

MSD BOARD OF DIRECTORS

PORTLAND WATER BUREAU
1800 SW 6TH AVE.
AUDITORIUM

JANUARY 14, 1977
2:00 P.M.

A G E N D A

77-716
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77-718
77-719

INTRODUCTION OF NEW BOARD MEMBERS
MSD BOARD OFFICER ELECTIONS
MINUTES
PUBLIC COMMUNICATIONS

ADMINISTRATIVE

77-720
77-721

CASH DISBURSEMENTS
MSD LEGISLATIVE PROGRAM

SOLID WASTE PROGRAM

77-722

ORDINANCE NO. 44 - SECOND HEARING
AN ORDINANCE AMENDING THE MSD CODE,
SCRAP TIRE PROGRAM ADMINISTRATIVE
FEE, BOND PROVISIONS AND OTHER CHANGES
NON-PROCESSIBLE PROGRAM REPORT
MSD SOLID WASTE COMMITTEE APPOINTMENTS
RESOURCE CONSERVATION AND RECOVERY
ACT PL 94-580

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77-725

ZOO PROGRAM

77-726

VISITORS SERVICES IMPROVEMENT PROGRAM
· VISITOR SERVICES MANAGER
· VISITOR SERVICES AD-HOC COMMITTEE
· FOOD & SOUVENIR SERVICES STUDY

77-727

MARTIN/SODERSTROM/MATTESON EXPENDI-
TURE

77-728

CONSTRUCTION CONSULTANT COMMITTEE

77-729

CHIMPANZEE/ORANGUTAN FACILITY
PRESENTATION

OTHER BUSINESS

MSD BOARD OF DIRECTORS

PORTLAND WATER BUREAU
1800 SW 6TH AVENUE
AUDITORIUM

JANUARY 14, 1977
2:00 P.M.

A C T I O N A G E N D A

<u>PAGE</u>	<u>ACTION RECORD No.</u>	
1	77-716	INTRODUCTION OF NEW BOARD MEMBERS Action - <u>No action</u> required
2	77-717	MSD BOARD OFFICER ELECTIONS Action - <u>Elect</u> a Chairman and Vice- Chairman for the 1977 calendar year
3	77-718	MINUTES Action - <u>Approve</u> the minutes of December 10, 1976
13	77-719	PUBLIC COMMUNICATIONS Action - <u>Receive</u> comments from the public on matters not listed on the meeting agenda
14	77-720	CASH DISBURSEMENTS Action - <u>Approve</u> staff report

<u>PAGE</u>	<u>ACTION RECORD No.</u>	
15	77-721	MSD LEGISLATIVE PROGRAM Action - <u>Approve</u> draft legislation for submittal to the 1977 Legisla- ture
29	77-722	ORDINANCE NO. 44 - SECOND HEARING AN ORDINANCE AMENDING THE MSD CODE, SCRAP TIRE PROGRAM ADMINISTRATIVE FEE, BOND PROVISIONS AND OTHER CHANGES Action - <u>Conduct</u> second public hearing and <u>adopt</u> Ordinance No. 44
30	77-723	NON-PROCESSIBLE PROGRAM REPORT Action - <u>Review</u> report for action on January 28, 1977
31	77-724	MSD SOLID WASTE COMMITTEE APPOINTMENTS Action - <u>Approve</u> reconstruction of the committee and <u>appoint</u> members
39	77-725	RESOURCE CONSERVATION AND RECOVERY ACT PL94-580 Action - <u>Approve</u> request for designation
40	77-726	VISITORS SERVICES IMPROVEMENT PROGRAM Action - <u>Approve</u> staff report
42	77-727	MARTIN/SODERSTROM/MATTESON EXPENDITURE Action - <u>Approve</u> additional expenditure to initial Contract 76-029

ACTION RECORD
No. _____

Action - Approve staff report

Action - No action required

OTHER BUSINESS

CONTRACT 77-036 - PUBLISHERS PAPER CO.

77-716 INTRODUCTION OF NEW BOARD MEMBERS

THE METROPOLITAN SERVICE DISTRICT'S STATUTE ORS. 268 REQUIRES THAT EACH UNEVEN CALENDAR YEAR THE JURISDICTIONS REAPPOINT THEIR REPRESENTATION ON THE MSD BOARD. EFFECTIVE JANUARY 1, 1977, COMMISSIONERS MILLER, MCCREADY, SCHUMACHER, AND GORDON, AND MAYOR ROBNETT HAVE BEEN REAPPOINTED TO THEIR PREVIOUS POSITIONS; HOWEVER, THE CITIES OF MULTNOMAH AND WASHINGTON COUNTIES HAVE NEW REPRESENTATION. COUNCILMAN LYLE SALQUIST OF KING CITY WILL REPRESENT THE CITIES OF WASHINGTON COUNTIES AND COUNCILMAN SIDNEY BARTELS WILL REPRESENT THE CITIES OF MULTNOMAH COUNTY.

NO ACTION REQUIRED.

77-717 MSD BOARD OFFICER ELECTIONS

ORS 268 REQUIRES THAT MSD BOARD OFFICERS BE ELECTED THE BEGINNING OF EACH CALENDAR YEAR.

THE STAFF RECOMMENDS THE ELECTION OF A MSD BOARD CHAIRMAN AND VICE-CHAIRMAN.

77-718 MINUTES

THE FOLLOWING PAGES CONTAIN THE MINUTES OF THE DECEMBER 10,
1976, BOARD MEETING.

THE STAFF RECOMMENDS APPROVAL OF THE MINUTES.

77-719 PUBLIC COMMUNICATIONS

THE AGENDA ITEM ALLOWS THE BOARD TO RECEIVE COMMENTS FROM THE PUBLIC ON MATTERS NOT LISTED ON THE MEETING AGENDA.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 27-220

DATE 1-14-77

77-720 CASH DISBURSEMENTS BY John M. Wood
CLERK OF THE BOARD

CHECKS ISSUED FROM NOVEMBER 30, 1976 TO DECEMBER 31, 1976:

CHECKS No. 2153 THROUGH 2327 \$107,276.94

MAJOR EXPENDITURES INCLUDE:

BANKERS LIFE (RETIREMENT)	\$ 16,266.93
OREGON LABORERS TRUST (INSURANCE)	9,636.90
TROJAN PLUMBING (PRIOR YEAR)	1,439.11
COOPERS & LYBRAND (AUDIT)	1,600.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM (FICA)	14,325.28
CITY OF PORTLAND CREDIT UNION (WITHHOLDING)	1,587.63
STATE OF OREGON DEPT. OF REVENUE	5,190.37
HARDY BUTTLER McEWEN WEISS & NEWMAN	6,620.60
PORTLAND SECURITY (GUARD SERVICE)	1,888.00
UTILITIES	6,981.38

CHECKS TO BE ISSUED JANUARY 14, 1977:

CHECKS No. 2328 THROUGH 2429: \$ 20,812.89

MAJOR EXPENDITURES INCLUDE:

WATER BUREAU	\$ 4,034.73
HILLS RIVIANI (ANIMAL FOOD)	2,600.65
PACKER SCOTT Co. (CUSTODIAL SUPPLIES)	1,255.83

THE STAFF RECOMMENDS APPROVAL FOR PAYMENT OF CHECKS No. 2153 THROUGH 2429 IN A TOTAL AMOUNT OF \$128,089.83.

ALL EXPENDITURES CONTAINED HEREIN ARE WITHIN THE MSD ADOPTED BUDGET.

77-721 MSD LEGISLATIVE PROGRAM

PURSUANT TO THE DIRECTION OF THE MSD BOARD ON DECEMBER 10, 1976, THE ATTACHED IS A DRAFT LEGISLATIVE BILL THAT INCORPORATES LEGISLATIVE CONCEPTS PREVIOUSLY APPROVED.

THE STAFF REQUESTS THE BOARD APPROVE SUBMITTAL OF THE BILL TO THE OREGON STATE LEGISLATURE. IN ADDITION, IT IS REQUESTED THE BOARD DIRECT THE STAFF REGARDING METHODS FOR LEGISLATIVE COORDINATION DURING THIS SESSION OF THE LEGISLATURE.

The Legislative Package was not formally approved and some amendments will be made.

The Board approved contracting with Anne Kelly Feeney to act as Legislative Coordinator at a fee not to exceed \$4,000.

Commissioners McCready, Schumacher and Bartels will act as an advisory group to the Legislative Coordinator.

Draft

12/22/76

1/4/77

A BILL FOR AN ACT

Relating to metropolitan service districts; creating new provisions; amending ORS 249.271, 268.020, 268.030, 268.200, 268.300, 268.310, 268.320, 268.350, 268.360 and 268.540.

Be It Enacted by the People of the State of Oregon:

Section 1. ORS 268.020 is amended to read:

268.020. As used in this chapter:

(1) "District" means a metropolitan service district established under this chapter.

(2) "Metropolitan area" means the Oregon portion of a standard metropolitan statistical area designated prior to July 1, 1976, by an agency of the United States and which has a population greater than 750,000.

(3) "Improvement" means the facilities and other property constructed, erected or acquired by and to be used in the performance of services authorized to be performed by a district.

Section 2. ORS 268.030 is amended to read:

268.030. (1) This chapter is enacted in order to provide a method of making available in metropolitan areas public services not adequately available through previously authorized governmental agencies.

(2) To this end not more than one district may be established under this chapter in any metropolitan area.

(3) Subject to the limitations of state law, the district may provide:

(a) Metropolitan aspects of sewerage, solid and liquid waste disposal, control of surface water, and public transportation; and

(b) Metropolitan zoo facilities; and

(c) Local aspects of those public services that are transferred to the district by agreement between the district and other public corporations, cities or counties[.] ; and

(d) By contract, metropolitan and local aspects of services authorized under this chapter to areas outside its political boundaries.

Section 3. ORS 268.200 is amended to read:

268.200 (1) The governing body of a district shall consist of a representative from each governing body of a county with territory in the district, who shall be chosen by that governing body; [or, if the district lies entirely in a single county, of two representatives from the governing body of that county, who shall be chosen by that governing body] of a representative from the governing body of the most populous city in the district, who shall be chosen by that governing body; and five persons directly elected in accordance with Section 5 of this Act, [and, if the district lies entirely in a single county, of two representatives of the other cities in the district and in the county, who

shall be chosen by a joint convention of the mayors of those cities, or, if the district lies in two or more counties, of a representative of the cities in the district and in each of those counties, other than the most populous city in the district, each of whom shall be chosen by a joint convention of the mayors of the cities in his county that lie in the district, except the most populous city in the district.]

