A G E N D A

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METRO

DATE: July 22, 1993
MEETING: Metro Council
DAY: Thursday
TIME: 4:00 p.m.
PLACE: Metro Council Chamber

Approx. Time*		Presented By
4:00	**1. INTRODUCTIONS**	
	2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS	
	3. EXECUTIVE OFFICER COMMUNICATIONS	
	4. OTHER BUSINESS	
4:05 (10 min.)	**4.1 Metro Apportionment Commission Report**	
4:15 (10 min.)	**4.2 Tax Study Commission Report**	
4:25 (5 min.)	**5. CONSENT AGENDA** (Action Requested: Motion to Adopt the Consent Agenda)	
	5.1 Minutes of June 24, 1993	
	FROM THE PLANNING COMMITTEE	
	5.2 Resolution No. 93-1825, For the Purpose of Amending the FY 94 Unified Work Program to Include the Single Corridor South/North Alternatives/Draft Environmental Impact Statement Work Element and Amending the FY 93 TIP Accordingly	
	FROM THE FINANCE COMMITTEE	
	5.3 Resolution No. 93-1817, For the Purpose of Confirming the Appointment of Patricia Shaw to the Investment Advisory Board	
	5.4 Resolution No. 93-1822, For the Purpose of Obtaining the Approval of the Metro Council to Write Off Certain Accounts Receivable	

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* All times listed on this agenda are approximate; items may not be considered in the exact order listed.

	6.	**ORDINANCES, SECOND READINGS**	
		FROM THE FINANCE COMMITTEE	
4:30 (10 min.)	**6.1**	**Ordinance No. 93-504,** For the Purpose of Amending Metro Code Section 5.02.060 Relating to the Credit Policy at Metro Solid Waste Facilities PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance)	Monroe
		FROM THE SOLID WASTE COMMITTEE	
4:40 (10 min.)	**6.2**	**Ordinance No. 93-503,** For the Purpsoe of Amending Metro Code Section 5.06.065, Criteria for Funding Metro Central Station Community Enhancement Projects/Programs PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance)	Hansen
	7.	**RESOLUTIONS**	
		FROM THE PLANNING COMMITTEE	
4:50 (10 min.)	**7.1**	**Resolution No. 93-1821,** For the Purpose of Approving the Selection of Hearings Officers for Contested Case Hearings (Action Requested: Motion to Adopt the Resolution)	Moore
5:00 (10 min.)	**7.2**	**Resolution No. 93-1820,** Recommending Selection of a Locally Preferred Alternative and Making an Associated Land Use Decision for the Hillsboro Corridor Project (Action Requested: Motion to Adopt the Resolution)	Moore
		FROM THE SOLID WASTE COMMITTEE	
5:10 (10 min.)	**7.3**	**Resolution No. 93-1823,** For the Purpose of Adding One New Project to the Year Five Project List for the One Percent for Recycling Program for Fiscal Year 1992-93 (Action Requested: Motion to Adopt the Resolution)	McLain
5:20 (10 min.)	**7.4**	**Resolution No. 93-1824A,** For the Purpose of Establishing a Process for Evaluation of Metro's Solid Waste Fees, Consideration and Review of a New Rate Structure for FY 94-95, and Completion of Chapter 11 (Rates) of the Regional Solid Waste Management Plan (Action Requested: Motion to Adopt the Resolution)	McFarland
5:30 (10 min.)	**7.5**	**Resolution No. 93-1827,** For the Purpose of Authorizing Issuance of a Request for Proposals for Laboratory Services for St. Johns Landfill (Action Requested: Motion to Adopt the Resolution)	
5:40 (10 min.)	**8.**	**COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS**	
5:50		ADJOURN	

* All times listed on this agenda are approximate; items may not be considered in the exact order listed.

Meeting Date: July 22, 1993
Agenda Item No. 5.1

MINUTES

MINUTES OF THE METRO COUNCIL

Council Chamber

June 24, 1993

Councilors Present:	Presiding Officer Judy Wyers, Deputy Presiding Officer Roger Buchanan, Richard Devlin, Jim Gardner, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Susan McLain, Rod Monroe and Ed Washington
Councilors Excused:	Terry Moore and George Van Bergen
Also Present:	Executive Officer Rena Cusma

Presiding Officer Wyers called the regular meeting to order at 4:01 p.m.

Presiding Officer Wyers announced Agenda Item No. 8.4 would be considered before Agenda Item No. 8.1.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

Veronica Morgan, citizen, testified about a hospital bill she had received after being treated for a fall near Tri-Met's lightrail line near the Oregon Convention Center approximately three years ago. After a brief discussion by the Council, General Counsel Dan Cooper said he would discuss the issue with Ms. Morgan's attorney. Councilor Gates asked that Metro provide Ms. Morgan with a letter to provide her collection agency with to give her additional time to take care of the hospital bill.

3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Cusma said the National Association of Regional Governments (NARC) conference held in Portland the week of June 19 was successful and presented the Council with a plaque from NARC to Metro, "In Grateful Appreciation and Thanks for Their Many Efforts and Courtesies in Hosting a Memorable 27th Annual Conference."

4. OTHER BUSINESS

4.1 Review of MERC Resolution Nos. 226 and 227 and MERC Work Plan

Councilor Washington gave the Regional Facilities Committee's report and recommendations on Resolution Nos. 226 and 227 and the Metropolitan Exposition-Recreation Commission's (MERC) proposed work plan.

Presiding Officer Wyers opened a public hearing.

Gary Grimmer, Portland/Oregon Visitors Association (P/OVA) Executive Director, agreed there was an expanded need for minorities marketing. Responding to Councilor Washington's question, he said it would be difficult to create a marketing program on a monthly billing basis. The Council and Mr. Grimmer discussed the issues further. Mr. Grimmer noted P/OVA planned for events as much as nine months in advance.

Motion No. 1: Councilor Washington moved, seconded by Councilor McFarland, to continue consideration of MERC Resolution Nos. 226 and 227 to the September 9, 1993, Council meeting.

Patrick LaCrosse, MERC General Manager, said MERC Chair Sam Brooks hoped the Council would defer their decision until the work contained in the work plan (contained in MERC's two-page report printed in the agenda packet) was completed. The Council and Mr. LaCrosse discussed MERC's actions as proposed. Mr. LaCrosse explained a task force had been appointed and was about to begin implementation of the work plan. Councilor McLain asked if starting that work two months from this date would be considered too long or if the Council should take action at its next meeting. Mr. LaCrosse explained Chair Brooks favored delaying signing the contract with P/OVA until the task force's work was completed.

Councilor Gardner noted at the June 16 Regional Facilities Committee meeting, MERC representatives presented the work plan and plans for a committee which would work for 60 days and report their recommendations. He explained the time line as set by the Regional Facilities Committee was that the task force's work would be completed in early August, presented to MERC August 11, and MERC representatives would present that plan to the Regional Facilities Committee August 18. He said the Regional Facilities Committee would then present the work plan at the August 26 Council meeting. He asked Mr. LaCrosse if Chair Brooks asked for an extension of that schedule or an extension of the same. Mr. LaCrosse said the process as detailed in the work plan should still be effective. He said Chair Brooks wished to give his opinion on the P/OVA contract itself. He said Chair Brooks hoped to continue the existing contract with P/OVA until outstanding issues were resolved.

Councilor Devlin asked if the Council could legally extend the contract with P/OVA for two to three months. Dan Cooper, General Counsel, said the Council could do so. Councilor Devlin asked if that required administrative action or if MERC could do so on their own.

Mr. Cooper said MERC could take action on its own to do so. Councilor Devlin asked if it was still necessary to defer action on Resolution No. 227 which authorized a separate contract with the Oregon Tourism Alliance (OTA). Councilor Washington agreed that Resolution No. 227 should not be included in his motion. Councilor Devlin asked Councilor Washington if the motion also included the conditions set by the Regional Facilities Committee as stated by Councilor Gardner. Councilor Washington said that was the intent of his motion also. Presiding Officer Wyers noted that Councilor Washington's/McFarland's motion did not include Resolution No. 227 and included the conditions as set by the Regional Facilities Committee at their June 16 meeting and said the Council would vote on Councilor Washington's motion as restated.

Restatement of Motion No. 1: Presiding Officer Wyers restated the motion for the record: To continue consideration of MERC Resolution No. 226 to the September 9, 1993, Council meeting under the conditions as set by the Regional Facilities Committee on June 16, 1993.

Councilor Devlin clarified the motion's intent should also contain No. 1. of MERC's June 16, 1993 memorandum: "Goal: Increased Minority Conventions/Conferences for the Region including a specific goals and a process to reinforce the marketing effort," and all other objectives as stated in the memorandum.

Vote on Motion No. 1: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Motion No. 1 passed.

