

msd METROPOLITAN SERVICE DISTRICT

NEW ADDRESS: 527 SW Hall, Portland, Oregon 97201 222-3671

MSD BOARD OF DIRECTORS

PORTLAND WATER BUREAU
1800 SW 6TH AVE.
AUDITORIUM

OCTOBER 10, 1975
2:00 P.M.

A G E N D A

ACTION RECORD

No.

- | | |
|-----|-----------------------|
| 388 | MINUTES |
| 389 | PUBLIC COMMUNICATIONS |

ADMINISTRATION

- | | |
|-----|-------------------------|
| 390 | ACCOUNTS PAYABLE |
| 391 | ZOO SUPPLEMENTAL BUDGET |

DRAINAGE (NO BUSINESS)

SOLID WASTE PROGRAM

- | | |
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| 392 | MSD SOLID WASTE MANAGEMENT PROGRAM ORDINANCE
No. 32 - SECOND PUBLIC HEARING |
| 393 | MSD/PARKER-NORTHWEST NEGOTIATIONS STATUS REPORT |
| 394 | ALFORD SITE RECOMMENDATION |
| 395 | COATES FIELD SERVICE CONTRACT |

ACTION RECORD
No.

ZOO PROGRAM (NO BUSINESS)

OTHER BUSINESS

EXECUTIVE SESSION

396

MERLO ROAD SITE RECOMMENDATION

msd METROPOLITAN SERVICE DISTRICT

NEW ADDRESS: 527 SW Hall, Portland, Oregon 97201 222-3671

OCTOBER 6, 1975

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

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

<u>PAGE</u>	<u>ACTION RECORD</u> <u>No.</u>	
1	388	MINUTES Action - <u>Approve</u> the minutes of September 12, 1975
9	389	PUBLIC COMMUNICATIONS Action - <u>Receive</u> comments from the public on items not specified on the agenda
10	390	ACCOUNTS PAYABLE Action - <u>Approve</u> the Accounts Payable list Vouchers No. 237 through 258 in the total amount of \$13,234.45

<u>PAGE</u>	<u>ACTION RECORD No.</u>	
13	391	ZOO SUPPLEMENTAL BUDGET Action - <u>Approve</u> supplemental budget in the amount of \$42,000
15	392	MSD SOLID WASTE MANAGEMENT PROGRAM ORDINANCE NO. 32 - SECOND PUBLIC HEARING Action - <u>Conduct</u> second public hearing, <u>receive</u> testimony, and if appropriate, <u>adopt</u> Ordinance No. 32
16	393	MSD/PARKER-NORTHWEST NEGOTIATIONS STATUS REPORT Action - <u>Approve</u> staff recommendation
20	394	ALFORD SITE RECOMMENDATION Action - <u>Approve</u> staff recommendations
24	395	COATES FIELD SERVICE CONTRACT Action - <u>Approve</u> Coates Field Service contract
25		OTHER BUSINESS
27	396	EXECUTIVE SESSION - MERLO ROAD SITE

388 MINUTES

THE FOLLOWING PAGES CONTAIN THE MINUTES OF THE
SEPTEMBER 12, 1975, BOARD MEETING.

THE STAFF RECOMMENDS APPROVAL OF THE MINUTES.

October 9, 1975

Robert Schumacher, Chr. M.S.D.
Portland, Oregon

Subject: Written Testimony for Public Hearing M.S.D. Ord.#32
October 10, 1975

Dear Sir:

The Tri-County Council and its counsels have twice met reviewing M.S.D. Ord #32. Their conclusion is that rate Ord. #33 is an integral part of your package of legislation and that Ord. #32 and Ord. #33 cannot be considered separately.

I believe their conclusion is further justified by a report to your advisory committee that your staff and counsel have removed the rate formula - - - the whole basis on which you propose to levy charges against the public and collectors - - - from Ord. #32 and moved it to Ord. #33.

Our industry members on your advisory committee were assured copies of Ord. #33 last Monday for review by our counsel Tuesday night. This would have been prior to any final hearing on Ord. #32. Ord. #33 is still not available.