(2) The city and county members of the governing body shall be chosen within 30 days after the district is established. Any not so chosen within that time shall be chosen promptly thereafter by the Governor. They shall assume their offices the second Monday after the expiration of the 30 days and shall continue in office until the first Monday of the January of the first odd-numbered year after they become members of the governing body. Their respective successors shall be similarly chosen during December of even-numbered years after the district is established, with each successor to hold his office for two years and until his successor is appointed and qualifies for the office, unless the body that appoints him declares his office vacant and appoints his successor. The successor shall serve for the unexpired term remaining after the vacancy is declared.

(3) The chairman of the county government body that calls the election on establishing the district shall convene

the first members of the district governing body and shall serve as chairman of the first meeting until the members choose a permanent chairman.

(4) At its first meeting after January 1 each year the district governing body shall choose a chairman for the ensuing year. The chairman shall be the presiding officer of the governing body and have whatever additional functions the governing body prescribes for him.

(5) The governing body may adopt and enforce rules of procedure governing its proceedings.

Section 4. Section 5 is added to and made a part of ORS Chapter 268.

Section 5.

(1) The directly elected members of the governing body shall be elected on a nonpartisan basis from a single sub-district within the boundaries of the metropolitan service district. Each member shall be a resident of the subdistrict from which he is elected. The size and area of each subdistrict shall be determined by the Secretary of State within 120 days of the effective date of this 1977 Act in a manner providing for substantially equal population in each subdistrict based on the most recent state census. Area within each subdistrict shall be contiguous. The Secretary of State shall reapportion the subdistricts after each United States decennial census data is compiled and released.

(2) The nominations and elections for the members shall be held on the first primary and general elections following the formation of subdistricts by the Secretary of State. At that election, two members shall be elected for two-year terms to expire January 1, 1981, and three members shall be elected for four-year terms to expire January 1, 1983. The term of office for members elected after the first election shall be four years. Candidates for these positions shall be nominated and elected at the primary and general elections as provided in subsections (2) to (6) of this section.

(3) The names of all candidates for the office of _____ shall be presented for nomination by individual nominating petitions or by declaration of candidacy and the payment of the required fees. In any petition filed by or on behalf of, or declarations of candidacy made by, a candidate for nomination to the office of _____ at the primary election no reference shall be made to any political party ballot or to the political party affiliation of a candidate. There shall not be attached to or contained in a petition or declaration of candidacy any statement other than the name of the subdistrict in which the candidate resides, a statement, not exceeding 10 words, of his qualifications and experience, and a declaration by the candidate that, if nominated and elected,

he will qualify for the office.

(4) (a) At all primary elections at which candidates for _____ are to be nominated, where two or more persons from the same subdistrict have filed petitions or declarations for nomination, the Secretary of State shall prepare and furnish a ballot entitled "Governing Body, Metropolitan Service District, Subdistrict No. _____" upon which the names of the candidates for the office shall be placed without any political party designation. The ballot shall also contain a space in which the elector may write the name of any other person for whom he wishes to vote. Following the name of each candidate shall be a statement, not exceeding 10 words, of his qualifications and experience, if a statement was included in his petition or declaration. A ballot shall be delivered to each registered elector desiring to vote, regardless of his political party affiliation. The two candidates receiving the highest number of votes as nominees for _____ shall be declared the nominees, and their names shall appear on the ballot at the general election.

(b) When a candidate for nomination receives a majority of all votes cast at the primary election for the office for which he is a candidate, he shall be deemed elected to the office.

(5) At the general election the Secretary of State

shall prepare and furnish a ballot entitled " _____
Metropolitan Service District, Subdistrict No. _____."
On the ballot there shall be printed the names of candidates
nominated as provided by subsection (4) of this section.
The names shall be printed upon the ballot without any party
designation. The ballot may be on the same sheet as the
general ballot used at the election. The ballot shall also
contain a space in which the elector may write the name of
any other person for whom he wishes to vote.

(6) All election laws relating to the nomination and
election of nonpartisan candidates for office apply to the
nomination and election of _____, except where in
conflict with this section. When there is more than one
candidate for the office of _____ from one subdistrict
at either the primary or general election, the names of the
candidates shall be rotated on the ballot in the same manner
as names of candidates are rotated on the ballot in partisan
primary and general elections.

Section 6. ORS 249.271 is amended to read:

249.271. (1) At the time of filing his declaration
of candidacy a candidate shall pay to the official with whom
the declaration is filed a fee based upon the office he is a
candidate for as follows:

(a) United States Senator, \$150.

(b) Offices to be voted for in the state at large,

except national committeeman or national committeewoman, \$100.

(c) Representative in Congress to be voted for in a congressional district, \$100.

(d) Circuit court judge and district offices of districts composed of more than one county, except State Senator and Representative in the Legislative Assembly, \$50.

(e) County offices, including district attorney and district court judge, but excepting district offices within the county, \$50.

(f) State Senator or Representative in the Legislative Assembly, \$25.

(g) National committeeman or national committeewoman, \$15.

(h) District offices within the county, except district attorney and district court judge, \$10.

(i) Offices of a metropolitan service district under ORS chapter 268 and this 1977 Act, \$15.

(2) The official with whom a declaration of candidacy is filed, upon request received on or before the last day for withdrawal under ORS 249.280, shall refund the filing fee of any candidate who dies, withdraws or for any reason becomes ineligible for the nomination on or before such day.

Section 7. ORS 268.300 is amended to read:

268.300. (1) A district shall constitute a municipal corporation of this state, and a public body, corporate and

politic, exercising public power. It shall have full power to carry out the objectives of its formation and to that end may have and use a seal, have perpetual succession, sue and be sued in its own name, and enter into contracts.

(2) A district also may enter into contracts or other agreements with any agency of the Federal Government, of this state or of any local or regional governmental agency in this state having jurisdiction over contiguous or nearby lands; and, subject to the prior approval of the Legislative Assembly, enter into any compact with another state having jurisdiction over contiguous or nearby lands.

[(2)] (3) Except as this chapter provides to the contrary, the powers of the district shall be vested in the governing body of the district.

Section 8. ORS 268.310 is amended to read:

268.310. A district may:

(1) Acquire, construct, alter, maintain and operate interceptor, trunk and outfall sewers and pumping stations and facilities for treatment and disposal of sewage as defined in ORS 468.700 and engage in local aspects of sewerage transferred to the district by agreement with other public corporations, cities or counties in accordance with this chapter.

(2) Subject to the requirements of ORS 459.005 to 459.045, 459.065 to 459.105, 459.205 to 459.285 and

subsections (1) to (3) of 459.992, dispose, and provide facilities for disposal, of solid and liquid wastes and, by agreement with other public corporations, cities or counties in accordance with this chapter, collect and transport such wastes.

(3) Control the flow, and provide for the drainage, of storm or surface water, by means of dams, dikes, ditches, canals and [similar] other necessary improvements and provide for flood control and flood control facilities.

(4) Provide public transportation and terminal facilities for public transportation, including local aspects thereof transferred to the district by one or more other public corporations, cities or counties through agreements in accordance with this chapter.

(5) Acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities.

Section 9. ORS 268.320 is amended to read:

268.320. (1) The voters of a district may, from time to time, and in exercise of their power of the initiative, or by approving a proposition referred to them by the governing body of the district, authorize the district to assume additional functions and determine the number, qualifications and manner of selecting members of the governing body of the district.

(2) Local aspects of the functions may be assumed

only on the basis of agreements in accord with [paragraph]
paragraphs [(b)] (c) and (d) of subsection (3) of ORS 268.030.

Section 10. Section 11 is added to and made a part of
ORS chapter 268.

Section 11. For purposes of solid and liquid waste
disposal, a district may:

(a) Build, construct, purchase, improve, operate and
maintain sanitary landfills, transfer facilities, resource
recovery facilities and other improvements, facilities or
equipment necessary or desirable for the solid and liquid waste
disposal system of the district.

(b) Sell, enter into short or long-term contracts,
solicit bids, enter into direct negotiations, deal with brokers
or use other methods of disposal for the products or by-products
of the district's facilities. The district shall give particular
consideration to the needs of purchasers in this state and shall
actively promote sales to such purchasers so long as the same
can be done at prices, and under conditions which are consistent
with the goal of being financially self-supporting to the greatest
extent possible. The provisions of ORS 279.011 through 279.055
shall not apply to this paragraph.

(c) Require any person or class of persons who generate
solid or liquid wastes and are capable of being served by the
district to make use of the facilities of the district or facilities
designated by the district.

(d) Require any person or class of persons who pick-up,
collect or transport solid or liquid wastes and are capable of
being served by the district to make use of the facilities of the
district or facilities designated by the district.

Section 12. ORS 268.350 is amended to read:

268.350. A district may contract with any public or private agency for the agency to operate any facility or perform any function that the district is authorized to operate or perform. By contract the district may assume any function of any public corporation, city or county in or outside the district [that the district has power to assume under this chapter].

Section 13. ORS 268.360 is amended to read:

268.360. (1) For purposes of its authorized functions a district may exercise police power and in so doing adopt such ordinances, rules and regulations as a majority of the members of its governing body considers necessary for the proper functioning of the district.

(2) In addition to the provisions of ORS 268.990, violation of the district's ordinances or rules may be enjoined by the district upon suit in a court of competent jurisdiction.

(3) In addition to any other penalty provided by law, any person who violates any ordinance or order of the district pertaining to one or more of its authorized functions shall incur a civil penalty not to exceed \$500 a day for each day of violation.

(4) The civil penalty authorized by subsection (3) of

this section shall be established, imposed and collected in the same manner as civil penalties are established, imposed and collected under ORS chapter 468.

Section 14. ORS 268.540 is amended to read:

268.540. (1) A district may impose and collect service or user charges in payment for its services or for the purposes of financing the design, engineering, construction, operation, maintenance, repair and expansion of facilities, equipment, systems or improvements authorized by this chapter.

(2) A district may seek and accept grants of financial and other assistance from public and private sources.

(3) A district may, with the approval of a majority of members of its governing body, borrow money from this state or any county or city with territory in the district.

Section 15. Section 16 is added to and made a part of ORS chapter 268.