Motion No. 2: Councilor Gardner moved, seconded by Councilor Devlin, for approval of MERC Resolution No. 227.

Vote on Motion No. 2: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Motion No. 2 passed.

Councilor McFarland complimented MERC and P/OVA on their efforts and said they had done a very good job in all aspects of managing regional recreational facilities and marketing efforts.

5. CONSENT AGENDA

5.1 Resolution No. 93-1814, For the Purpose of Amending the Metro Committee for Citizen Involvement (Metro CCI) Bylaws

Motion: Councilor Gates moved, seconded by Councilor Hansen, to adopt the Consent Agenda.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and the Consent Agenda was adopted.

6. ORDINANCES, FIRST READINGS

6.1 Ordinance No. 93-504, For the Purpose of Amending Metro Code Section 5.02.060 Relating to the Credit Policy at Metro Solid Waste Facilities

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers referred Ordinance No. 93-504 to the Solid Waste Committee for consideration.

7. ORDINANCES, SECOND READINGS

7.1 Ordinance No. 93-487A, For the Purpose of Adopting the Annual Budget for Fiscal Year 1993-94, Making Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 93-487 was first read on March 11, 1993, and referred to the Finance Committee for consideration. The Finance Committee, acting as the Budget Committee, held 15 public hearings on the ordinance between March 15 and April 23 and the Finance Committee held a final hearing on the ordinance at its June 17 meeting and recommended the full Council adopt Ordinance No. 93-487A. Presiding Officer Wyers also noted that the Council adopted Resolution No. 93-1755, For the Purpose of Approving the FY 1993-94 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission on May 6, 1993.

Main Motion: Councilor Monroe moved, seconded by Councilor Gardner, for adoption of Ordinance No. 93-487A.

Councilor Monroe gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Motion to Amend: Councilor Monroe moved, seconded by Councilor Gardner, to amend Ordinance No. 93-487A, Exhibits B and C to transfer $100,000 from the General Fund Unappropriated Balance to Contingency for the purpose of funding potential election costs during FY 1993-94.

Vote on Motion to Amend: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and the motion to amend passed.

Vote on Main Motion as Amended: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Ordinance No. 93-487A was adopted as amended.

7.2 Ordinance No. 93-494, An Ordinance Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Schedule for the Purpose of Adopting a Supplemental Budget, Rerecognizing the PCPA Capital and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 93-494 was first read on April 8, 1993, and referred to the Finance Committee for consideration. She announced the Finance Committee considered the ordinance on June 17 and recommended it to the full Council for adoption.

Motion: Councilor Kvistad moved, seconded by Councilor Monroe, for adoption of Ordinance No. 93-494.

Councilor Kvistad gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Ordinance No. 93-494 was adopted.

7.3 Ordinance No. 93-496, An Ordinance Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Schedule for the Purpose of Recognizing New Grant Funds and Related Expenditures, and Transferring Appropriations within the Recycling Information and Education Division and the Planning and Technical Services Division; and Declaring an Emergency (Public Hearing)

Presiding Officer Wyers announced that Ordinance No. 93-496 was read for a second time at the June 10, 1993, Council meeting, but was not adopted at that time because only eight Councilors were present and nine affirmative votes are necessary to adopt an ordinance containing an emergency clause. She announced the ordinance was first read on May 13 and that the Finance Committee recommended it to the full Council for adoption on May 26, 1993.

Motion: Councilor Buchanan moved, seconded by Councilor Gardner, for adoption of Ordinance No. 93-496.

Councilor Buchanan gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Ordinance No. 93-496 was adopted.

7.4 Ordinance No. 93-500A, An Ordinance Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Schedule for the Purpose of Transferring Appropriations from Materials & Services to Capital Outlay in the Council Department to Fund Furniture Purchases (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 93-500A was first read on May 27, 1993, and referred to the Finance Committee for consideration. She announced the Finance Committee considered it on June 9 and recommended Ordinance No. 93-500A to the full Council for adoption.

Motion: Councilor Kvistad moved, seconded by Councilor Devlin, for adoption of Ordinance No. 93-500A.

Councilor Kvistad gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Ordinance No. 93-500A was adopted.

7.5 Ordinance No. 93-502, An Ordinance Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Scheduled for the Purpose of Transferring Appropriations within the Solid Waste Revenue Fund and the Rehabilitation and Enhancement Fund (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 93-502 was first read on May 27, 1993, and referred to the Finance Committee for consideration. She announced the Finance Committee considered the ordinance on June 9 and recommended it to the full Council for adoption.

Motion: Councilor Buchanan moved, seconded by Councilor Devlin, for adoption of Ordinance No. 93-502.

Councilor Buchanan gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Ordinance No. 93-502 was adopted.

8. RESOLUTIONS

8.4 Resolution No. 93-1812A, For the Purpose of Formal Recognition of Regional Emergency Management Workplan as a Guiding Document for Making Policy and Strategic Decisions on Emergency Management in the Region

Motion: Councilor Gates moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1812A.

Councilor Gates gave the Planning Committee's report and recommendations. Councilor Gates noted the Regional Emergency Management Workplan should be dated "June 1993," not "May 1993."

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1812A was adopted.

8.1 Resolution No. 93-1813A, For the Purpose of Creating a Tax Study Committee, Establishing a Scope of Work, and Confirming Appointments

Main Motion: Councilor Monroe moved, seconded by Councilor Devlin, for adoption of Resolution No. 93-1813A.

Councilor Monroe gave the Finance Committee's report and recommendations. Councilor Monroe referred to the June 23, 1993, memorandum "Tax Study Committee" distributed by Jennifer Sims, Director of Finance and Management Information.

Motion to Amend: Councilor Monroe moved, seconded by Councilor Gates, to replace Eric Merrill for appointment to the Tax Study Committee with Rebecca Marshall Chao.

Vote on Motion to Amend: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and the motion to amend Resolution No. 93-1813A passed.

Main Motion as Amended: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1813A was adopted as amended.

8.2 Resolution No. 93-1815, A Resolution Authorizing the Execution of a Note to Evidence Metro's Obligations Under the Regional Compact Entered into with Tri-Met, Expressing Metro's Intent to Reimburse Itself Out of Bond Proceeds for Various Expenses to be Incurred in Connection with Parking Improvements at the Washington Park Zoo, and Authorizing, Establishing and Determining Other Matters in Connection Therewith

Motion: Councilor Devlin moved, seconded by Councilor Gates, for adoption of Resolution No. 93-1815.

Councilor Devlin gave the Finance Committee's report and recommendations.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1815 was adopted.

8.3 Resolution No. 93-1789, For the Purpose of Appointing Leslie Blaize, Theodore E. White and Torrence Royer to Three Expiring Terms on the Metro Central Station Community Enhancement Committee and Appointing Robert H. Bay to Fill a Vacancy on the Metro Central Station Community Enhancement Committee

Motion: Councilor Washington moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1789.

Councilor Washington gave the Solid Waste Committee's report and recommendations.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1789 was adopted.

8.5 Resolution No. 93-1809A, For the Purpose of Extending the Funding Task Force for Regional Facilities and Programs and Associated Planning Efforts

Motion: Councilor Hansen moved, seconded by Councilor Devlin, for adoption of Resolution No. 93-1809A.

Councilor Hansen gave the Regional Facilities Committee's report and recommendations. The Council briefly discussed the resolution.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1809A was adopted.

8.6 Resolution No. 93-1818A, For the Purpose of Approving an Intergovernmental Agreement in the Amount of $60,000 with the Special Districts Association of Oregon (SDAO) to Provide Legislative Services to Metro

Motion: Councilor Gardner moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1818A.

Councilor Gardner gave the Governmental Affairs Committee's report and recommendations. The Council and Executive Officer Cusma briefly discussed the resolution.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1818A was adopted.

8.7 Resolution No. 93-1808A, For the Purpose of Adopting the FY 1993-94 Pay Plan and Awarding a Cost of Living Adjustment to AFSCME, Local 3580 and the Laborers International Union, Local 483 Employees

Motion: Councilor Hansen moved, seconded by Councilor McFarland, for adoption of Resolution No. 93-1808A.

Councilor Hansen gave the Governmental Affairs Committee's report and recommendations. She explained staff had submitted a corrected pay schedule for Council approval.

Vote: Councilors Buchanan, Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Washington and Wyers voted aye. Councilors Moore and Van Bergen were absent. The vote was unanimous and Resolution No. 93-1808A was adopted.

9. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Presiding Officer Wyers reviewed appointments made to the Future Vision Commission.

Merrie Waylett, Senior Management Analyst, distributed her June 24, 1993, memorandum "HJR 10" and discussed same. The Council and Mr. Cooper discussed HJR 10 further.