On behalf of the Tri-County Council we ask that you provide the opportunity for the review of Ord. #32 and Ord. #33 together as was assured by your counsel and staff and reserve another hearing for that purpose.

We ask that this communication be read into the record of your hearing. Thank you.

Sincerely yours,



EZRA KOCH, President

EK/h

389 PUBLIC COMMUNICATIONS

THIS AGENDA ITEM ALLOWS THE BOARD TO RECEIVE COMMENTS FROM THE PUBLIC ON ITEMS NOT SPECIFIED ON THE MEETING AGENDA.

390 ACCOUNTS PAYABLE

THE FOLLOWING PAGES CONTAIN THE ACCOUNTS PAYABLE LISTING FOR THE MONTH OF SEPTEMBER 1975.

THE STAFF RECOMMENDS APPROVAL OF THE ACCOUNTS PAYABLE, VOUCHERS No. 237 THROUGH 258 IN THE TOTAL AMOUNT OF \$13,234.45.

ACCOUNTS PAYABLE

September, 1975

VOUCHER NO.	CHECK NO.	PAYABLE TO:	PURPOSE	AMOUNT	PROJECT	CODE
237	237	American Public Works	Mag. Subscription	5.00	Q401	318
238	238	Sandra Bauer	Travel Expense	8.10	Q403	305
239	239	Wilfred Belanger	Aug. & Sept. Oregonian	5.00	Q401	318
240	240	Boise Cascade	Office Supplies	11.94	Q403	308
				11.62	Q301	308
				85.83	Q401	308
				10.72	Q403	308
241	241	CRAG	Monthly Rentals	571.66	Q401	309
				50.00	Q403	309
				45.00	Q301	309
				42.00	Q401	306
				17.50	Q401	316
				297.00	Q401	302
242	242	CRAG	IBM & Postage	11.73	Q401	306
				.09	Q403	306
				5.86	Q403	319
				47.45	Q401	319
				2.55	Q301	319
243	243	CRAG	Salaries & Fringe	1,185.46	Q301	301
				6,088.11	Q401	301
				1,352.27	Q403	301
				870.02	Q301	302
				128.08	Q301	313
				949.72	Q401	313
				202.21	Q403	301
244	244	Daily Journal of Commerce	Publication of Meeting Notices	20.19	Q401	302

ACCOUNTS PAYABLE

September, 1975

VOUCHER NO.	CHECK NO.	PAYABLE TO:	PURPOSE	AMOUNT	PROJECT	CODE
245	245	Delano Photo	Reproductions	35.80	Q401	306
246	246	Connie Eliason	Travel Expense	3.30	Q403	305
247	247	Bruce Henderson	Travel Expense	3.75	Q301	305
248	248	Charles Kemper	Travel Expense	202.63	Q401	305
249	249	Oregon Chapter APWA	Fall Conference	27.00	Q301	305
250	250	Oregonian Publishing Co.	Help Wanted Ad	21.00	Q403	302
251	251	Pacific NW Bell	Monthly Service	130.46	Q401	310
				1.72	Q403	310
				25.00	Q301	310
252	252	Port. State University	Duplicating	70.61	Q401	306
				52.06	Q403	306
				25.61	Q401	306
253	253	Solid Wastes Management Magazine	Subscription	7.00	Q401	318
254	254	Van Nuys Travel	New Orlean Confer.	500.58	Q401	305
255	255	Warn Industries	Computer time	58.50	Q403	302
256	256	West. Bookkeeping	Sept. Services	30.00	Q401	302
257	257	Willamette Week	Subscription	8.00	Q401	308
258	258	Jean Woodman	Reimburse for Office Supplies	6.32	Q401	308
			TOTAL	\$13,234.45		

391 ZOO SUPPLEMENTAL BUDGET

AT THE PRESENT TIME, MSD IS FUNDED FROM TWO SOURCES
1) A STATE GRANT FOR THE PURPOSE OF IMPLEMENTING THE
SOLID WASTE MANAGEMENT PLAN; AND 2) LOANS FROM CERTAIN
LOCAL JURISDICTIONS TO DEVELOP A PROGRAM OF IMPLEMENTA-
TION FOR IMPROVEMENTS TO JOHNSON CREEK. FUNDS ARE NOT
PRESENTLY BUDGETED FOR MSD STAFF WORK RELATING TO THE
ZOO ISSUE.

