority for the collection of solid waste within the city jurisdiction;
3. Maintain authority to establish collection rates within the city after review on an annual basis;
4. Assist in controlling that mixed solid wastes will only be disposed at MSD facilities;
5. Assist the MSD with site selection of a processing/transfer and disposal facilities so that land use and zoning requirements are satisfied;

6. After review, allow realistic increases as a result of the MSD disposal user charges be reflected in the local collection rates;
7. Allow the Metropolitan Service District to assume regulatory authority for the disposal of solid wastes within the City of Portland,
8. Determine landuse criteria for the St. John's Sanitary Landfill expansion;
9. Determine additional costs necessary to expand the St. John's Sanitary Landfill;
10. Assist the MSD with the development of a phasing program to allow the MSD regulatory control of the St. Johns Sanitary Landfill
11. Enter into a separate contract with the MSD regarding the operation of the St. John's Sanitary Landfill.

That the Metropolitan Service District shall:

1. Provide the design, construction and operation of at least one solid waste transfer and/or processing/transfer facilities to serve the City of Portland at sites to be determined;
2. Assume the regulatory authority for disposal of all solid wastes within the City of Portland,
3. Establish landfill regulations;
4. Develop a Non-processible (demolition) Solid Waste Program that will include: a) landfill regulations; b) quality of service criteria; c) site selection criteria; d) schedule of activation of non-processible landfills; e) program management and enforcement; and f) time schedule.
5. Establish rates for the disposal of processible solid waste at the processing/transfer stations;
6. Establish rates for the disposal of non-processible solid wastes at non-processible landfills;
7. Assist the City of Portland and the solid waste collectors in establishing collection rates;
8. If at some point the MSD fails in an efficient manner, the City of Portland may, after showing just cause, conducting public

hearings, and negotiating with the MSD, resume authority for solid waste disposal within Washington County.

9. Assist the City of Portland with the development of a phasing program to allow MSD control of the St. John's Landfill.
10. Enter into a separate contract with the City of Portland regarding the operation of the St. John's Sanitary Landfill.

In witness thereof, the respective governing Boards of the parties have caused these present to be executed the day and year set forth herein:

CITY OF PORTLAND

by: _____

Mayor

ATTEST:

METROPOLITAN SERVICE DISTRICT

by: _____

Chairman

ATTEST:

D R A F T

THIS AGREEMENT MADE AND ENTERED INTO THIS
____ DAY OF _____, 1975
BY AND BETWEEN
THE COUNTY OF CLACKAMAS AND
THE METROPOLITAN SERVICE DISTRICT
BOTH OF WHICH ARE MUNICIPAL CORPORATIONS
OF THE STATE OF OREGON

WHEREAS, the Metropolitan Service District (MSD) is an independent municipal corporation organized by the electorate of the Portland Metropolitan area pursuant to ORS Chapter 268; and

WHEREAS, ORS Chapter 459 and ORS Chapter 268.310 authorizes the MSD to dispose and provide facilities for disposal of solid wastes; and

WHEREAS, Clackamas County has adopted a Waste and Solid Waste Ordinance dated June 10, 1970; and

WHEREAS, Clackamas County presently regulates one landfill open to the public accepting putrescible solid wastes; and

WHEREAS, the DEQ goals and regulations are limiting the development of new putrescible landfills in the Metropolitan Service District area; and

WHEREAS, the Metropolitan Service District for the protection of the health, safety and welfare of the public has completed a Solid Waste Management Plan to maximize resource recovery for portions of Clackamas, Multnomah, and Washington Counties; and

WHEREAS, the MSD Solid Waste Management Plan recommends development of a program that stresses resource recovery that will meet statewide goals of 90% material reuse by 1982; and

WHEREAS, the MSD Solid Waste Management Plan was adopted by the MSD Board of Directors by Ordinance No. 9, on May 10, 1974; and

WHEREAS, the MSD Solid Waste Management Plan was approved by the Department of Environmental Quality of the State of Oregon; and

WHEREAS, Clackamas County by Resolution and Order Number 74-829 dated June 10, 1974, approved the concept of implementation of the MSD Solid Waste Management Plan in the county:

THEREFORE BE IT RESOLVED that Clackamas County and the Metropolitan Service District hereby agree to the following:

That Clackamas County shall:

1. Support and seek Legislative support for the MSD Solid Waste Energy Recovery Program;
2. Maintain authority for the collection of solid waste within the county jurisdiction;
3. Establish collection rates within the county after review on an annual basis;
4. Assist in controlling that mixed solid wastes will only be disposed at MSD facilities;
5. Assist the MSD with the site selection of a processing/transfer and disposal facility so that land use and zoning requirements are satisfied;
6. After review, allow realistic increases as a result of the MSD disposal user charges be reflected in the local collection rates;
7. Allow the Metropolitan Service District to assume regulatory authority for the disposal of solid wastes within Clackamas County on _____ 19__.

That the Metropolitan Service District shall:

1. Provide the design, construction and operation of at least one solid waste processing/transfer facility at a site in Clackamas County to be determined;
2. Assume the regulatory authority for disposal of all solid wastes within Clackamas County on _____ 19__;
3. Establish landfill regulations;
4. Develop a Non-processible (demolition) Solid Waste Program that will include: a) landfill regulations; b) quality of service criteria; c) site selection criteria; d) schedule of activation of non-processible landfills; e) program management and enforcement; and f) time schedule.
5. Establish rates for the disposal of processible solid waste at the processing/transfer stations;
6. Establish rates for the disposal of non-processible solid wastes at non-processible landfills;
7. Assist Clackamas County and the solid waste collectors in establishing collection rates;
8. If at some point the MSD fails to operate the processing/transfer facilities in an efficient manner, Clackamas County may, after showing just cause, conducting public hearings, and negotiating with the MSD, may resume authority for solid waste disposal within Clackamas County.

In witness whereof, the respective governing Boards of the parties have caused these present to be executed the day and year set forth herein:

CLACKAMAS COUNTY

by: _____
Chairman

ATTEST:

METROPOLITAN SERVICE DISTRICT

by: _____

ATTEST:

VI. OTHER BUSINESS