Councilor Hansen discussed meetings held with Council staff to-date and noted two more sessions had been scheduled with the facilitators in September and October.

Vickie Rocker, Director of Public Affairs, distributed an advertisement "Discover the World of Metro Regional Services" to be published in The Oregonian to solicit citizens to mail away for "Passports to Metro Regional Services."

Councilor Washington thanked the Council for time and consideration devoted to MERC Resolution Nos. 226 and 227.

Councilor McLain expressed concern about the new voice mail system and said her calls to the "General Mailbox" did not appear to be properly routed.

Presiding Officer Wyers distributed her June 24 memorandum "Council Actions to Implement the Charter" and discussed same.

All business having been attended to, Presiding Officer Wyers adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Paulette Allen

Paulette Allen
Clerk of the Council

Meeting Date: July 22, 1993
Agenda Item No. 5.2

RESOLUTION NO. 93-1825

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1825, AMENDING THE FY 94 UNIFIED WORK PROGRAM TO INCLUDE THE SINGLE CORRIDOR SOUTH/NORTH ALTERNATIVES ANALYSIS/DRAFT

Date: July 15, 1993 Presented by: Councilor VanBergen

Committee Recommendation: At the July 13 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1825 Voting in favor: Councilors Van Bergen, Devlin, Gates, Monroe, and Moore. Absent: Councilor Kvistad.

Committee Issues/Discussion: Richard Brandman, Transportation Manager, presented the staff report Prior to this resolution, both JPACT and the Council have adopted a single South/North Corridor as the regions recommendation as we enter the Alternatives Analysis (AA)/Environmental Impact Statement (EIS) process on the corridor extending from Clackamas, through downtown Portland, to Clark County, Washington. We have also already adopted the Unified Work Program (UWP) but with two separate corridors; one South, one North. This was adopted six months ago before the two corridors were joined.

This resolution codifies the joining of these two corridors within the UWP and the Transportation Improvement Program (TIP) so that the federal government can program the $987,000 of federal funds that have been requested to help support this effort.

There was no discussion or comment and the resolution was approved unanimously and suggested for the Consent Agenda.

Following the vote, Andy Cotugno, Planning Director, informed the committee that there will shortly be another action coming before the Council relating to the South/North Corridor. That will be an amendment to the Metro budget that will clarify staffing assignments and dollar allocation to this, now single project.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY 94 UNIFIED WORK PROGRAM TO INCLUDE THE SINGLE CORRIDOR SOUTH/NORTH ALTERNATIVES ANALYSIS/ DRAFT ENVIRONMENTAL IMPACT STATEMENT WORK ELEMENT AND AMENDING THE FY 93 TIP ACCORDINGLY	RESOLUTION NO. 93-1825 Introduced by Councilor Van Bergen

WHEREAS, The Unified Work Program (UWP) describes all federally-funded transportation planning activities for the Portland-Vancouver metropolitan area to be conducted in FY 1994; and

WHEREAS, The FY 1994 Unified Work Program indicates federal funding sources for transportation planning activities carried out by Metro, the Southwest Washington Regional Transportation Council, the Oregon Department of Transportation, Tri-Met and the local jurisdictions; and

WHEREAS, The FY 1994 Unified Work Program was adopted by Metro Council on March 25, 1993 under Resolution No. 93-1769; and

WHEREAS, The adopted FY 1994 Unified Work Program includes separate work elements for South Corridor and North Corridor Alternatives Analysis/Draft Environmental Impact Statements; and

WHEREAS, Metro Council adopted Resolution No. 93-1784 that adopted as regional policy "the single South/North corridor from Clackamas County, Oregon through the Portland CBD to Vancouver, Washington as the region's next priority for high-capacity transit improvements following the Westside/Hillsboro project;"

WHEREAS, Metro Council further directed staff through Resolution No. 93-1784 to seek to prepare Alternatives Analysis

and the Draft Environmental Impact Statement on the South/North Corridor; and

WHEREAS, The South/North Corridor Project Management Group has directed Metro and participating jurisdictional staff to prepare and submit an application to the Federal Transit Administration for authorization to advance the South/North Corridor into Alternatives Analysis and the preparation of a Draft Environmental Impact Statement; and

WHEREAS, The South/North Corridor Project Management Group has approved the application to advance the South/North Corridor into Alternatives Analysis/Draft Environmental Impact Statement, and has approved a federal grant request for $987,950 in Interstate Transfer Transit funds, including a total revenue budget for the South/North Corridor into Alternatives Analysis of $8.25 million to be funded from State of Washington, Local Washington, State of Oregon, Local Oregon and Federal sources; and

WHEREAS, The adopted FY 93 Transportation Improvement Program has designated $987,950 of Interstate Transfer Program funds to a McLoughlin Boulevard AA/DEIS in FY 94 and the TIP must be amended to program these funds in FY 93; and

WHEREAS, the Federal Transit Administration has required that Metro amend the FY 1994 Unified Work Program to reflect the adoption of the single South/North Corridor and identify the proposed funding sources prior to approval of the application to advance into Alternatives Analysis and the Interstate Transfer Transit Funds grant request; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby declares:

1. That the 1994 Unified Work Program is amended to replace the South and North Corridor Alternatives Analysis/Draft Environmental Impact Statement elements with the South/North Corridor Alternatives Analysis/Draft Environmental Impact Statement element as reflected in Exhibit A.

2. The proposed revenue budget of $8.25 million for the South/North Corridor Alternatives Analysis/Draft Environmental Impact Statement is endorsed with revenues from the State of Washington, Local Washington, State of Oregon, Local Oregon and Federal sources as identified in Exhibit A.

3. That the Transportation Improvement Program is amended to program $987,950 of Interstate Transfer funds to the South/ North Transit Corridor Study and be available in FY 93.

ADOPTED by the Metro Council this _____ day of July, 1993.

Judy Wyers, Presiding Officer

LS:lmk
7-6-93
93-1825.RES

EXHIBIT A

SOUTH/NORTH AA/DEIS

PROGRAM DESCRIPTION

The purpose of the South/North Alternatives Analysis (AA)/Draft Environmental Impact Statement (DEIS) is to select a Locally Preferred Alternative (LPA) from a variety of mode and alignment alternatives to be studied within the South/North Transit Corridor Study. If the LPA is a build alternative, then it could advance into PE/FEIS, Final Design and Construction. The AA/DEIS will identify the significant environmental impacts, the costs and effectiveness and the financial feasibility of the alternatives providing the public and decision-makers with the information necessary to make the LPA choice. The decision-making process and the work plan for the South/North AA/DEIS work program would be divided into two tiers described below in more detail. (The complete work plan for the South/North Transit Corridor Study has been submitted to FTA under separate cover and is available upon request.)

RELATION TO PREVIOUS WORK

Work Program Prior to FY 93-94

In 1992, Metro and participating jurisdictions initiated the I-205/Milwaukie and I-5/I-205 Portland/Vancouver Preliminary AAs. The first phase of the Pre-AAs concluded with the adoption of Metro Resolution No. 93-1784 that selected the Milwaukie segment to the south and the I-5 segment to the north, connected through the Portland Central Business District (CBD) as the single South/North Priority Corridor.

Phase II of the Pre-AA has concentrated on identifying the wide range of mode and alignment alternatives that would advance into consideration under Tier I AA. The Pre-AA Phase II will conclude in July 1993 allowing Tier I AA to be initiated in July 1993.

OBJECTIVES

Work Program for FY 93-94

The objectives for the South/North AA/DEIS are divided by Tier I and Tier II.

Tier I

Purpose: To select a mode and study terminus to advance into Tier II AA. Alignment options will be narrowed and used to make the mode choice, and station location criteria, land use analysis and station siting options will be initiated.

- Prepare methodologies for evaluation measures and list of mode and terminus options for Tier I;

- Refine draft Financial Plan (consistency with RHCT System Plan for 1994 local funding vote);
- Prepare and implement a public involvement program;
- Develop and narrow HCT Alignment Alternatives;
- Develop HCT performance and design criteria, station siting criteria and station siting options;
- Refine LRT, Busway, River Transit, Commuter Rail and other mode alternatives;
- Define No-Build and TSM Alternative;
- Prepare Tier I Evaluation Methodology, Criteria and Measures, including the adoption of study Goals and Objectives;
- Prepare comparative costs for the alternatives;
- Prepare and document the data and measures to be used to make the mode, alignment narrowing and study termini decisions in Tier I;
- Select mode and study terminus;
- Select Consultant for Tier II, including the preparation of consultant selection materials (e.g. Request for Proposals);
- Refine Scope, Schedule and Budget for Tier II;
- Prepare Tier II Social, Economic and Environmental Impact Methodologies; and
- Prepare a conceptual definition of the alternatives that will advance into Tier II, and prepare the necessary base maps for those alternatives.