THE ZOOLOGICAL SOCIETY HAS GRANTED MSD \$1,000 TO
COMPENSATE FOR EXPENDITURES MADE BY THE DISTRICT. IN
ORDER TO UTILIZE THESE FUNDS, A ZOO FUND MUST BE ESTA-
BLISHED AND A SUPPLEMENTAL BUDGET MUST BE ADOPTED.
YOU WILL NOTE THAT THE PROPOSAL BUDGET IS SUBSTANTIALLY
LARGER THAN THE \$1,000 RECEIVED FROM THE ZOOLOGICAL
SOCIETY. THIS WILL ALLOW THE SERVICE DISTRICT TO
RECEIVE AND EXPEND ADDITIONAL FUNDS FROM THE ZOO PROGRAM,
INCLUDING THE COST OF THE ELECTION, WITHOUT ADOPTING
ANOTHER SUPPLEMENTAL BUDGET.

THE STAFF RECOMMENDS ESTABLISHMENT OF A ZOO FUND IN THE
MSD 75-76 BUDGET, APPROVAL OF THE ZOO SUPPLEMENTAL
BUDGET IN THE AMOUNT OF \$42,000, AND TRANSMITTAL TO
THE TAX SUPERVISION AND CONSERVATION COMMISSION FOR
PUBLIC HEARING.

METROPOLITAN SERVICE DISTRICT

SUPPLEMENTAL BUDGET FOR 1975-76

ZOO FUND

RESOURCES:

ZOOLOGICAL GARDENS	\$ 2,000.
ELECTION FUNDS	<u>40,000.</u>
TOTAL RESOURCES	\$42,000.

REQUIREMENTS:

PERSONAL SERVICES:

ADMINISTRATIVE SECRETARY	\$ 672.
FRINGE BENEFITS	<u>128.</u>
TOTAL	\$ 800.

MATERIALS & SERVICES:

POSTAGE	\$ 75.
PRINTING	75.
ADVERTISING	25.
SUPPLIES	25.
ELECTION EXPENSES	<u>40,000.</u>
TOTAL	\$40,200.
OPERATING CONTINGENCY	<u>1,000.</u>
TOTAL REQUIREMENTS	\$42,000.

392 MSD SOLID WASTE MANAGEMENT PROGRAM ORDINANCE NO. 32 -
SECOND PUBLIC HEARING

AN ORDINANCE ESTABLISHING AN AREAWIDE SOLID WASTE MANAGEMENT AND OPERATION PROGRAM; ESTABLISHING PROCEDURES FOR THE ISSUANCE OF CERTIFICATES FOR THE OPERATION OF WASTE DISPOSAL SITES; PROVIDING FOR ORDERLY AND BENEFICIAL FLOW OF SOLID WASTES; PROVIDING FOR PENALTIES AND ADMINISTRATION AND ENFORCEMENT; PROVIDING FOR COLLECTION OF FEES; REPEALING A PRIOR ORDINANCE AND PRESCRIBING AN EFFECTIVE DATE.

COMMENTS RECEIVED BY STAFF HAVE BEEN REVIEWED BY THE SOLID WASTE COMMITTEE AND SUGGESTED MODIFICATIONS TO ORDINANCE No. 32 ARE BEING PREPARED BY LEGAL COUNCIL FOR DISTRIBUTION UNDER SEPARATE COVER.

IT SHOULD BE NOTED THAT MSD STAFF HAS NOT RECEIVED WRITTEN COMMENTS FROM THE REFUSE COLLECTION INDUSTRY.

STAFF RECOMMENDS CONDUCTING THE SECOND PUBLIC HEARING ON ORDINANCE No. 32, RECEIVING TESTIMONY, AND IF APPROPRIATE, ADOPTING ORDINANCE No. 32.