Section 16. (1) A metropolitan service district may by ordinance classify and designate as a service area any territory within the district that is or will be exclusively or specially benefited by an authorized service performed by the district.

(2) Subject to restrictions in the Oregon Constitution, any of the methods of financing in this chapter, in the discretion of the district, may be imposed in the service area rather than in the entire district.

77-722 ORDINANCE NO. 44 - SECOND PUBLIC HEARING

AN ORDINANCE AMENDING THE MSD CODE, SCRAP TIRE PROGRAM ADMINISTRATIVE FEE, BOND PROVISIONS AND OTHER CHANGES.

THE MSD SCRAP TIRE PROGRAM ORDINANCE IS PRESENTLY WORDED TO ELIMINATE A 3¢ ADMINISTRATIVE FEE EFFECTIVE JANUARY 31, 1977, WHICH IS BEING USED TO ADMINISTER THE PROGRAM. WITHOUT THE USE OF THIS ADMINISTRATIVE FEE, THE SCRAP TIRE PROGRAM CANNOT BE ENFORCED, AND THE PROGRAM, THEREFORE, WOULD NOT EXIST.

ALSO, THE STAFF HAS BEEN ADVISED BY SURETY AND LEGAL AUTHORITIES THAT THE WORDING IN THE MSD CODE DOES NOT HAVE SUFFICIENT STRENGTH IN REFERENCE TO BOND REQUIREMENTS. STAFF IS RECOMMENDING LANGUAGE THAT WILL PROVIDE THE NECESSARY STRENGTH FOR MSD'S RECOVERY OF COSTS THAT MAY BE INCURRED IN THE EVENT OF A VIOLATION.

ORDINANCE No. 44, PROVIDED UNDER SEPARATE COVER, OFFERS AMENDMENTS TO THE MSD CODE TO INCORPORATE THE ABOVE SUGGESTED MODIFICATIONS. THE MSD SOLID WASTE ADVISORY COMMITTEE HAS REVIEWED ORDINANCE No. 44 AND GIVEN RECOMMENDATION FOR PUBLIC HEARING. SINCE THE FIRST PUBLIC HEARING ON DECEMBER 10, 1976, NO COMMENTS HAVE BEEN RECEIVED FROM THE SCRAP TIRE INDUSTRY OR THE PUBLIC.

THE STAFF RECOMMENDS CONDUCTING THE SECOND PUBLIC HEARING, AND ADOPTING ORDINANCE No. 44.

77-723 NON-PROCESSIBLE PROGRAM REPORT

IN MAY 1975, THE MSD BOARD BY RESOLUTION ASKED THAT DEQ POSTPONE GRANTING NEW DISPOSAL PERMITS FOR DEMOLITION LANDFILLS. SINCE THAT TIME, DEQ HAS NOT GRANT NEW DEMOLITION LANDFILL DISPOSAL PERMITS.

WITHIN THIS PAST YEAR, ATTENTION HAS FOCUSED ON SPECIFIC ELEMENTS OF SOLID WASTE MANAGEMENT SUCH AS THE REGULATION AND FORMULATION OF DEQ SOLID WASTE DISPOSAL PERMITS. THE PURPOSE OF "THE NON-PROCESSIBLE PROGRAM" REPORT IS TO ARTICULATE MSD'S STRATEGY AND PHILOSOPHY WITH REGARDS TO DISPOSAL OF NON-PROCESSIBLE WASTES.

THE FIRST DRAFT OF THE REPORT WAS DISTRIBUTED TO THE MSD BOARD, THE SOLID WASTE COMMITTEE, LANDFILL OPERATORS, AND OTHER INTERESTED PERSONS IN EARLY DECEMBER OF 1975. THE COMMENTS OF THE SOLID WASTE COMMITTEE AS WELL AS OTHERS ARE REFLECTED AS "CHANGES" AND ATTACHED TO THE FIRST DRAFT WHICH WILL BE DISTRIBUTED AT THE BOARD MEETING.

THE STAFF RECOMMENDS THAT THE BOARD REVIEW THE REPORT AT THE JANUARY 14, 1977, MEETING, RECEIVE COMMENTS FROM THE PUBLIC, AND SCHEDULE FINAL ACTION ON THE REPORT FOR JANUARY 28, 1977.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 77-723

DATE 1-14-77

BY James M. Wood
CLERK OF THE BOARD

AMENDMENTS TO "NONPROCESSIBLE SOLID WASTE DISPOSAL PROGRAM"

Page No.

CHANGES

- p.2 2. That the nonprocessible landfill program should emphasize rapid filling of permitted fills within present DEQ limitations.
- p.4 Maximize the reclamation and reuse of materials and land within the economic confines of the market.
5. Compliant instead of complaint.
- p.5 1. (However) Also, approximately 30% of the processed solid waste stream will remain as an unuseable residue which needs to be landfilled. This processed residue may be acceptable in a nonprocessible landfill.
3. Indiscriminate instead of indiscriminate.
- (1) Prolonged life causing inconvenience (among to, . . .
- Proposals for new sites should consider the optimum number of sites operating at a given time (based on) to handle estimated quantities, ...
4. (In violation of DEQ permits,) Existing demolition solid waste disposal sites receive commercial wastes that include food wastes, paper, corrugated, etc. Without separation of processible and nonprocessible wastes, (the processible programs change of success is greatly reduced.) operation of demolition sites within DEQ standards is significantly difficult.
5. The State DEQ presently regulates all landfills including demolition sites (These regulations include) and requires quarterly reporting and sampling of waste material. (This information is required for planning purposes, however, little work in this area has been performed.) These quarterly reports are not uniformly prepared nor accurate.
- p.7 Two are limited to (use by certain individuals only) specific users while five are open to all users.

p.7,cont.

, Obrist landfill (Troutdale) specific users
. Lakeside Reclamation (Grabhorn) special users

p.9

Steep instead of steem.
Percolation instead of percolation.

p.22

Future site use after filling is an important consideration in site selection. Past demolition landfills have been developed for use as industrial - commercial sites and as parks and open spaces. Such uses are also recommended for future landfill sites within local land use and engineering considerations. (Development of these types are also recommended for future landfill sites, with due consideration being given to the proper engineering of landfills for future use.)

Potential interference of landfill operations with surrounding land use should be considered. For instance, filling a gravel pit in a residential area for future use as a park would be very beneficial (from a) future land use (standpoint), but the operation of the landfill in a residential area would usually be less acceptable than operation in an industrial area. Nuisances caused by traffic going to demolition landfills through residential areas can be reduced substantially by allowing only commercial vehicles to use the landfills. (The evaluation of such things as operating) These operational conflicts, environmental impacts, (or) economic ramifications, and (with) existing land use concerns will ultimately be (made) determined from a site-by-site evaluation. Filling gravel pits helps restore the land (environment) to its naturally occurring state, while (lowland areas and ravines exist in a naturally occurring state. Generally,) modification of lowlands or ravines impact other physical and geological conditions.

p.23

C. Conformance to Land Use. (In setting) priorities for selection of demolition fill sites, (an important consideration is whether the proposed use for the completed site is in conformance with existing and planned) include conformance with proposed use for the completed site and future land use. (If the intended site use cannot conform to land use planning, it should be considered) Variances may be obtained for filling operators, but completed fill uses should conform with the land use plan. (Another consideration is whether the filling of a site improves its usability.) A site that requires filling to make it usable should have a higher priority than a site that can meet requirements for land use without being filled.

p.23,cont.

E. Suggested Site Sizes demolition landfill sites to an economical level of operation to provide adequate operational income.

F. Procedure for Site Selection. The procedure for site (selection) development should consist of a formal process of communication between MSD and all other parties involved with disposal of nonprocessible wastes. (The first step in the communication process is to establish the need for a new site.)

p.24

PROCEDURE. Prior to the (implementation) development of any landfill site, a number of tasks will need to be performed as follows: (this subsection suggests those tasks and an orderly and efficient manner for performing them.)

<indent beginning with Pre-Action Tasks>

3. MSD should establish and maintain a list of demolition contractors, types or industry using demolition sites, demolition site operators, and owners of potential demolition sites. (MSD should make an effort to contact these people and make them aware of new non-processible landfills and how they may be impacted.) This information will be available to those with specific interests.

2. <under Action Tasks>

Specific site work (performed in this phase should) will consist of geological reconnaissance ...

p.25

3. MSD should utilize the preliminary engineering and environmental assessment in public hearings and as a basis for obtaining (obtain) conditional approvals, (from approving agencies.) final land use approvals, and comments from all interested parties. (In addition, public hearings should be conducted.)

4. (The) Final engineering (on) for specific sites (should be completed and required final) will be used to obtain technical approvals (obtained) from the Department of Environmental Quality, State Water Resources Dept., the Corps of Engineers, and others as required.

The expense of the pre-action tasks outlined should be borne mainly by MSD. The action tasks should be performed by private industry (or a combination of both, as needs and circumstances dictate) with assistance from MSD.

p.25,cont.

Planning for demolition landfills should be completed at least one year before the expected closure of existing landfills to allow sufficient time for implementation. (To make the) Necessary (evaluations, MSD must have information) information on waste quantities and expected landfill lives (provided by current site operators. This type of information) is presently required by DEQ and should (be made) continue as part of any operating requirements established by MSD.

PERMIT OR FRANCHISE REQUIREMENTS. Permit application forms and application requirements will be (virtually identical) similar to those of DEQ. (This would avoid extra work for the applicant and prevent confusion. Since) DEQ permit requirements (basically) for construction and operation (ing requirements) are minimum requirements. The MSD permit will (be written to) include the standard DEQ operating requirements (plus any) and additional (special) requirements specific to any unusual MSD concerns. (above those of DEQ) The recommended MSD operating requirements are attached as Appendix C.