Tier II

Purpose: To publish a DEIS and to select a Locally Preferred Alternative.

- Prepare the Detailed Definition of the Alternatives, including the station locations, other transit facilities and fixed guideway and bus operations plans;
- Prepare and implement a public involvement program.

Following are the objectives of Tier II of the South/North AA/DEIS that will be accomplished after FY 93-94:

- Prepare the Analysis and Refinement of the Alternatives Including:

Final Definition of the Alternatives and Conceptual Engineering
Costing
Environmental Impacts
Travel Demand
Transportation Impacts

- Prepare a Financial Plan and Analysis for the Alternatives being considered;
- Prepare and Publish a Draft Environmental Impact Statement;
- Select a Locally Preferred Alternative; and
- Prepare a Locally Preferred Alternative Report and application to advance the corridor into Preliminary engineering, if a build alternative is selected.

It is anticipated that the South/North AA/DEIS will conclude with the selection of an LPA by September 1995.

EXPENDITURE		REVENUES	
FY 93-94			
Personal Services: (FTE 9.5)	$ 512,895	State of Washington:	$ 954,575
		Washington Local:	$ 238,644
Materials & Svcs.:	$2,372,883	State of Oregon:	$1,515,198
Computer (M&S):	$ 23,899	Federal E-4:	$ 326,024
Capital Outlay:	$ 0	Oregon Local:	$ 42,444
Transfers:	$ 167,208	**Total:**	**$3,076,885**
Contingency:	$ 0		
Total:	**$3,076,885**		
Total Project Budget FY 93-94 through FY 95-96			
Personal Services: (FTE)	$1,375,215	State of Washington:	$2,520,000
		Washington Local:	$ 630,000
Materials & Svcs.:	$6,362,371	State of Oregon:	$4,000,000
Computer (M&S):	$ 64,081	Federal E-4:	$ 987,950
Capital Outlay:	$ 0	Oregon Local:	$ 112,050
Transfers:	$ 448,333	**Total:**	**$8,250,000**
Contingency:	$ 0		
Total:	**$8,250,000**		

LS:lmk
7-2-93
93-1825.RES

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1825 FOR THE PURPOSE OF AMENDING THE FY 94 UNIFIED WORK PROGRAM TO INCLUDE THE SINGLE CORRIDOR SOUTH/NORTH ALTERNATIVES ANALYSIS/DRAFT ENVIRONMENTAL IMPACT STATEMENT WORK ELEMENT AND AMENDING THE FY 93 TIP ACCORDINGLY

Date: July 2, 1993 Presented by: Leon Skiles

PROPOSED ACTION

This resolution would amend the FY 1994 Unified Work Program (UWP) to consolidate the South and North Corridor Alternatives Analysis (AA)/Draft Environmental Impact Statement (DEIS) UWP Work Elements into a single South/North AA/DEIS UWP Work Element and to identify the funding sources for the study. The resolution would also amend the Transportation Improvement Program (TIP) to program Interstate Transfer Program funds in FY 93 to partially fund the effort.

FACTUAL BACKGROUND AND ANALYSIS

On March 25, 1993, Metro Council adopted Resolution No. 93-1710 for the purpose of approving the 1994 Unified Work Program (UWP). The 1994 UWP, as approved, included work elements for separate South and North AA/DEISs. While the work elements included estimates that each work element would require from $4-5 million to complete, specific revenue sources for the studies were not identified.

On April 22, 1993, Metro Council adopted Resolution No. 93-1784 for the purpose of selecting priority corridors to the south and the north. Within that resolution, Metro Council adopted as regional policy a single South/North Corridor from Clackamas County, Oregon through the Portland CBD to Vancouver, Washington as the region's next priority for high-capacity transit improvements following the Westside Hillsboro Project. The Milwaukie segment to the south and the I-5 segment to the north were selected for further analysis as the priority corridor.

Within an Action Plan also adopted through Resolution No. 93-1784, Metro Council directed staff to prepare to advance the single corridor into AA/DEIS. At that time, it was anticipated that Phase II of the Preliminary AA would continue through September 1993 with the selection of a small set of the most promising alternatives for AA and the preparation of a DEIS. Further, it was anticipated that AA/DEIS would be initiated in January 1994.

As Metro staff discussed the project decisions made in Resolution No. 93-1784 with Federal Transit Administration (FTA) staff, FTA agreed to allow the single South/North Corridor to advance into AA/DEIS. FTA staff also suggested that a two-tiered approach to

AA be incorporated into the work plan. FTA also suggested that much of the work identified as Phase II Pre-AA work could be incorporated into the first tier of AA. This approach, subsequently approved by both FTA and the South/North Project Management Group (PMG), would segment the AA decision-making into the two tiers. First, in Tier I AA, the region would select a preferred high-capacity transit mode, narrow the range of alternative alignments to two or three most promising alignments for that mode, and select study termini. The preferred mode and the most promising alignment alternatives, along with the No-Build and Transportation Systems Management (TSM) alternatives, would advance into Tier II AA. Second, in Tier II AA, the region would prepare a DEIS on the alternatives and select a Locally Preferred Alternative that, if it is a build alternative, would advance into Preliminary Engineering.

Metro staff, with the assistance of participating jurisdictions, prepared an application to advance the South/North Corridor into AA/DEIS based upon the approved two-tiered approach. The application and attached *Preliminary Work Plan* were approved by the South/North PMG and were forwarded to FTA on June 29, 1993 for their review and approval.

The *Preliminary Work Plan* includes identification of funding sources for the study, totaling $8.25 million. Table 1 below summarizes the proposed funding sources for the South/North AA/DEIS as included in the *Preliminary Work Plan*.

Table 1
Proposed South/North AA Funding Sources

Source	Total
State of Washington	$2,520,000
Washington Local	$630,000
State of Oregon	$4,000,000
Federal E-4	$987,950
Oregon Local	$112,050
Total	**$8,250,000**

Accompanied with the application to advance the corridor into AA/DEIS was also a grant request for the $987,950 in Federal Interstate Transfer Transit funds under the 103(3)(4) Federal Grant Program. In discussing the application and grant request, FTA indicated that the 1994 UWP would need to be amended to reflect the selection of the single South/North Corridor as the priority corridor and would need to identify the proposed funding sources for the study. While the amendment is not required to submit the application and grant request, it will be necessary in

order for FTA to approve them. The FY 93 TIP must also be amended to allow these funds to be available in FY 93, rather than in FY 94 as they are currently designated.

Exhibit B to the resolution is the work element for the South/North AA/DEIS. This resolution would replace the two South and North AA/DEIS work elements with the single work element in Exhibit B. The proposed Work Element describes a single corridor AA/DEIS study, reflects the two-tiered approach and includes the identification of the funding sources outlined in Table 1 above.

A budget amendment to Metro's budget is still required to undertake and complete the South/North Study in the adopted schedule. That amendment is not part of this action. At a future meeting, following a detailed analysis of staffing requirements, the Metro budget amendment will be requested.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1825.

Meeting Date: July 22, 1993
Agenda Item No. 5.3

RESOLUTION NO. 93-1817

FINANCE COMMITTEE REPORT

RESOLUTION NO. 93-1817 CONFIRMING THE APPOINTMENT OF PATRICIA SHAW TO THE INVESTMENT ADVISORY BOARD

Date: July 15, 1993 Presented By: Councilor Monroe

COMMITTEE RECOMMENDATION: At its July 14, 1993 the Committee voted unanimously to recommend Council adoption of Resolution No. 93-1817. All Committee members were present and voting.

COMMITTEE DISCUSSION/ISSUES: Mr. Howard Hansen, Investment Manager, presented the Staff Report. He pointed out that a vacancy occurred on the Metro Investment Advisory Board due to the resignation of Ms. Bonnie Kraft. Ms. Shaw has substantial public agency investment experience serving as the Multnomah County Treasury Manager since August 1988. He indicated her public agency experience compliments the expertise of the other two members of the Investment Advisory Board who work in private sector investment programs.

There were no questions from Committee members.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF PATRICIA SHAW TO THE INVESTMENT ADVISORY BOARD	) RESOLUTION NO. 93-1817)) Introduced by Rena Cusma) Executive Officer

WHEREAS, The Metro Code, Section 2:06.030, provides that the Council confirms members to the Investment Advisory Board; and,

WHEREAS, Bonnie Kraft has been serving as a member of the Investment Advisory Board since October 1987; and,

WHEREAS, demands of additional job responsibilities force her resignation from the Board; and,

WHEREAS, The Investment Officer recommends Patricia Shaw to serve the remaining term of Bonnie Kraft; and,

WHEREAS, The Council finds that Patricia Shaw is exceptionally qualified to carry out these duties, now, therefore,

BE IT RESOLVED,

That Patricia Shaw is hereby confirmed for reappointment as a member of the Investment Advisory Board for the term ending October 31, 1995.