393

MSD/PARKER-NORTHWEST NEGOTIATIONS STATUS REPORT

THE FOLLOWING PAGES CONTAIN A STATUS REPORT ON THE PROGRESS OF NEGOTIATIONS BETWEEN MSD AND PARKER-NORTHWEST CONSTRUCTION COMPANY FOR DESIGN, CONSTRUCTION AND OPERATION OF THE MSD SOLID WASTE MANAGEMENT SYSTEM.

THE STAFF RECOMMENDS THE BOARD APPROVE THE STAFF RECOMMENDATIONS CONTAINED IN THIS REPORT.

MSD/PARKER-NORTHWEST
NEGOTIATIONS STATUS REPORT

On July 25, 1975, the MSD Board rejected the solid waste bid proposals and directed the staff to begin negotiations with bidders and non-bidders for design, construction and operation of the facilities. The MSD solid waste system was also reduced from four transfer/processing stations to two transfer/processing stations and one transfer station. The staff was given the option to consider the bid proposers and other firms that had indicated recent interest.

In early August 1975, the staff discussed various possible contract combinations with the three bid proposers and decided to begin negotiations with the primary bidder, Parker-Northwest. The rationale for this decision was:

1. The Proposal Evaluation Team recommended Parker-Northwest as a primary potential contractor for the system.
2. Due to limited MSD staff resources and time, an exclusive contract with Parker-Northwest could be developed faster than with other potential bidders.
3. The staff had determined Parker-Northwest to be a highly respected local firm that would execute their contract professionally.
4. That there appeared to be no other viable choice within the constraints imposed.

The negotiation meetings with Parker-Northwest began on August 13, 1975, and have been continuous at least weekly since that time. The work has centered on contract terms, special design parameters, cost estimates, expenditure schedules, performance specifications, construction details and checkout parameters. We have found this work to be very time consuming and utilizing the majority of resources from both MSD staff and Parker-Northwest personnel.

Verbal contacts with other groups interested in participating in the MSD project have been received. The groups consisted of Consolidated Waste Services, Inc. (CWSI), Resource Recovery Byproducts (RRB), and a group from Washington County not presently in corporation form. At the present time, Parker-Northwest is willing to accept responsibility for all three facilities. The staff has indicated to these groups that MSD would prefer a single contractor for design, construction and operation of the proposed facilities. This would not preclude a sub-contractor arrangement between Parker-Northwest and a responsible group. The rationale for this approach is based on:

1. Our present time frame and resources do not allow MSD the luxury of evaluating extensive contractor combinations.
2. The financial viability of these groups have not been demonstrated.
3. Contract management administrative cost will increase as a result of multi-contracts.

4. Competition between operators will result in added administrative regulations and increased costs. This would specifically occur in the areas of:
 - 1) Marketing the byproducts;
 - 2) Dividing the flow of incoming garbage;
 - 3) Allowing more profit to one operator than the other; and
 - 4) Facility down time and repairs complaints.
5. Single units of spare parts and efficiencies in backhauling with common equipment.

In other words, the staff feels one contractor for the facilities proposed will result in the lowest net cost to the public.

The MSD/Parker Northwest negotiations are approximately 50% complete. Remaining to be accomplished are final cost estimates, and byproduct contract integration.

The staff recommends the MSD Board approve:

1. Continuing with Parker-Northwest as the exclusive contractor for the MSD solid waste system.
2. Direct the staff to return to the Board at the earliest time with preliminary contract terms for review and approval prior to final contract submittal.

394 ALFORD SITE RECOMMENDATION

THE FOLLOWING PAGES CONTAIN A STAFF REPORT ON THE ALFORD/GOHEEN APPLICATION FOR GRAVEL REMOVAL AND SUBSEQUENT FILLING AS A SANITARY LANDFILL.

THE STAFF RECOMMENDS APPROVAL OF THE RECOMMENDATIONS CONTAINED IN THIS REPORT.

ALFORD/GOHEEN LANDFILL PROPOSAL

On September 19, 1975, the MSD staff received from Clackamas County Planning Department a request for comments on a conditional use permit by Robert Alford and R.C. Goheen. The proposal is described in an Environmental Impact Statement prepared by Phil Thompson and Associates. The project consists of sand and gravel removal and processing followed by a sanitary landfill operation with ultimate development and use of the property being a park site.