<end of indentation>

G. Site Users. Although demolition landfills are developed primarily for the disposal of demolition and other nonprocessible wastes, the sites (should also) may be open for disposal of minimum amounts of brush and yard (clean up) debris and other wastes approved by MSD. (The location of the site and the needs of the user should determine) whether the site should be open to the general public or (not. Sites in industrial areas with suitable access can generally handle the high volume of traffic generated by public use of a site. Heavy traffic from public use of a site would generally not be acceptable in residential areas. However, the question of public use of a site should) limited to specific users will be made on a site-by-site evaluation, and will consider access, traffic, adjacent land use and the specific requirements of the developer.

p.32

- . Overall reduction in time required to unload at disposal site. Less conflicts with the "public having their own wastes."
- . Lower vehicle maintenance costs due to improved "dumping" conditions of final disposal point.

p.34

2. MSD and DEQ should encourage maintaining filling rates of existing demolition (and) landfills by limiting or reducing the number.
3. DEQ should divert food wastes and office commercial solid wastes from demolition landfills to processible landfills.
4. DEQ should refrain from granting new demolition landfill permits in or near the MSD area where it will detrimentally impact quantities going to other sites until existing sites are filled or until the MSD solid waste plan is implemented.
5. DEQ should close out sites which have no logical end and which are not a part of areawide plans.
6. MSD and DEQ should encourage (the installation of scales at the landfills) the weighing of solid waste at all large landfills and MSD should closely monitor monthly volumes at all landfills within the MSD area in order to properly plan future disposal requirements.
8. MSD should encourage (continued rapid) sustained filling of existing demolition landfills. Recommendations concerning each existing demolition landfill are as follows:
 - a. Hidden Valley Disposal Site - This site should be closed by July, 1977. Materials presently accepted by (from) this disposal site can be placed in other demolition or putrescible landfills.
 - b. Columbia Land Reclamation, Inc. - This site should be filled as soon as possible within the (original 22.6 acres proposed) present DEQ approved operational plan. Expansion of this site should be discouraged until other higher priority sites are filled. Acceptable materials should include only (dry and bulky solid wastes pursuant to the operational plan submitted by) the materials accepted under the current DEQ permit.
 - c. Lavelle and Yett (NE 82nd) - This site should be filled to grades proposed by Phase II engineering plans as soon as possible (estimated 1980) in accordance with current DEQ permit.
 - d. Lavelle Landfill (King Road) - This site should be filled to permitted grades as soon as possible in accordance with current DEQ permit. The decision on whether to continue to fill this site will be made after preliminary engineering analysis of the unfilled portions are completed.

p.35

e. Obrist Landfill (Troutdale) - This site should continue to be filled with (only private) land clearing, (and) demolition, and construction debris (solid wastes) delivered only by licensed haulers and commercial contractors.

f. Hillsboro Landfill - This site should be filled as quickly as possible in compliance with current DEQ permit.

g. Grabhorn Landfill - This site should continue to operate as it has in the past. Expansion of the operations as desired by the current operator should commence only after an analysis of expansion plans and alternatives.

10. MSD and DEQ should identify a replacement demolition site(s) by July, 1977, for several sites scheduled to close by 1978.

B. Long Range

1. MSD should (divert quantities of) prohibit paper from nonprocessable landfills.

2. MSD should (divert) prohibit commercial and certain processible, industrial loads of solid wastes (to) from the (processable) nonprocessable system.

3. MSD should allow landclearing, (and) certain construction, and demolition wastes to be accepted at the nonprocessable landfills.

5. DEQ should limit dumping of (excavation) demolition, landclearing, and construction wastes in uncontrolled sites by:

a. Monitoring clean dirt fills permitted by State Department of Lands and local building officials.

b. Controlling access to prohibit public dumping.

c. Allowing only commercial or (private use) licensed hauler usage of certain sites.

d. (Recording amounts) Monitoring quantities of material landfilled.

e. Directing landclearing, demolition, and construction wastes to nonprocessable landfills.

p.35cont.

- f. Inspecting and enforcing compliance in unpermitted fills.
- g. Coordination of demolition permits with local jurisdictions.
- 6. New nonprocessable landfill proposals should be (prioritized on the basis of) based on:
 - a. Technical and environmental acceptability;
 - b. Established need and justification of quantities;
 - c. Reclaimed value and desirability of fillings, prioritized as:
 - 1. Gravel pits;
 - 2. Lowlands, not including wetlands;
 - 3. Ravines.

ACTION NO. 77-724

DATE 1-14-77

77-724 MSD SOLID WASTE COMMITTEE APPOINTMENTS

CLERK OF THE BOARD

IN RESPONSE TO THE MSD BOARD DIRECTION OF DECEMBER 10, 1976,
THE STAFF IS PROPOSING THAT THE FOLLOWING REORGANIZATION OF THE
SOLID WASTE ADVISORY COMMITTEE (SWC) BE CONSIDERED:

1. THE SWC WILL ACT IN AN ADVISORY ROLE TO AND AT THE PLEASURE OF THE MSD BOARD.
2. THE SWC BE COMPRISED OF A TOTAL OF 11 MEMBERS TO BE APPOINTED BY THE BOARD AND REPRESENTING THE FOLLOWING AREAS: (The following names were approved by the Board.)

CLACKAMAS COUNTY	(Dave Phillips)
MULTNOMAH COUNTY	(Dick Howard)
WASHINGTON COUNTY	(Mike Sandburg)
CITY OF PORTLAND	(Ron Perkins)
INDUSTRY (COLLECTION)	(John Trout)
INDUSTRY (COLLECTION)	(Jim Cozzetto)
INDUSTRY (LANDFILL)	(Harold Lavelle)
INDUSTRY (LANDFILL)	(Gene Plew)
RECYCLING	(Jerry Powell)
CITIZEN (LEAGUE OF WOMEN VOTERS)	(Nancy Hoover)
CITIZEN	(Bill Culham)
3. THE SOLID WASTE DIVISION STAFF WILL PROVIDE STAFF SUPPORT TO THE SWC.
4. THE SWC WILL DEVELOP THEIR OWN RULES OF OPERATION PROVIDED THAT THE IMPACT ON THE MSD STAFF WILL BE MINIMAL.
5. THE SWC MEMBERS WILL BE APPOINTED TO SERVE A THREE-YEAR TERM WITH ONE-THIRD OF THE APPOINTMENTS EXPIRING EACH YEAR. IN ORDER TO ESTABLISH THIS STAGGERING OF TERMS OF SERVICE, THE SWC WILL, AT THEIR FIRST MEETING, DRAW LOTS AS TO WHO WILL INITIALLY SERVE ONE, TWO OR THREE YEAR TERMS.
6. THE MSD BOARD WILL FILL VACANCIES ON THE SWC AS THEY OCCUR.

A BRIEF DESCRIPTION OF THE EXISTING SWC MEMBERS CAN BE FOUND IN ATTACHMENT 1 WHILE THEIR ATTENDANCE RECORD BETWEEN MAY 1976 AND DECEMBER 1976 CAN BE FOUND IN ATTACHMENT 2. ON SEPTEMBER 8, 1976, THE STAFF PREPARED FOR BOARD CONSIDERATION AN APPRAISAL OF THE SWC. THIS APPRAISAL CAN BE FOUND IN ATTACHMENT 3.

IN ADDITION TO THE EXISTING COMMITTEE MEMBERS, FOUR MEMBERS HAVE BEEN SUGGESTED FOR CONSIDERATION:

JIM CAZZETTO - MR. CAZZETTO IS VICE PRESIDENT AND SECRETARY OF METROPOLITAN DISPOSAL CORP.

MIKE SANDBURG - MR. SANDBURG IS EMPLOYED BY THE WASHINGTON COUNTY HEALTH DEPARTMENT AND OVERSEES THE COUNTY'S SOLID WASTE FRANCHISES.

JULIE KELLER - MRS. KELLER IS EMPLOYED BY S. H. MALLICOAT & ASSOCIATES, PUBLIC RELATIONS CONSULTANTS.

GENE PLEW - MR. PLEW OPERATES SEVERAL LANDFILLS IN THE MSD AREA.

THE STAFF RECOMMENDS THAT THE BOARD APPROVE THE SOLID WASTE COMMITTEE REORGANIZATION AND APPOINT COMMITTEE MEMBERS.

ATTACHMENT 1

CURRENT MEMBERS OF THE MSD SOLID WASTE ADVISORY COMMITTEE

DAVE PHILLIPS - Mr. PHILLIPS IS THE SOLID WASTE ADMINISTRATOR FOR CLACKAMAS COUNTY. Mr. PHILLIPS HAS SERVED ON THE COMMITTEE SINCE ITS INCEPTION AND CURRENTLY SERVES AS CHAIRMAN.

BILL CULHAM - Mr. CULHAM HAS SERVED ON THE SWC SINCE THE BEGINNING OF THE SOLID WASTE STUDY. HE IS CURRENTLY RETIRED HAVING SERVED AS THE DIRECTOR OF THE SOLID WASTE DIVISION FOR THE CITY OF PORTLAND AND PRIOR TO THAT HE WAS EMPLOYED BY THE OREGON STATE HEALTH DEPARTMENT.

JERRY POWELL - Mr. POWELL BECAME A MEMBER OF THE SWC IN JULY 1975. HE IS DEEPLY INVOLVED IN RECYCLING AND IS CURRENTLY MANAGER OF THE PORTLAND RECYCLING TEAM.

DICK HOWARD - Mr. HOWARD IS A ENGINEER WITH THE MULTNOMAH COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES. HE HAS BEEN A MEMBER OF THE SWC SINCE 1973.

ART SCHLACK - Mr. SCHLACK REPRESENTS WASHINGTON COUNTY. HE IS A MEMBER OF THE WASHINGTON COUNTY PLANNING DEPARTMENT.

HAROLD LAVELLE - Mr. LAVELLE CURRENTLY OPERATES TWO DEMOLITION (NON-PROCESSIBLE) LANDFILLS WITHIN THE MSD AREA. HE HAS BEEN A MEMBER OF THE SWC SINCE JUNE 1974.

MIDGE SIEGEL - Mrs. SIEGEL IS A MEMBER OF THE WASHINGTON COUNTY SOLID WASTE ADVISORY COMMITTEE AND HAS SERVED ON THE SWC SINCE OCTOBER 1975.

GUS MOHR - Mr. MOHR, A FORMER MSD BOARD MEMBER, IS EMPLOYED BY CROWN ZELLERBACH. HE HAS BEEN A MEMBER OF THE SWC SINCE 1973.

NANCY HOOVER - Mrs. HOOVER HAS SERVED ON THE SWC SINCE 1973 AND REPRESENTS THE LEAGUE OF WOMEN VOTERS. SHE HAS BEEN ACTIVE IN MANY CIVIC PROJECTS.

BARBARA LUCAS - Mrs. LUCAS JOINED THE SWC IN MARCH 1976. SHE REPRESENTS THE LEAGUE OF WOMEN VOTERS.