ADOPTED by the Metro Council this _____ day of _____, 1993.

_____

Judy Wyers, Presiding Officer

HH:93-1817.res

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1817 CONFIRMING THE APPOINTMENT OF PATRICIA SHAW TO THE INVESTMENT ADVISORY BOARD.

Date: June 9, 1993 Presented by: Howard Hansen

FACTUAL BACKGROUND AND ANALYSIS

Metro Code, Section 2.06.030, includes the creation of the Investment Advisory Board. One provision of this Code requires the Investment Officer to recommend to the Council for confirmation those persons who shall serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities, and the establishment of written procedures for the investment operation.

On October 31, 1987 Bonnie Kraft was appointed to the Investment Advisory Board, however, due to the demands of additional job responsibilities, found it necessary to resign April 21, 1993.

The Executive Officer, acting as the Investment Officer, recommends confirmation of appointment for Patricia Shaw to serve the remaining term for Ms. Kraft, which will end October 31, 1995.

Patricia Shaw is employed as Multnomah County Treasury Manager where she has been since August 1988. Prior to her current position, she spent 13 years with the Port of Portland, primarily as their Cash Manager.

In 1986, Ms. Shaw became the first Oregon government cash manager to receive her Certified Cash Manager designation, and in 1991 she received her Certified County Treasurer designation.

Her work experience includes portfolio management, cash management, debt management, project management, accounts receivable, accounts payable, payroll, and budgeting. She has served as a director of the Portland Treasury Management Association from 1984 through 1988.

Ms. Shaw's educational, employment, and professional experience confirm her ability to assist in the efforts of the Investment Advisory Board.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1748.

HH:93_1817.sr

Meeting Date: July 22, 1993
Agenda Item No. 5.4

RESOLUTION NO. 93-1822

FINANCE COMMITTEE REPORT

RESOLUTION NO. 93-1822 OBTAINING APPROVAL OF THE METRO COUNCIL TO WRITE OFF CERTAIN ACCOUNTS RECEIVABLE

Date: July 15, 1993 Presented By: Councilor Monroe

COMMITTEE RECOMMENDATION: At its July 14, 1993 meeting the Committee voted unanimously to recommend Council adoption of Resolution No. 93-1822. All Committee members were present and voting.

COMMITTEE DISCUSSION/ISSUES: Ms. Karen Feher, Credit Manager, gave the Staff Report. She pointed out that the Metro Code requires Council approval for the write-off of bad debts in excess of $10,000. This specific resolution requests approval to write-off a debt of $13,661.67 incurred by the Sunflower Recycling Co. which has gone out of business. She pointed out that since May of 1992 Metro had been working with the company to arrange debt payments which would meet its cash flow situation. The Company made part of its negotiated payments but in January 1993 was denied access to Metro facilities. Shortly thereafter, the Company notified Metro that it had gone out of business. Metro legal staff has verified that the Company has no assets and unsecured debt in excess of $200,000. This situation makes legal action useless.

In response to a question from Councilor Devlin regarding keeping a record on individuals who are involved in a bad debt situation such as this, Ms. Feher pointed out that such action in this case would probably be to no avail since the credit was approved for a corporation or business and not an individual. She pointed out, however, that the next agenda item (Ordinance No. 93-504) contains a new provision to solve this problem by granting authority to require a personal guaranty of any stockholder who owns more than 10% of the company requesting credit.

Councilor Van Bergen recalled that Sunflower Recycling had received a 1% for Recycling grant from Metro for a bottle washing machine. He asked staff to find out what happened to the machine. Council Staff indicated it would do so and prepare a response to his request.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF OBTAINING THE APPROVAL OF THE METRO COUNCIL TO WRITE OFF CERTAIN ACCOUNTS RECEIVABLE	RESOLUTION NO. 93-1822 Introduced by Rena Cusma, Executive Officer

WHEREAS, The Metro Code, Section 5.02.060 (i), provides that the Executive Officer may end pursuit of accounts receivable consistent with prudent credit practices, when the likelihood of collection does not justify future collection costs. Such actions will be reported to Council in writing on a monthly basis when the amount exceeds $500, and amounts over $10,000 will require Council approval.

WHEREAS, The following account, SUNFLOWER RECYCLING, is over $10,000 dollars and does not justify future collection efforts or cost.

BE IT RESOLVED, That account number 5083, Sunflower Recycling, in the amount of $13,661.77 is approved for an accounting write-off as a bad debt.

ADOPTED by the Metro Council of this _____ day of _____, 1993.

_____

Judy Wyers, Presiding Officer

KF:rs
c:\KF\93-WO.RES

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1822 FOR THE PURPOSE OF RECOGNIZING A BAD DEBT WRITE-OFF RELATED TO ACCOUNT NO 5083--SUNFLOWER RECYCLING.

Date: June 17, 1993 Presented by: Karen Feher

PURPOSE OF REPORT

The Solid Waste Department operations produce accounts receivable from charge customers using Metro's facilities. It is necessary and appropriate to recognize some of these balances as a bad debt expense when there is no financial justification for keeping them on the books. This recognition involves charging these balances to the allowance for uncollectible accounts. Metro calculates a percentage of its accounts receivable at year end and allows that percentage for bad debts. The allowance for bad debts this year is $28,998.23. This percentage is calculated based upon historic bad debt experience adjusted for current activity. In the past bad debts have represented .56 of year end receivable balance. Intensified and consistent collection activity's reduced that allowance percentage to .50 this year.

As required by generally accepted accounting principles, it is necessary to periodically review the overdue accounts to identify those for which there is no likelihood of recovery. The accounts so identified are then "written off" or removed as accounts receivable, and the allowance for bad debt is reduced accordingly.

CODE REQUIREMENTS

Metro Code 5.002.060(h)/(i) states that adjustments and charges to bad debt expenses will follow prudent credit practices. Amounts over $500 will be reported to the Council and amounts over $10,000 will require Council approval.

BACKGROUND

TIP FEE	FINANCE CHARGES	TOTAL
$13,263.87	$397.90	$13,661.77

The purpose of this report is to request approval to write-off Sunflower Recycling. On January 15, 1993, Sunflower went out of business. Sunflower was a long-time Metro account. The approved credit application dates back to

April 30, 1980. Early in 1992 Sunflower began developing delinquency problems. The company had expanded its operations to take advantage of the large demand for recycling. The company requested that they be allowed to suspend payments in May 1992 for several months to help them through a cash flow shortage period. At the time of this request they were thirty days past due. They were not allowed to suspend payments but rather a payment plan was agreed upon requiring that they pay the current month billing plus $800 a month. They failed to make the full payments in September 1992 so were placed cash only and a negotiated repayment plan of $1,700 was agreed upon. They made these payments until a month prior to going out of business. On January 6, 1993, the company was notified they would be denied access to the facilities effective January 19, 1993. That action was taken. The company notified Metro by phone, January 20, 1992, that they had gone out of business January 15.

Sunflower indicates they have no assets and in excess of $200,000 in unsecured debt. Todd Sadlo has verified this information. High unsecured debt coupled with no assets makes legal action useless. Sunflower has been advised by their attorney's that there is no necessity to file bankruptcy proceedings as there are no assets for creditors to pursue. The initiation of legal action would increase our loss through court costs.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No 93-1822 for the purpose of recognizing the write off of account receivable number 5083, Sunflower Recycling.

KF:rs
93-1822.SF

Meeting Date: July 22, 1993
Agenda Item No. 6.1

ORDINANCE NO. 93-504

FINANCE COMMITTEE REPORT

ORDINANCE NO. 93-504 AMENDING METRO CODE SECTION 5.02.060 RELATING TO THE CREDIT POLICY AT METRO SOLID WASTE FACILITIES

Date: July 15, 1993 Presented By: Councilor Monroe

COMMITTEE RECOMMENDATION: At its July 14, 1993 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-504. All Committee members were present and voting.

COMMITTEE DISCUSSION/ISSUES: Ms. Karen Feher, Credit Manager, gave the Staff Report. Ms. Feher stated that the ordinance repeals Section 5.02.060 of the Metro Code and replaces it with entirely new language. This approach was taken because of the need to clarify the terms by which Metro extends credit to commercial disposal customers. The clarification is prudent to do because of recent litigation over the meaning of the terms. She pointed out the major changes to Metro's Credit Policy included in the ordinance are: 1) a requirement to impose a finance charge 15 days after the due date of a statement (this is 15 days sooner than the current code requirement and will likely result in more timely payment of bills); and 2) authorizing the Executive Officer to require existing and new account holders to make new applications for credit and provide additional guarantees as deemed necessary and prudent to diminish Metro's risk of loss due to nonpayment (a new application form has been prepared requiring a personal guarantee for company stockholders). Ms. Feher indicated that the personal guarantee would be required of stockholders who own more than 10% of the company requesting credit.