On September 12, 1975, the MSD staff provided the Board with the first draft of a Sanitary Landfill Report which summarized earlier work done by various agencies and consultants. That report identified eight particular sites and recommended a strategy for prioritizing the sites and undertaking more explicit research and preliminary design. The report was distributed for comments shortly after September 12, and a number of limitations have been brought forth to date.

Utilizing the Sanitary Landfill Report, the comments received on the report, the Environmental Impact Assessment on the Alford/Goheen proposal, and discussions with the Department of Environmental Quality, the following findings are developed:

1. In spite of certain economic considerations, either the Department of Environmental Quality and/or at least one of the City and County planning departments seriously oppose the following sites recommended in the Sanitary Landfill Report:

- Cipole
- Sandy Delta
- Hayden Island
- Burlington
- Durham Gravel Pits
- Frank's

Of the eight sites suggested in the report, this leaves only two:

- Santosh
- Alford's

2. East Multnomah Gravel Pits as well as other gravel pits in the metropolitan area should receive careful consideration as regional residue landfill sites because of the unusual public benefit resulting from their reclamation.
3. There are strong indications that public sentiment could support reclamation of the gravel pit sites with landfilled solid waste. However, the following technical limitations exist:
 - Nearly all of the gravel pits in East Multnomah County and the Durham Gravel Pits lack any kind of natural barrier between the pit and groundwater table below. Several of the pits actually intersect the groundwater table. All of these sites would have to be designed to recover and treat leachate to prevent contamination of the metropolitan areas groundwater supply.
 - In as much as the gravel pit sites generally impact surrounding urban residential development, only milled or processed solid waste residue could be used to fill these sites. Thus, the gravel pit sites could not be utilized for a processing facility backup by accepting raw unprocessed refuse.
4. The Clackamas County Solid Waste Division has informed us that the County and the applicant for development of the gravel operation would be required to improve local roads to handle heavy truck traffic anticipated in the gravel operations phase. The local road improvements would

eliminate what MSD staff considered to be a serious limitation of the site, with regard to development as a landfill.

5. Assuming that Clackamas County is able to approve the Alford/Goheen conditional use permit, it is doubtful that MSD staff could provide another site which would fulfill MSD needs as well and also assure ratification by local jurisdictions.
6. Alford/Goheen's application to MSD for obtaining a sanitary landfill disposal permit will need to clearly define specific drainage concepts, treatment methods and construction procedures as well as monitoring procedures to assure that Clear Creek will not become contaminated by leachate generation and infiltration.

The staff recommends that the MSD Board should:

1. Strongly support the development of the Alford/Goheen sand and gravel operation, reclamation through landfill, and ultimate use as a regional or state park;
2. Recommend approval of the Alford/Goheen conditional use permit to the Clackamas County Planning Commission.

395 COATES FIELD SERVICE CONTRACT

THE MSD IN ORDER TO DETAIL LAND COSTS MUST ESTABLISH APPRAISALS FOR THE TWO PROPOSED SOLID WASTE SITES. BOTH THE OREGON CITY AND MERLO ROAD SITE LOCATIONS MUST BE ACQUIRED BY MSD SHORTLY AFTER APPROVAL OF FINANCING BY THE STATE OF OREGON. IN ADDITION, NEGOTIATIONS WITH PROPERTY OWNERS MUST BE ACCOMPLISHED. SUBMITTED SEPARATELY IS A CONTRACT BETWEEN MSD AND COATES FIELD SERVICE TO ACCOMPLISH THESE TASKS. FUNDS FOR THIS EXPENDITURE WILL BE PROVIDED FROM THE MATERIALS AND SERVICES BUDGET.

THE STAFF RECOMMENDS THE BOARD APPROVE THIS CONTRACT AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS AFTER CONTRACT REVIEW BY LEGAL COUNSEL.

396

EXECUTIVE SESSION - MERLO ROAD SITE

THE MSD BOARD UNDER AUTHORITY OF ORS 192.660 AS AMENDED, WILL HOLD AN EXECUTIVE SESSION FOR DISCUSSION OF THE MERLO ROAD SITE.