CARL MILLER - Mr. MILLER OWNS AND OPERATES MILLER SANITARY SERVICE. HE HAS SERVED ON THE STATE SOLID WASTE ADVISORY COMMITTEE AND ON THE SWC SINCE 1973.

RON PERKINS - Mr. PERKINS JOINED THE SWC IN JULY 1976. HE IS THE DIRECTOR OF SOLID WASTE PROGRAMS FOR THE CITY OF PORTLAND.

JOHN TROUT - Mr. TROUT IS SECRETARY TO THE SANITARY TRUCK DRIVER'S LOCAL 281, AND ALSO OPERATES A COLLECTION COMPANY. HE HAS BEEN A MEMBER OF THE SWC SINCE MARCH 1976.

JOE FU GATE - Mr. FUGATE OWNS AND OPERATES TRI-CITY CASING SUPPLY, A SCRAP TIRE COLLECTING FIRM. HE REPRESENTS THE TIRE INDUSTRY AND JOINED THE SWC IN MARCH 1976.

ATTACHMENT 2

MSD SOLID WASTE COMMITTEE MEETING ATTENDANCE RECORD May, 1976 through December, 1976

	5-10-76	5-24-76	6-7-76	7-7-76	7-19-76	8-9-76	8-23-76	9-20-76	10-4-76	10-18-76	11-8-76	12-6-76	12-20-76
Dave Phillips, Chairman									X				
Dick Glanz (resigned)	*		X					*	*			X	*
Bill Culham						X		*			X		
Jerry Powell								X					
Dick Howard		X	X	X	X	X					X		
Art Schlack	X	*	X	*		*	*	*		*	*	*	X
Harold Lavelle				*			*	*		*			*
Midge Siegel		*			X							X	X
Gus Mohr			*			X	X		*		X		
Nancy Hoover					X				X		X	X	*
Barbara Lucas	*		*		X			X				X	*
Carl Miller					*							*	
Ron Perkins													
John Trout				X									X
Joe FuGaTe					X						*	*	*

* = unexcused absence

X = excused absence

blank space indicates member present

SEPTEMBER 8, 1976

METROPOLITAN SERVICE DISTRICT
SOLID WASTE ADVISORY COMMITTEE

THE MSD SOLID WASTE ADVISORY COMMITTEE WAS ESTABLISHED AFTER THE INITIAL COR-MET PLAN WAS COMPLETED. THIS GROUP DEVELOPED FROM A MERGER OF TWO PREVIOUSLY ESTABLISHED COMMITTEES; THE TECHNICAL ADVISORY COMMITTEE AND THE CITIZEN ADVISORY COMMITTEE. THE PURPOSE FOR MERGER WAS TO REDUCE STAFF TIME AND COMBINE TECHNICAL PEOPLE AND CITIZENS AS AN ADVISORY GROUP TO THE MSD BOARD.

THIS DISCUSSION IS AN APPRAISAL OF THE SOLID WASTE ADVISORY COMMITTEE AND THEIR PERFORMANCE.

EVALUATION

1. THE COMMITTEE CONSISTS OF BOTH CITIZENS AND GOVERNMENTAL STAFF PEOPLE OF VARYING DEGREES OF INTEREST IN SOLID WASTE DISPOSAL PROBLEMS.
2. THE COMMITTEE GENERALLY LIKES TO BE "SPOON FED" BY THE MSD STAFF. ONLY A FEW COMMITTEE MEMBERS ARE WILLING TO RESEARCH ISSUES ON THEIR OWN.

3. SOME COMMITTEE MEMBERS ATTEND MEETINGS ONLY TO "WATCH" MSD AND WITH THIS MOTIVATION GENERALLY CONTRIBUTE LITTLE.
4. THE COMMITTEE FEELS THE MSD BOARD DOES NOT LISTEN TO THEM. I THINK THIS ATTITUDE WOULD CHANGE IF SUBSTANTIVE INPUT TO THE BOARD COULD BE DEVELOPED BY THE COMMITTEE.
5. THE COMMITTEE'S STAFF, THE MSD STAFF, DOES NOT HAVE THE TIME TO STAFF THE COMMITTEE TO THE LEVEL THEY THINK THEY NEED.
6. TOO MUCH COMMITTEE TIME IS SPENT DEBATING UNPRODUCTIVE ISSUES.
7. THE COMMITTEE MEMBERS CANNOT AGREE AMONG THEMSELVES AS TO THE COMMITTEE'S ROLE.
8. THE COMMITTEE HAS TO BE MORE PRODUCTIVE FOR IT TO SURVIVE.
9. NOT ALL VESTED INTERESTS ARE REPRESENTED AND SINCE THOSE INTERESTS CHANGE, THE COMMITTEE HAS TO BE FLEXIBLE.

SUGGESTED IMPROVEMENTS

1. INSTITUTE JOINT MEETINGS BETWEEN THE MSD BOARD AND THE SOLID WASTE ADVISORY COMMITTEE TWICE YEARLY.
2. EVALUATE COMMITTEE MAKEUP AND REPLACE THOSE MEMBERS THAT:
 - A. SHOW LITTLE INTEREST
 - B. MISS MEETINGS
 - C. DO NOT CONTRIBUTE.
3. SHORTEN COMMITTEE MEETINGS TO TWO HOURS.

4. MEET MONTHLY AND ONLY MEET BI-WEEKLY WHEN ISSUES GOING BEFORE THE BOARD NECESSITATE A MEETING.
5. INTERNALLY REVIEW THE ORGANIZATIONS MAKEUP AND SEARCH FOR A BETTER WAY TO ESTABLISH WORK.

77-725 RESOURCE CONSERVATION AND RECOVERY ACT PL94-580

SEVERAL WEEKS AGO THE STAFF DISTRIBUTED A COPY OF THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976. THIS ACT PROVIDES:

"...TECHNICAL AND FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF MANAGEMENT PLANS AND FACILITIES FOR THE RECOVERY OF ENERGY AND OTHER RESOURCES FROM DISCARDED MATERIALS AND FOR THE SAFE DISPOSAL OF DISCARDED MATERIALS, AND TO REGULATE THE MANAGEMENT OF HAZARDOUS WASTE."

IN ALL PROBABILITY THE STATE OF OREGON WILL DESIRE TO REQUEST FUNDING UNDER THIS ACT THAT WILL RESULT IN DECISIONS CONCERNING THE VARIOUS SOLID WASTE MANAGEMENT PLANS WITHIN THE STATE OF OREGON. IN ADDITION TO FINANCING DEVELOPMENT OF SOLID WASTE PLANS, THIS ACT PROVIDES FOR FUNDING FOR DEMONSTRATION PROJECTS, STAFFING TECHNICAL PANELS AND TRAINING EMPLOYEES.

THE STAFF RECOMMENDS THAT THE BOARD AUTHORIZE MSD TO SEEK DESIGNATION FOR SOLID WASTE PLANNING AND IMPLEMENTATION FOR THE PORTLAND METROPOLITAN AREA AS OUTLINED IN THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (PL94-580).

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 77-725

DATE 1-14-77

BY [Signature]
CLERK OF THE BOARD

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 77-726

DATE 1-14-77

77-726 VISITOR SERVICES IMPROVEMENT PROGRAM

BY John McLaughlin
CLERK OF THE BOARD

THE MOST IMPORTANT TASK FOR THE ZOO TO ACCOMPLISH IS THE EFFECTIVE CARE AND MANAGEMENT OF THE ANIMAL COLLECTION. THE NEXT MOST IMPORTANT TASK IS THE GREETING OF ZOO VISITORS AND CARING FOR THEIR NEEDS. IN THE MONTHS FOLLOWING THE PASSAGE OF THE TAX LEVY WE HAVE BEEN PLACING EFFORT TOWARD THE ANIMAL COLLECTION AND THE VISITOR. PRIORITY SHOULD NOW BE GIVEN TO PREPARING FOR THE COMING HEAVY VISITOR MONTHS. THE ATTENDANCE AT THE ZOO DURING THIS PAST YEAR WAS UP BY MORE THAN 30% OVER THE PREVIOUS YEAR. WE ANTICIPATE A CONTINUED TREND TOWARD INCREASED ATTENDANCE AT THE ZOO. BETTER FACILITIES, SUPERVISION AND TRAINING ARE NEEDED TO HANDLE THE LARGER NUMBERS OF VISITORS. CURRENTLY WE DO NOT HAVE A WELL DEFINED AND COORDINATED APPROACH TO THE SERVICES RENDERED CUSTOMERS OF THE ZOO. THESE SERVICES INCLUDE ADMISSIONS, PROVIDING DIRECTIONS, SERVING REFRESHMENTS, GIVING RIDES, SELLING SOUVENIRS AND GIFTS, ADMINISTERING FIRST AID, MANNING INFORMATION BOOTHS AND MAINTAINING PRESENTABLE PUBLIC AREAS.

THE MAIN IMPRESSION AND SOMETIMES THE ONLY IMPRESSION A VISITOR TAKES AWAY WITH THEM IS NOT THE VIEW OF THE ANIMALS BUT WHAT HAPPENS WHEN THEY COME INTO CONTACT WITH THE ZOO STAFF. WE WANT THE BEST POSSIBLE EXPERIENCE FOR ZOO VISITORS THAT CAN BE OBTAINED WITHIN OUR FINANCIAL LIMITATIONS.

TO FOLLOW THROUGH ON PREVIOUS ATTENDANCE SUCCESSES, THE FOLLOWING IMPROVEMENTS ARE RECOMMENDED:

1. CREATE A NEW POSITION OF VISITOR SERVICES MANAGER WHICH WOULD ALLOW THE MSD TO IMPROVE FOOD SERVICES, EXPAND GIFT AND SOUVENIR SALES, IMPROVE THE ZOO TRAIN OPERATIONS, AND IMPROVE TICKET PERSONNEL PROCEDURES WITHIN THE VISITOR SERVICES PROGRAM. MOST OF THESE DUTIES ARE

CURRENTLY BEING PERFORMED BY JOHN WILSON IN A PART-TIME CAPACITY. HAVING A FULL-TIME ON-SITE PERSON WILL IMPROVE COORDINATION AND SUPERVISION AND WILL ALSO ALLOW MR. WILSON TO DEVOTE HIMSELF TO THE IMPORTANT BUDGETARY AND ACCOUNTING ACTIVITIES. FUNDS FOR THIS POSITION ARE CURRENTLY APPROPRIATED FOR AN EXHIBIT CURATOR. THE CURATOR POSITION WILL NOT BE FILLED THIS FISCAL YEAR. THE STAFF RECOMMENDS APPROVAL FOR CREATING THE POSITION OF VISITOR SERVICES MANAGER.