Councilor Van Bergen pointed out the issue of Metro's credit management had come up during the past budget deliberations and he complimented the Finance and Management Information Department for the prompt action taken to improve the District's credit management program and practices.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.02.060 RELATING TO THE CREDIT POLICY AT METRO SOLID WASTE FACILITIES	))))	ORDINANCE NO. 93-504 Introduced by Rena Cusma, Executive Officer

Whereas, Code Section 5.02.060 is the basis for credit policy at Metro solid waste disposal facilities; and

Whereas, Current Metro credit policy allows payments to be made substantially past due without penalty; and

Whereas, Current Metro credit policy allows companies to routinely pay charges late, thus obtaining from Metro an interest free loan; and

Whereas, Because many of Metro's credit accounts are quite large, it is important to discourage routine late payments and decrease Metro's exposure to loss due to eventual nonpayment of charges due; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Metro Code Section 5.02.060 is repealed, and the following section is adopted in lieu thereof:

"5.02.060 Credit Policy at Metro Solid Waste Disposal Facilities:

(a) Disposal charges, including all fees and taxes, may be paid at the time of disposal in cash, by credit card, or by guaranteed check, or may be paid under Metro's credit policy. No credit shall be granted to any Person prior to approval of a credit application in a form or forms provided by Metro.

(b) The Executive Officer shall establish and maintain appropriate credit requirements for new and existing accounts, designed to diminish Metro's risk of loss due to nonpayment. Existing account holders may be required to make new application for credit or provide additional guarantees, as deemed necessary or prudent by the Executive Officer.

(c) Account charges shall accrue on a monthly basis. Statements will be mailed on or about the tenth day of the month, for disposal services rendered in the prior month. A statement must be paid no later than the last business day of the month in which it is mailed, and is considered past due thereafter. A payment shall under no circumstances be considered

received by Metro unless it is delivered personally to the Metro Department of Finance and Management Information during business hours or, if delivered by mail, is received in Metro's mail room.

(d) Interest of one and one-half percent per month (18 percent per annum) shall begin to accrue on all past due charges on the fifteenth day of the month following the month in which a statement is mailed. Interest will accrue only on unpaid past due balances, and not on previously accrued interest. Finance charges will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due.

(e) An account that is fifteen days past due may be placed on a cash only basis, until all past due charges and interest are paid. Facility access may be denied to a Person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the Director of the Department of Finance and Management Information.

(f) A credit customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved, must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.

(g) The Department of Finance and Management Information may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over $500 shall be reported to the Council in writing on a monthly basis, and adjustments over $10,000 shall require Council approval.

(h) The Executive Officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such action shall be reported to the Council in writing on a monthly basis when the amount exceeds $500, and amounts over $10,000 shall require Council approval."

ADOPTED by the Metro Council this _____ day of _____, 1993.

_____
Judy Wyers, Presiding Officer

ATTEST:

_____
Clerk of the Council

ds 1116a

"EXHIBIT A"

BILLING/PAST DUE TIMELINE

Code Definitions	Code Dates	Actual Days after billing/last monthly charge	Proposed Change
FEBRUARY CHARGES MADE	Month of February		
Billing Mailed	March 10th		
Billing Due	March 31st	20 days/30 days	
"30 Days Past Due"	April 1st	1 day after billing due date/31 days	"Past Due"
"45 Days Past Due"	April 15th	Can place cash only. 15 days after billing due date/45 days	Can place cash only. Finance Charge "15 Days Past Due"
"60 Days Past Due"	May 1st	Can deny access. Max. 31 days after billing due date/61 days	Can deny access. "30 Days Past Due"

AGING EXAMPLE

PAST DUE CATAGORY	Under 30	31-59	60-89	OVER 90
CHARGE ORIG. DUE	3/31/93	2/28/93	1/31/93	12/31/93
CHARGE ORIG. INCURRED	Feb-93	Jan-93	Dec-93	Nov-93 and before

Exhibit A

5.02.060 Payment of Disposal Charges and Surcharges; Credit Policy:

(a) Disposal charges and out-of-state surcharges established pursuant to Sections 5.02.020, 5.02.025 and 5.02.055 of this chapter may be paid in cash, by credit card, or guaranteed check at the time of disposal, or may be paid pursuant to the credit policy established in this section.

(b) For purposes of this section, the following definitions shall apply:

(1) Account charges are "due" on or before the last day of the month billed and are "past due" thereafter.

(2) Account charges are "30 days past due" on the first day of the month following billing.

(3) Account charges are "45 days past due" on the fifteenth day of the month following billing.

(4) Account charges are "60 days past due" on the first day of the second month following billing.

(c) Persons wishing to dispose of solid waste at Metro disposal facilities on a credit basis shall be required to first submit and have approved an application for credit on a form provided by Metro. That application shall include such provisions as the Metro Executive Officer deems necessary to secure prompt payment. Approval shall be consistent with prudent credit practices.

(d) A finance charge of one and one-half (1-1/2) percent per month (18 percent per annum), computed from the date an account becomes thirty (30) days past due, will be assessed on all accounts which become sixty (60) days past due and will be added to the oldest months charges past due. Finance charges will continue to be assessed on negotiated repayment schedules.

(e) Accounts 45 days past due may be placed on a "cash only" basis until the account is paid in full or brought to within 30 days past due. If an account is allowed to become 60 days past due, permission to dispose of waste at the facility may be denied until the account and finance charges are paid in full.

(f) If, pursuant to subsection (e) of this section, an account is placed on a "cash only" basis more than once during any consecutive 12-month period, or if service is denied because the account is allowed to become 60 days past due, the account may be required to submit a new application for credit. Such new application must be accompanied by a satisfactory payment

Exhibit C

DRAFT

Credit Application Package

Thank you for your interest in a Credit Account with the Metro. Attached is the documentation necessary to apply for a credit account. The application must be completely filled out and signed by an authorized signer of your company.

If your company is a Corporation, all stockholders owning 10% or more of the Company's stock must sign a personal guaranty form.

The terms of credit accounts are fully outlined in the attached section 5.02.060 of the Metro Code and copy of Executive Order No. _____

Thank you again for your interest in a credit account with Metro. We look forward to doing business with you.

Karen L Feher
Credit Manager

Exhibit C

PERSONAL GUARANTY

DRAFT

_____
Guarantor

_____
Street

_____
City, State, Zip

_____
Name of Company for Which Guaranty is Extended (herein "Company")

In consideration for the extension of credit by the Metro to the Company, Guarantor makes the following guaranty:

I personally guaranty and bind myself to pay to Metro, on demand, any sum that the Company is obligated to pay Metro and has failed to pay. I understand that regardless of the ownership of the Company, I will continue to be liable under this guaranty until Metro receives written notice from me terminating this guaranty.

Termination of this guaranty shall not extinguish my obligation to pay charges incurred prior to termination. I hereby waive notice of non-payment and default, and consent to any modification or renewal of the credit agreement hereby guaranteed.

_____
(Type or Print Name)

_____
(Signature)

_____
(Witness or Notary)

_____
(Address)

Exhibit C

CREDIT APPLICATION

NOT VALID UNTIL SIGNED BY AUTHORIZED METRO PERSONNEL

METRO
600 NORTHEAST GRAND AVE
PORTLAND, OR 97232 2736
TEL 503 797-1700

DATE: _____

The following information is provided for the purpose of obtaining credit and, if granted, continuing to maintain credit from the Metropolitan Service District (Metro). Metro is authorized to contact the references listed below and any other source of credit information that Metro deems reasonable for the purpose of gathering credit information related to this application and disseminating credit information pursuant to credit inquiries.

THE PERSON(S) SIGNING THIS APPLICATION CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION AND ANY ATTACHMENTS IS TRUE AND CORRECT TO THE BEST OF THEIR INFORMATION, KNOWLEDGE AND BELIEF.

EXACT LEGAL NAME OF BUSINESS: _____

PHONE: (____) - _____ FAX NUMBER: (____) - _____

BILLING ADDRESS: _____ CITY _____ STATE _____ ZIP _____

STREET ADDRESS: _____ CITY _____ STATE _____ ZIP _____

DATE BUSINESS ESTABLISHED: _____

CHECK LEGAL STATUS: PROPRIETORSHIP _____ PARTNERSHIP _____ CORPORATION _____

IF INCORPORATED: STATE OF INCORPORATION: _____ REGISTERED AGENT: NAME: _____

ADDRESS: _____ PHONE: (____) - _____

OWNER/OFFICERS NAME(S)	TITLE	SSN	HOME ADDRESS	HOME PHONE

Anticipated credit usage per month $_____ (If over $10,000 attach Financial Statement)

TYPE OF BUSINESS: _____ BUSINESS LICENSE NUMBER _____

Do you do business within the Portland city limits? Yes _____ No _____

LIST OF ALL FRANCHISES CURRENTLY HELD, IF ANY: _____

CREDIT/TRADE REFERENCES:

	NAME	ADDRESS	CITY/STATE	PHONE NUMBER
1.				
2.				
3.				
4.				
5.				