2. A VISITOR SERVICES AD-HOC ADVISORY COMMITTEE IS DESIRED TO ADVISE THE ZOO DIRECTOR AND THE VISITOR SERVICES MANAGER ON THE DEVELOPMENT OF THE TOTAL SERVICE AND MERCHANDISING PROGRAMS FOR THE COMING YEAR AND THE COMMITTEE WOULD MEET WITH ANY OUTSIDE CONSULTANTS THAT MAY BE ASKED FOR ASSISTANCE. THE BOARD IS REQUESTED TO APPROVE THE ESTABLISHMENT OF THIS COMMITTEE.
3. A FOOD AND SOUVENIR SERVICES STUDY IS DESIRED BY AN OUTSIDE PROFESSIONAL. FOR AN INITIAL COST OF \$300, MR. GERRY WARD WOULD PROVIDE A PRELIMINARY SURVEY OF OUR FACILITIES AND OPERATIONS PRIOR TO PROPOSING A CONSULTANT STUDY. MR. WARD PREVIOUSLY WORKED FOR RESTAURANT ASSOCIATES WHICH OPERATE NUMEROUS FOOD FACILITIES INCLUDING PARKS, STADIUMS AND RECREATIONAL FACILITIES. MR. WARD IS NOW WORKING AS A CONSULTANT IN THE FOOD SERVICE AREA AND HAS DONE WORK FOR SEVERAL ZOOS. APPROVAL FOR THIS PRELIMINARY WORK IS REQUESTED.

Item No. 3 was not approved.

77-727 MARTIN/SODERSTROM/MATTESON EXPENDITURE

MSD CONTRACT 76-029

DURING THE CONCEPTUAL DESIGN PHASE OF THE NEW CHIMPANZEE/ORANGUTAN ENCLOSURE, MARTIN, SODERSTROM, MATTESON INCURRED EXPENSES WHILE VISITING THE STANFORD UNIVERSITIES PRIMATE FACILITIES. THE ZOO DIRECTOR HAD ASKED THEM TO MAKE THIS TRIP IN ORDER TO INCORPORATE MANY OF THE IDEAS FOUND IN THAT FACILITY. THIS TRIP WAS NOT IN THE ORIGINAL COST ESTIMATE (\$8,000 PREVIOUSLY PAID) FOR THE FIRM. THEY UNDERTOOK THIS TRIP IN GOOD FAITH THAT REIMBURSEMENT WOULD BE MADE. THE COST OF THE TRIP WAS \$351.33.

THE STAFF RECOMMENDS APPROVAL FOR PAYMENT OF \$351.33 TO COVER THE ADDITIONAL EXPENSE INCURRED BY MARTIN/SODERSTROM/MATTESON, ARCHITECTS.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 77-227

DATE 1-14-77

BY John M. Wood

CLERK OF THE BOARD

77-728 CONSTRUCTION CONSULTANT COMMITTEE

THE MSD BOARD DIRECTED THE STAFF TO ESTABLISH A DESIGN AND CONSTRUCTION REVIEW COMMITTEE OF EXPERTS TO AID IN THE VARIOUS NEW PROJECTS AT THE ZOO. IN RESPONSE TO THESE DIRECTIONS THE STAFF RECOMMENDS THAT THE MSD BOARD APPROVE THE FOLLOWING PROCEDURES FOR THE DEVELOPMENT OF ARCHITECTURAL PLANS, CONTRACT SPECIFICATIONS AND PROJECT CONSTRUCTION:

1. CONCEPT DEVELOPMENT - THE ZOO DIRECTOR WILL ESTABLISH THE INITIAL DESIGN CONCEPTS WITH THE AID OF STAFF MEMBERS AND OUTSIDE EXPERTS.
2. DESIGN DEVELOPMENT - AN ARCHITECTURAL FIRM WILL BE SELECTED AND THE RELEVANT DEPARTMENT HEAD AND THE HEAD OF MAINTENANCE WILL COORDINATE THE PROJECT THROUGH FINAL DESIGN.
3. DESIGN REVIEW - THE DIRECTOR WILL BE RESPONSIBLE FOR FINAL REVIEW OF THE ARCHITECTURAL PLANS AND CONTRACT SPECIFICATIONS AND WILL BE ASSISTED BY A COMMITTEE HEADED BY BOB GRAY OF R.A. GRAY CONSTRUCTION COMPANY AND REPRESENTATIVES FROM THE MOST CRITICAL CRAFTS AND SUPPLIER/FABRICATOR AREAS RELEVANT TO EACH PROJECT. MR. GRAY WOULD HELP IN THE SELECTION OF THE OTHER COMMITTEE MEMBERS.
4. CONSTRUCTION SUPERVISION - BESIDES THE ARCHITECTURAL FIRM, THE ZOO WILL HAVE THE MAINTENANCE FOREMAN AS ITS ON SITE REPRESENTATIVE AND HE WILL HAVE THE DESIGN REVIEW COMMITTEE FOR ASSISTANCE AND CONSULTATION.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 77-728

DATE 1-14-77

BY [Signature]
CLERK OF THE BOARD

77-729 CHIMPANZEE/ORANGUTAN FACILITY PRESENTATION

MR. STEVE McCUSKER, THE NEW ZOO CURATOR, WILL MAKE A PROGRESS PRESENTATION ON THE DESIGNING OF THIS NEW PRIMATE FACILITY. MR. McCUSKER HAS BEEN WORKING WITH THE ARCHITECTURAL FIRM DURING THIS STAGE OF DESIGN.

NO ACTION REQUIRED.

OTHER BUSINESS

77-730 CONTRACT 77-036 - PUBLISHERS PAPER Co.

ON TUESDAY, DECEMBER 21, 1976, THREE MSD BOARD MEMBERS, MSD STAFF AND DEQ STAFF MET WITH PUBLISHERS PAPER Co., AND TELEDYNE NATIONAL. THE PURPOSE OF THE MEETING WAS TO BRIEF MSD AND DEQ ON WORK PUBLISHERS AND TELEDYNE HAVE ACCOMPLISHED REGARDING PARTICIPATION IN THE DEVELOPMENT OF MSD'S SOLID WASTE PLAN AND TO DISCUSS A PRELIMINARY AGREEMENT LEADING TO A MAJOR COMPREHENSIVE MSD/PUBLISHERS CONTRACT.

THE PROJECT PUBLISHERS ENVISIONS CONSISTS OF A FRONT-END PROCESSING FACILITY CAPABLE OF PROCESSING 400,000 TONS OF COMMERCIAL AND MUNICIPAL SOLID WASTE LOCATED AT THE OREGON CITY SITE. THE PROCESSING FACILITY WILL SHRED, AIR-CLASSIFY, AND SEPARATE USABLE FRACTIONS OF SOLID WASTE INTO A REFUSE-DERIVED FUEL, FERROUS METALS, AND OTHER CONSTITUANTS.

THE REFUSE-DERIVED FUEL WILL BE DELIVERED TO A SPECIALLY DESIGNED 100% RDF FIRED BOILER(S) AND TURBO GENERATORS LOCATED ON PUBLISHERS PROPERTY IN OREGON CITY WHERE IT WILL BE CONVERTED TO PROCESS STEAM AND ELECTRICAL ENERGY. INERT ASH AND UNUSABLE RESIDUE FROM SOLID WASTE WHICH CANNOT BE SOLD OR OTHERWISE DISPOSED OF WILL GO TO THE LANDFILL.

TECHNICAL AND FINANCIAL ELEMENTS OF THE PROPOSAL

DURING THE PAST YEAR, PUBLISHERS HAS UTILIZED OUTSIDE CONSULTANTS TO REVIEW THE FEASIBILITY OF GENERATING STEAM AND ELECTRICITY FROM THE COMBINATION OF A REFUSE-DERIVED FUEL TYPICAL TO THE FACILITIES MSD HAS PROPOSED. INDIVIDUALS FROM PUBLISHERS HAVE VISITED EXISTING OPERATIONS THROUGHOUT THE UNITED STATES.

ALSO, WITHIN THE PAST FOUR YEARS, TELEDYNE HAS BEEN DIRECTLY INVOLVED IN THE DEVELOPMENT OF A FULL SCALE PROCESSING SYSTEM FOR BALTIMORE COUNTY IN MARYLAND AND SEVERAL OTHERS. THE BALTIMORE COUNTY FACILITY HAS BEEN OPERATING FOR APPROXIMATELY ONE YEAR NOW, AND THIS PAST SEPTEMBER CONNIE MCCREADY, RAY MILLER, AND CHUCK KEMPER VISITED THE FACILITY.

THE FINANCIAL ANALYSIS WHICH PUBLISHERS HAS DEVELOPED UTILIZES THE EXPERIENCES OF TELEDYNE FOR COSTS IN DEVELOPING AND OPERATING A FRONT-END PROCESSING FACILITY, PUBLISHERS' OWN OPERATIONAL EXPERIENCES AND THEIR CONSULTING STUDY FOR BOILER DEVELOPMENT, OPERATION AND MAINTENANCE COSTS. NEGOTIATION OF THE PARKER CONTRACT FOR DESIGN, CONSTRUCTION, AND OPERATION OF A FACILITY AS WELL AS JUSTIFICATION OF THE TOTAL PROJECT FOR THE STATE LEGISLATURE HAS PROVIDED MSD STAFF WITH DATA TO COMPARE MAJOR ELEMENTS OF PUBLISHERS PROPOSAL, WITH THE PROJECT AS DEVELOPED TO DATE.

THE STAFF HAS REVIEWED INDIVIDUAL ELEMENTS OF THE PUBLISHERS PROPOSAL WHICH WE ARE FAMILIAR WITH INCLUDING THE REVENUE TO BE DERIVED FROM USER FEES AND WE ARE ASSURED THAT THE IMPACT ON THE RATE PAYER AND THE ENVIRONMENTAL BENEFITS DERIVED FROM THE PROJECT ARE REASONABLY SIMILAR TO WHAT MSD HAS REPRESENTED TO THE LEGISLATURE AND PUBLIC PREVIOUSLY.

MINUTES OF THE MEETING WITH PUBLISHERS ARE ATTACHED.

THE AGREEMENT

THE PURPOSE OF THE AGREEMENT IS TO LAY OUT THE BASIS FOR PROCEEDING WITH THE PROJECT IN AN ORDERLY FASHION MINIMIZING THE RISK OF UNFORESEEN DEVELOPMENTS TO BOTH MSD AND PUBLISHERS.

THE DRAFT AGREEMENT IS ATTACHED.

THE STAFF RECOMMENDS APPROVAL OF CONTRACT 77-036 WITH PUBLISHERS
PAPER COMPANY SUBJECT TO LEGAL COUNSEL REVIEW.

MSD SOLID WASTE MANAGEMENT
AND RESOURCE RECOVERY PROGRAM, PORTLAND, OREGON

Minutes of Meeting held December 21, 1976

Attendees: See attached listing

Meeting Agenda: Attached

Meeting convened at approximately 2:30 p.m.

Charles Kemper, MSD, introduced those present and discussed the purpose of the meeting as itemized in the Agenda. It was determined that the meeting purposes should be expanded to include a definition of near term actions required.

A statement was given by Jack Meadows, President of Publishers Paper Company (PPC). He indicated that:

1. PPC has actively investigated project feasibility for the last 15-16 months at an estimated cost of approximately \$100,000.
2. PPC and Teledyne National (TN) have entered into a Letter Agreement.
3. PPC and TN have jointly made a preliminary examination of technical and economic feasibility and have concluded that the program appears to be attractive.
4. PPC is prepared to continue involvement in the project.

Roy Ruel of PPC showed a preliminary conceptual schematic of the proposed facility and described the basic parameters. Present planning envisions that the boiler house would be located on PPC Oregon City Mill property. The front-end processing facility would be located approximately two miles away. Steam generated would primarily be for process purposes. Two different

types of turbo-generators would be used to generate electrical power for internal use within PPC. It was assumed that the Facility would process approximately 400,000 tons of municipal solid waste per year. PPC would beneficially own the Facility and operate the boilers and power house. TN would design the Facility and contract with PPC to operate the front-end processing plant.

Charles Kemper pointed out that they are measuring solid waste by volume rather than weight and the assumption of 750,000 tons annually may be in error. Mr. Kemper confirmed that this project does not change the concept of a possible separate processing facility for the Northern area of MSD.

Robert Turley introduced a 3-step concept for implementation prior to construction.

- | | |
|-----------|---|
| Phase I | Engineering Design |
| | System design and definition of business arrangements. |
| Phase II | Engineering Design |
| | Detailed design, bidding, and financing arrangements. |
| Phase III | Execution of financing and the signing of all final agreements. |

Mr. Ruel estimated a cost of \$300,000 and six months for the first step. Mr. Turley thought that Phase I could possibly be done faster (4 months) depending on the amount of engineering in Phase I versus Phase II.

Ernie Schmidt and Dean Gisvold discussed the availability of DEQ funds for this purpose. There has been an allocation of \$11,300,000 in funds for this project but there are restrictions on its use including a requirement to resolve the legal issues of flow control, borrowing, and users' fees. The borrowing issue received a favorable judicial ruling, but has been taken to

the Court of Appeals; a decision is expected in January. A hearing on flow control and user fees is scheduled for December 28, 1976 in Circuit Court. It is expected that the Court's decision will come down on that date or within a few weeks therefrom. Current legislation requires that the decision be taken to the Appeals Court. These issues may be taken to the Legislature if not favorably resolved in Court or it if appears that extended judicial appeals will adversely affect the program's viability. It was pointed out that 70% of the funds have been designated as a loan, 30% as a grant. The loan portion must be used prior to the grant. The effective interest rate for loan pay-back is approximately 5% over a 15-16 year pay-back.

Mr. Schmidt pointed out that the State requires a permit which includes an environmental assessment. Most of the work associated with the environmental assessment is available in MSD.

Mr. Kemper suggested that the next step be to draft an agreement covering the entire project in general terms and Phase I in expanded detail. It was agreed that TN would undertake to prepare a draft of the agreement as soon as possible but no later than in time to get on the agenda for the January 28, 1977 MSD Directors meeting. It was also agreed to have a preliminary draft available for a "work session" near or concurrent with the January 14 MSD Board meeting. Briefing(s) on technical and financial feasibility for the MSD and DEQ professional staffs by PPC and TN were scheduled for December 23, 1976 and subsequent dates as and if necessary so that staff could present their impression to the Directors at the "work session."

The meeting adjourned at approximately 4:30 p.m.

MEETING 12/21/76

NAME	Organization	Telephone No.
BOB TURLEY	TELETYPE	(213) 886-2211
Roy Ruel	PPCo	✓
Jim Quirkson	P.P. Co.	✓
Bob Huber	✓	✓
STENDER SWEENEY	Times Mirror Co.	(213) 486-3933
PETE SCHNELL	P.P. Co.	(503) 656-5211
BOB BROWN	DEQ	" 229-5913
Ron Perkins	City of Portland	248-4334
Corky Ketterling	MSD	222-3671
Connie M. Brady	City of Portland-MSD	248-4143
Lenie Schmidt	DEQ.	229-5913
Miller M. Duris	MSD	648-0821
Robert M. Duris	MSD	
John M. Wright	City of Portland	218-4148
Chuck Kasper	MSD	222-3671
DEAN Gisvold	Attorney for MSD	226-7321
MERLE IRVINE	MSD	2223671
Kenneth R. Shepherd	Teledyne	(213) 886-2211

PUBLISHERS PAPER CO.-
METROPOLITAN SERVICE DISTRICT

A G E N D A

DECEMBER 21, 1976

PURPOSE OF MEETING:

1. TO PROVIDE MSD WITH AN UNDERSTANDING OF WHAT PUBLISHERS AND TELEDYNE HAVE BEEN WORKING ON TO DATE.
2. PRESENT A SUMMARY DESCRIPTION OF THE PROJECT PUBLISHERS ENVISIONS; AND SOME KEY PROBLEMS WHICH MUST BE RESOLVED.
3. DISCUSS THE DEVELOPMENT OF A PRELIMINARY AGREEMENT BETWEEN PUBLISHERS AND MSD ON PROCEEDING WITH A DETAILED ANALYSIS OF THE PROJECT LEADING DIRECTLY TO A MAJOR COMPREHENSIVE MSD/PUBLISHERS CONTRACT.

STATUS REPORT - PUBLISHERS PAPER

1. DESCRIPTION OF PROPOSED PROJECT.
2. PROPOSED ROLES AND ORGANIZATIONAL STRUCTURE
3. PRELIMINARY FINANCIAL ARRANGEMENT.

OVERALL PROGRAM - PUBLISHERS PAPER

MAJOR MILESTONES

DEVELOPMENT OF STEP 1 AGREEMENT

1. MSD/PUBLISHERS AGREEMENT TO PROCEED ON JOINT DEVELOPMENT OF THE PRELIMINARY DESIGN AND FINANCING FOR THE PROPOSED PROJECT.
2. FUNDING FOR STEP 1 WORK.

ACTION REQUIRED

CONSENSUS ON MSD AND PUBLISHERS TO PROCEED.

OVERALL PROGRAM MAJOR MILESTONES

THE FOLLOWING ARE THE MAJOR MILESTONES DETERMINED AT THIS TIME:

1. PRELIMINARY FEASIBILITY STUDY - PPC
2. STEP 1 AGREEMENT BETWEEN PPC AND MSD TO PROCEED IN JOINT DEVELOPMENT OF INITIAL STEPS IN PROJECT IMPLEMENTATION.
 - A) PRELIMINARY FACILITY DESIGN AND COST ESTIMATE.
 - B) ENVIRONMENTAL IMPACTS (DEQ APPROVAL).
 - C) CAPITAL FINANCING PLAN
 - D) IDENTIFY BOND ISSUER.
 - E) OPERATIONAL PLAN.
 - F) SOLID WASTE QUANTITY AND QUALITY.
 - G) OTHER BYPRODUCT MARKETS.
 - H) R.O.I. STUDY.
3. RESOLVE MSD LEGAL ISSUES.
 - A) USER FEE
 - B) FLOW CONTROL
 - C) BORROW
4. I.R.S. APPROVAL
5. UNDERWRITER APPROVAL.
6. SITING AND ZONING APPROVALS.
7. CONTRACT REVIEW BOARD APPROVAL.
8. LOCAL JURISDICTIONS APPROVAL
9. STEP II AGREEMENT BETWEEN PPC AND MSD DESIGN, CONSTRUCTION OPERATION AND MARKETING OF BYPRODUCTS.
 - . FINAL DESIGN

10. ISSUE REVENUE BONDS.

11. CONSTRUCTION

12. CHECKOUT

13. OPERATION

AGREEMENT FOR IMPLEMENTING OF RESOURCE
RECOVERY FACILITIES

BETWEEN

PUBLISHERS PAPER COMPANY AND
THE METROPOLITAN SERVICE DISTRICT1.0 History

1.1 The Metropolitan Service District (MSD) was created by a favorable vote of the people in May 1970 and charged with solving metropolitan solid waste disposal problems. With funds supplied by the State of Oregon, MSD sponsored a Solid Waste Management Study by COR-MET that produced the original Solid Waste Management Program. The Program emphasizes resource recovery and landfills as the primary method for disposal. In 1972, the Department of Environmental Quality (DEQ) adopted a statewide goal that by 1982, 90% of the garbage would be recycled and reused. MSD's Solid Waste Program calls for two processing stations, one in Oregon City and one in North Portland and a transfer station in Washington County. The processing stations would recover from today's garbage resources such as ferrous metals, and a refuse derived fuel (RDF). The program envisioned the sale of these recovered resources to pay for the program along with service fees. MSD applied for a grant loan from the DEQ of State Pollution Control Bonds. In May 1976, the Emergency Board of the State Legislature authorized grant/loan of \$11.2 million to MSD for implementation of its program with the construction of the South processing station in Oregon City and the Washington County transfer station subject to certain conditions.