(continued on reverse)

BANK REFERENCE:

Signing of this application authorizes the release of credit information for the purpose of obtaining commercial credit.

BANK: _____ ACCOUNT OFFICER: _____

CHECKING ACCT. # _____ SAVINGS ACCT. # _____

BANK ADDRESS: _____ PHONE # (___) - _____

BORROWING RELATIONSHIP: _____

Identify all vehicles that you request be billed to your account: (If the space provided is insufficient, please attach separate sheet)

VEHICLE DESCRIPTION	LICENSE NO.

CONDITIONS OF CREDIT:

The undersigned agree(s) as follows:

1. This application is a request to obtain solid waste disposal services on an account basis. No loans are being extended under this arrangement. All disposal charges are due and payable upon issuance of a billing statement by Metro. Finance charges are penalties for failure to pay disposal charges when due and payable.

2. If monthly credit in excess of $10,000 is requested, a copy of the undersigned company's most recent financial statement is attached to this application. If required by Metro, a personal guaranty or guaranties are also attached.

3. Solid waste disposal on a credit basis under this agreement is controlled by the credit policy for Metro Solid Waste Disposal Facilities, which policy is subject to revision. On behalf of the individual or business entity entering this agreement, I acknowledge receipt of a current copy of that credit policy.

4. Pursuant to Metro's credit policy, failure to pay account charges when due may result in assessment of finance charges, suspension of credit, and/or denial of access to Metro disposal facilities.

5. This agreement may not be transferred or assigned without prior written approval from Metro. A successor in interest to this agreement shall be liable for all charges incurred under this agreement, including charges incurred prior to the date of transfer. In addition, any individual(s) providing a personal guaranty to obtain credit under this agreement shall continue to be liable for all charges incurred under this agreement, even charges incurred after the date of transfer, until Metro receives written notice that the transfer has occurred.

6. This agreement shall not be affected by any change in the composition, form, or legal organization of the applicant's business.

7. If litigation is instituted to enforce this agreement or collect the account established under this agreement, the prevailing party shall be entitled to costs, disbursements, and attorney fees, in trial court and on appeal. All legal actions related to this agreement shall be decided exclusively by a court of competent jurisdiction in Multnomah County, Oregon, under Oregon law.

8. Metro may terminate this agreement at any time, upon notice to the applicant or successor in interest.

The undersigned certifies as follows:

1. The information set forth in, and submitted with, this application is true and accurate.

2. I agree to provide notice to Metro of any change in the information set forth in or submitted with this application, at the time such changes occur.

3. I am the applicant or an individual authorized to make this application and bind the applicant as specified herein. I fully understand the contents of this document, and understand that once it is signed by an authorized representative of Metro, it is binding upon each party's heirs, executors, administrators, successors, assigns, parent corporation, and affiliates of whatever nature.

Submitted by: _____
(Print or type the full exact legal name of applicant)

Signature: _____
(Signature and title of person authorized to sign on behalf of the applicant)

Date: _____

Based on the information submitted by the applicant and in consideration of the above promises, credit is granted to the applicant on the terms specified herein and in Metro Code Section 5.02.060.

_____
(Signature - Metro Credit Manager)

Date: _____

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-504 FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.02.060 RELATING TO THE CREDIT POLICY AT METRO SOLID WASTE FACILITIES.

DATE: June 16, 1993 Presented by: Jennifer Sims

PROPOSED ACTION

To amend the Metro Code Section 5.02.060, relating to the Credit Policy at Metro Solid Waste facilities.

FACTUAL BACKGROUND AND ANALYSIS

The Ordinance repeals existing Metro Code Section 5.02.060 and replaces it with new language.

1. Clarification of Credit Terms. Section 5.02.060 provides the terms by which Metro extends credit to commercial disposal customers. Presently the Code must be carefully read to understand the actual past due status of an account. The Code states that an account is thirty days past due as defined as the day after the due date of the present billing. Exhibit A shows the present definitions in the Code and the proposed changes. The collection agency that Metro uses recently was ruled against in an arbitration hearing while attempting to collect unpaid finance charges, due to the unclear wording in the Code. The arbitrator stated in a letter to the court, ". . . I find and hold plaintiff's case to be unproved because the meaning and application of Metro's finance charges as described in both Section 5.02.060 of its Code and in its charging documents are too vague and uncertain to be enforceable." This ruling was successfully appealed. However, the arbitrator's concerns have merit, and are properly addressed by the proposed Ordinance.

2. A major proposed change to the Code proposed by Ordinance No. 93-504 is to assess the finance charge at 15 days after the due date rather than 30 days after the due date. The new terms more closely match industry standards in relation to finance charges, offset the costs of collection on those accounts that do not pay in a timely manner, and reduce Metro's overall risk by encouraging lower balances with timely payment.

Dun and Bradstreet, a national credit reporting agency, provides "industry standard" information. Dun and Bradstreet compiles information by examining the financial statements of many like companies, usually over 200, and combining financial information on operating results. Metro's customer base has an average medium collection period of 32.8 days. This collection period is the time, from billing, it takes commercial haulers using Metro solid waste facilities to collect their accounts receivable. Metro's average collection period is 46 days, indicating more liberal terms on our accounts receivable than that of haulers using our facilities. It is anticipated that the

changes contained in Ordinance 93-504 will bring Metro's "turn days" closer to our customers' turn days.

On the 10th day of the month, Metro sends a statement to disposal customers covering all charges made through the last day of the previous month. This billing is due the last day of the month in which it is billed. Exhibit A follows a billing from charges made to the various stages of delinquency. A customer's charges in February are billed March 10th and are past due on April 1st, and a finance charge is assessed May 1st. On the 15th of the month following the billing (in this example April 15), a letter is sent to the customer indicating its account is past due. One week after the letter is sent, the customer is contacted by phone. These efforts generally bring in these past due funds; however, Metro is not compensated for the extra cost of following up on these past due accounts. The proposed credit changes will place the burden of collection costs on the past due customers who cause the extra collections. During the month of January 1993 we would have billed an additional $13,820.76 in finance charges if the proposed credit terms were in place. (It is likely, however, that approximately $9,000 of the finance charges would never be assessed as the customer would have paid earlier.) Fifty-seven letters were sent and approximately 40 phone calls were required to collect the funds.

Besides our lack of compensation, many accounts pay late to benefit their cash flow. Approximately $600,000 out of a total of approximately $5,000,000 in accounts do not pay until just before a finance charge is going to accrue. This does not seem to be a matter of lack of funds, but rather cash planning on the part of these accounts. Shortening of this term will allow Metro to collect the funds in a more timely manner, increasing Metro's overall cash flow and ability to make investment earnings on collected funds. In the above example, if we would collect the $600,000 fifteen days earlier every month, the annual additional investment potential at 4% yield would be $11,835.62.

Other minor changes to the Code clarify the actual due date. Some accounts had been mailing their payments on the due date, assuming it is acceptable to do so and still avoid finance charges. To clear up this confusion, the proposed changes require that payments must be in the Finance and Management Information office during business hours, or, if delivered by mail, be received in Metro's mail room on the due date.

In conjunction with these changes, the Credit Manager has drafted a new credit application. Under the Executive Officer's authority to implement prudent credit policies, all Metro customers will be asked to complete and return these new credit applications if they wish to maintain a credit account with Metro. These new credit applications have clearly defined terms to ensure enforceability of all of Metro's credit policies. In addition, for the first time Metro will ask for the personal guaranty of any stockholder who owns more than 10% of the company. With the company mergers that occurred when Portland franchised, Metro has greater risk than before franchising. These new companies all appear to be organizing as corporations, limiting the liability to the stockholders. If the company goes bankrupt, without the personal guaranty of the stockholders, Metro is left with a bad debt and no recourse to the stockholder. The last major

change to Metro's credit policy was made in 1988 at which time tip fees were much smaller. Most recent credit losses experienced by Metro, including the loss from failure of Sunflower Recycling, stem from not having recourse to the company's stockholders.

The changes and modifications in the proposed Ordinance will maintain at an acceptable level the risk to Metro extending credit to commercial accounts.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 93-504.