1.2 Publishers Paper Company (Publishers) is a subsidiary of the Times-Mirror Company headquartered in Los Angeles, California. Publishers employs approximately 600 people at its Oregon City facility and additionally employs 1550 people in various locations around the state. Publishers produces paper and forest products from its various facilities and is currently spending approximately \$15,300,000.00 per year at its Oregon City facility to meet its energy needs. Publishers desires to establish a continuous and reliable flow of refuse-derived fuel at a reasonable cost to meet its energy needs and reduce its reliance on alternative sources of fuel which have prices that are volatile and a supply which is interruptable.

1.3 MSD goals are to protect the public health in all solid waste management operations, to minimize the effects of solid waste on the environment, to maximize the reclamation and reuse of materials from solid wastes in as economical and environmentally sound manner as possible.

1.4 The Congress of the United States has recently passed the Resources Recovery and Conservation Act which will put a national focus on resource recovery facilities and provide funds for the planning and implementation of such facilities. However, this Act will not be fully implemented for at least one year.

1.5 Across the nation, other major metropolitan areas are turning to various resource recovery programs to reduce dependency on landfills and to reuse and recover valuable resources that are now being buried in the ground. Projects similar to the MSD project envisioned herein currently in operation in Baltimore County, Maryland; Saugus, Massachusetts; Ames, Iowa; and are envisioned for Akron,

Ohio; Milwaukee, Wisconsin; Detroit, Michigan; Chicago, Illinois; etc.

1.6 MSD has made every effort to solicit and develop markets for the recovered resources such as ferrous metals and RDF. MSD currently has a contract for the purchase of ferrous metals. Persons other than Publishers have been approached for the purchase and use of RDF and, although many have expressed interest once they can see and sample the final product, none have expressed an interest in becoming involved in the implementation and development of the system. Publishers is the only private concern that has expressed its willingness both publicly and in expenditure of substantial time and funds of its own. In order to reach this agreement, Publishers has expended approximately \$100,000.00 in determining the feasibility of this project. In making such determination, it has received assistance from Teledyne National, Inc., (TN) whose time and funds amount to approximately \$_____.

One of the conditions attached to the grant/loan from the state was that MSD have markets available for the recovered resources prior to implementation of the Program. Although MSD feels that this condition provides several restraints on implementation, it recognizes and understands the legislative need for such a condition and has made every effort to meet such condition. This agreement, it believes, is in keeping with this legislative requirement.

2.0 Description of Project as Proposed by Publishers

As a result of the substantial investment by Publishers and Teledyne in looking at the MSD Program, Publishers has proposed to MSD that with respect to the South Processing Station, the Program should be implemented in the following fashion:

Publishers would be the prime contractor with MSD for the construction and operation of the processing facility. The capital costs could be met in several ways which would be determined during Phase I. MSD's role would be that of regulation and not unlike a public utility. The other recovered resources would be sold to third parties.

A front-end processing facility capable of processing 400,000 tons of commercial and municipal solid waste annually will be constructed on a site approximately ten acres in Oregon City. This processing facility will shred, air-classify, and separate usable fractions of the municipal solid waste (MSW) into refuse derived fuel (RDF) ferrous metals, and other by-products.

The RDF will be delivered to a specially designed 100% RDF fired boiler(s) and turbo-generators located on the Publishers plant site in Oregon City where it will be converted to process steam and electrical energy. Inert ash and that portion of the MSW which cannot be sold or otherwise disposed of will go to landfill.

3.0 Multiphase Implementation of the Project

Preliminary study and investigation by MSD, Publishers, and the consulting firms of Teledyne National (Teledyne) and CH2M Hill have all reached the preliminary conclusion that the project is both economically and technically feasible and that the parties to this Agreement should proceed with a multiphased implementation effort of which Phase I Engineering Design is the first of five (5) phases.

While it is possible that the schedules outlined below can be improved, a realistic estimate for purposes of initial planning would indicate the following time spans.

. Phase I	- Engineering Design	4-6 months
. Phase II	- Detail Engineering Design	6-9 months
. Phase III	- Execution of Final Contracts and Implementation of Financing	3 months
. Phase IV	- Construction and Checkout	24 months
. Phase V	- Startup and Operation	Begin mid-1980

4.0 Organization and Responsibilities

4.1 Teledyne National (Teledyne)

Because of Teledyne's broad experience and background in designing, constructing and operating resource recovery facilities, it is anticipated Publishers will retain Teledyne as a general consultant during Phase I Engineering Design. In addition to other tasks which may be assigned, Teledyne will provide assistance in overall systems design, market analysis, and economic evaluation.

4.2 Engineering Consultant (EC)

It is also anticipated Publishers will retain a local EC to perform the required engineering design work for Phase I.

4.3 Project Advisory Committee (PAC)

A PAC will be formed to monitor and evaluate work performed under this Agreement.

Membership will be composed of representatives from MSD, Publishers, Teledyne and the EC with periodic participation by the Department of Environmental Quality (DEQ) and others as may be deemed appropriate. The DEQ is an advisory body from a regulatory and environmental point of view and represents the interests of the State of Oregon.

Teledyne shall serve as Project Coordinator to:

- . Coordinate and schedule activities of all parties so that goals will be met in a timely, efficient, and cost effective manner.
- . Convene regular and special meetings as required.
- . Monitor work effort and report status.
- . Keep appropriate records.

The MSD representative will serve as Chairman and can call special PAC meetings.

Publishers will appoint a Project Manager who will have direct responsibility for all facility engineering and design under the direction of the Publishers Chief Engineer.

5.0 Scope of Work

Publishers will be responsible for the satisfactory and timely completion of the Phase I work. Publishers will hire consultants necessary to accomplish Phase I work upon concurrence by MSD. Publishers will supply sufficient and knowledgeable employees to work with and coordinate with the consultants. In no event is MSD responsible to Publishers or any consultant hired by Publishers either individually or in the aggregate in excess of the Phase I funds. Publishers will comply with all pertinent Oregon laws required to be complied with by a person contracting with a public agency. This contract is exclusively for personal services.

MSD will supply sufficient staff time to work with and coordinate with Publishers and the consultants to the end that the Phase I work will be completed in a timely fashion.

DEQ will supply sufficient employee staff time to work and coordinate with MSD and Publishers and the consultants to the end that the Phase I work will be completed in a timely fashion.

5.1 Task Outline - Phase I Engineering Design

- . Perform system design and preparation of major equipment specifications up to point of preparing detailed drawings.

- . Prepare capital budget estimate based upon systems design and bids for all major equipment items.

- . Evaluate construction sites including costs of improvement and coordinate with local jurisdictions to insure that there are no significant impediments to development and construction.

- . Characterize solid waste to be received at the facility including composition and quantity. Determine possible variances and methods for variance control.

- . Assess environmental factors and obtain DEQ approval of principal environmental controls.

- . Analyze markets for recovered resources other than energy and determine buyers, quantities and prices.

- . Analyze operations and prepare operating cost data.

- . Agree on the basic financing plan and identify the prospective bond issuer. Estimate financing costs.

- . Prepare preliminary project cash flow and net income statements.

- . Resolve MSD legal issues pertaining to user fees, flow control, and borrowing capability.

- . Prepare a plan for community education and coordination.

- . Prepare a final report and recommendations for Phase II engineering effort.

5.2 Financing of Phase I Engineering Design

Within 30 days and prior to commencing Phase I work, a detailed work scope and budget will be developed and shall become a part of this Agreement after approval by MSD and Publishers. This Agreement is contingent upon the availability of funds from advances from DEQ and/or funds derived from user fees.

The cost of the work to be incurred by Publishers for its own expenses and employees will not be included in the cost estimate nor are such costs to be reimburse.

The study and design work previously performed by the consulting engineering firm of CH2M Hill, under the direction and cost of Publishers will be made available in its entirety to assist and expedite the completion of the Phase I work.

After evaluation of the results of Phase I effort, and in the event there is no termination, it is contemplated that this Agreement will be appropriately ammended and that Phase II effort will immediately begin.

The major objectives for Phase II effort are:

- . Prepare detail drawings and bid packages necessary for the competitive bidding of all major construction and equipment contracts.

- . Bid major construction and equipment contracts.

- . Prepare all data necessary to implement the chosen financing structure.

- . Verify capital and operating budgets.

6.0 Total Project Financing

As part of the work scope under this Agreement, the most effective method for financing the project will be determined and it is recognized that the financial structure chosen will substantially effect the final contractual roles and responsibilities of all participating parties.

It is further contemplated that the final project financing will provide for the reimbursement of any funds loaned or advanced to the project to perform work under Phases I and II as described above.

7.0 Termination

This Agreement can be terminated by mutual consent or upon the receipt of twenty (20) days written notice by either party in the event further work is considered by the party giving notice, to be unjustified.

In the event of termination during the course of or at the completion of Phase I, the results of the work effort shall become the sole property of MSD who shall have all rights to terminate the project or to complete the work with other parties of their choice. It is further understood that if this Agreement is terminated, MSD intends to use the Phase I work as a basis for detail design engineering (Phase II) of the South Processing Station.

8.0 Indemnification

Publishers shall indemnify MSD and DEQ, and each of them, from all claims, expenses, causes of suit or action arising out of or connected with the work performed by Publishers and its consultants under this Agreement.

9.0 Liabilities

It is understood that there are no commitments or agreements between MSD and Publishers beyond those contained herein and that each party to this Agreement reserves the right of project evaluation at the conclusion of Phase I in accordance with their own requirements and objectives.

Each party does hereby confirm and execute this Agreement as of this ____ day of January 1977 by their respective signatures.

Authorized Signature:

Witness:

By:
Metropolitan Service District
Date: _____

Date: _____

Authorized Signature:

Witness:

By:
Publishers Paper Company
Date: _____

Date: _____

METROPOLITAN SERVICE DISTRICT

BOARD OF DIRECTORS

GUEST ATTENDANCE LIST

DATE: Jan. 14, 1977

NAME	REPRESENTATION
Jim Nieser	Plews Land Rec.
Ronald Watson, Attorney	Land Reclamation Inc
Paul Gil	Gil Enterprises Cons.
Manuel Glang	M.O.C.
GEORGE D. WARD	CONSULTING ENGINEER
BOB BROWN	DEQ
Don Hamburg	Wash County Haulers assoc.
John Hamburg	M.H. Co.
W. J. Hoff	200
John Phillips	MSD-200
David D. Phillips	Clackamas County
Kenneth A. Shepherd	Teledyne National
Knapp	Gunnar Inc
Jack Pement	One. Journal
Jim Cozzetto	MDC
Harold LaVelle	H.G. LaVelle, Inc