Attachments: Exhibit A - Billing/Past Due Timeline
Proposed Ordinance 93-504
Exhibit B - Old Code Section 5.02.060
Exhibit C - Credit Application Package

KF:rs
c:\kf\93-503.SR

Meeting Date: July 22, 1993
Agenda Item No. 6.2

ORDINANCE NO. 93-503

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 93-503, FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.06.065, CRITERIA FOR FUNDING METRO CENTRAL STATION COMMUNITY ENHANCEMENT PROJECTS/PROGRAMS

Date: July 8, 1993 Presented by: Councilor Hansen

Committee Recommendation: At the July 6 meeting, the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-503. Voting in favor: Councilors Buchanan, McFarland, McLain, Washington and Wyers.

Committee Issues/Discussion: Katie Dowdall, Solid Waste Enhancement Committee Coordinator, explained the purpose of the proposed ordinance was to make two changes in the funding criteria used by the Metro Central Enhancement Committee. These criteria are codified in Metro Code Section 5.06.065.

The first change would be in Section 5.06.065 (h). The language currently provides that priority will be given to projects that "meet the greatest number of goals" among the eight goals listed in the code. This language would be changed to read "that best meet the goals." Dowdall noted that the reason for the change would be to allow the committee to give as much weight to projects that may meet one or two goals very well when compared with a project that only minimally meets six or seven goals. The second change is in Section 5.06.065 (h)(1). The change would allow funding for "personal" property improvements. The current language limits funding to only "real" property improvements.

Dowdall indicated that both changes were being recommended by the Metro Central Station Enhancement Committee.

Robert Bay, representing the Northwest Industrial Neighbors Association (NINA), expressed concern that the goals and the selection process limit NINA's access to revenue from the enhancement funds. He noted that the facility is located within NINA's boundaries, but that only $15,000 of the $160,000 allocated during the first funding cycle would benefit NINA. He explained that no social service agencies or non-profit organizations are located within NINA which makes it difficult to meet many of the funding goals.

Bay proposed that goal (g) be amended to provide that projects/programs "that are sponsored by the groups in the area that are" most severely impacted by the facility will receive priority consideration for approval.

Councilor McFarland asked if it was his intent to permit groups other than non-profit organizations to apply. Bay replied that that was not his intent.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.06.065, CRITERIA FOR FUNDING METRO CENTRAL STATION COMMUNITY ENHANCEMENT PROJECTS/PROGRAMS	)))))	ORDINANCE NO 93-503 Introduced by Councilor Sandi Hansen

WHEREAS, On November 26, 1991, the Metro Council adopted Ordinance No. 91-437 Creating a Metro Central Station Community Enhancement Committee and program; and

WHEREAS, The Metro Central Station Community Enhancement Committee has completed the first grant funding cycle; and

WHEREAS, Upon completion of the funding cycle, the Committee requested that the funding criteria be changed to more accurately reflect the intent of the goals for funding; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Metro Code Section 5.06.065 is amended to read:

5.06.065 Criteria for Funding Metro Central Station Community Enhancement Projects/Programs:

(a) Metro Central Station Community Enhancement Projects/Programs will be funded within the area specified in Section 5.06.075.

(b) Only a nonprofit association, including but not limited to a neighborhood association or a charitable organization with 501(c)(3) status under the Internal Revenue Code, may submit proposals. All proposals must be in writing.

(c) The Committee will provide an open public process for project/program review and recommendation which shall include the reasons for acceptance or rejection of proposals.

(d) The enhancement fund shall not substitute for projects/programs funded by other sources.

(e) Projects/programs may funded in part or in full.

(f) Funds will not be provided in a manner that unconstitutionally promotes or inhibits a religious establishment.

(g) Projects/programs that best enhance or rehabilitate areas most severely impacted by the facility will receive priority consideration for approval.

(h) Projects/programs shall meet one or more of the following goals. Priority will be given to projects/programs that ~~[meet the greatest number of goals]~~ best meet the goals and which offer benefits to the areas most directly impacted by the facility. The order of the following listing implies neither ranking nor weighting:

(1) Result in rehabilitation, upgrading or direct increase in the real or personal property owned or operated by a non-profit organization having 501 (c) (3) status under the Internal Revenue Code.

(2) Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and improve the public awareness and the opportunities to enjoy them.

(3) Result in improvement to, or increase in, recreational areas and programs within the boundaries.

(4) Result in improvement in the safety of the area.

(5) Result in an improvement of the appearance or cleanliness or environmental quality of the area/neighborhood within the boundaries.

(6) Result in projects/programs which are located within the boundaries and/or benefit youth and seniors within the boundaries.

(7) Results in projects/programs which are located within the boundaries and/or benefit low-income persons within the boundaries.

(8) Result in projects/programs which are located within the boundaries and/or increase recycling opportunities with the project boundaries.

ADOPTED by the Metro Council this _____ day of _____, 1993.

_____
Judy Wyers, Presiding Officer

ATTEST:

_____
Clerk of the Council

DOWD\CENTRAL\SW93503.ORD
May 28, 1993

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 93-503, FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.06.065, CRITERIA FOR FUNDING METRO CENTRAL STATION COMMUNITY ENHANCEMENT PROJECTS/PROGRAMS

Date: June 10, 1993 Presented by: Katie Dowdall, Community Enhancement Coordinator

Background

Ordinance No. 91-437 amended Chapter 5.06 of the Metro Code to established the Metro Central Station Community Enhancement Program and created the Metro Central Station Community Enhancement Committee. The permanent committee was charged with annually reviewing grant proposals which requested funding from the enhancement funds collected at the Metro Central Station. The ordinance provided the criteria to be used to evaluate these funding proposals.

The Metro Central Station Community Enhancement Committee completed its first funding cycle on January 7, 1993. The committee received 18 proposal for a requested dollar amount of $465,428 and awarded 13 grants for a total dollar amount of $162,953.

With the completion of the first funding cycle, several recommendations and suggestion as to possible ways to improve the process were reviewed. At the May 12, 1993, committee meeting, the committee addressed three requests for language change to the criteria in Metro Code 5.06.065.

Metro Central Station Community Enhancement Committee's discussions and recommendations:
Committee members: Chair Councilor Hansen, Leslie Blaize, Joan Chase, Chris Foster, Chuck Martin, Marvin Pohl and Ted White.

First suggested language change: (changes shown in *italics*)

(g) Projects/programs that best enhance or rehabilitate areas most severely impacted by the facility will receive priority consideration for approval.

Request for language modification from Bob Bay, President NINA
(g) "Projects/programs ***that are sponsored by the groups in the area that are*** most severely impacted by the facility will receive priority consideration for approval.

Discussion: The language modification could give the impression that the process was not open to everyone; and without the neighborhood associations' sponsorship, a grant may not have a good chance for acceptance. An appearance of too much association control.
Councilor Hansen called for the vote.

Motion: Joan Chase moved that the committee keep the original language for section 5.06.065 (g). Les Blaize seconded the motion: Vote: 6 yes (Hansen, Blaize, Chase, Foster, Pohl and White) 1 abstain (Martin).

Second suggested language change:

5.06.065 (h) Projects/programs shall meet one or more of the following goals. Priority will be given to produce/programs that meet the greatest number of goals and which offer benefits to the areas most directly impacted by the facility. The order of the following listing implies neither ranking nor weighting:

Chuck Martin suggested the following language be changed from "that meet the greatest number of goals" to read ***"..that best meet the goals"***

Discussion: Grants that meet only one or two goals but meet them well should be given as much priority as those grants that meet more goals but not as well. The old language sends the message that if a grant does not meet six or seven goals that proposal may not have a very good chance of being funded. Since the last sentence of the criteria states that the list of goals does not imply ranking nor weighting, the new language would tend to make the proposer try to best meet them rather than just numerically ticking them off, thus preventing diluting of goals. Current language may discourage a group from submitting a grant that met only one goal but met it well. Goals met should still be listed but best met implies quality of goals met.

Motion: Ted White moved that the language be change to read: "Projects/programs shall meet one or more of the following goals. Priority will be given to projects/programs that best meet the goals and which offer benefits to the areas most directly impacted by the facility. The order of the following listing implies neither ranking nor weighting." Chuck Martin seconded the motion. Chair Hansen called for the vote: unanimously passed.

Third suggested language change:

Chuck Martin recommended that language in 5.06.065 (h) (1).Result in rehabilitation, upgrading or direct increase in the real property owned or operated by a non-profit organization having 501 (c) (3) status under the Internal Revenue Code be changed to read ***real or personal*** property.

Discussion: Since the committee did grant money for personal property (computer for Linnton) and did it comfortably, the language should reflect it. Language change more of a legal definition.

Motion: Chuck Martin moved that the language in 5.06.065 (h) (1) be changed to read: "Result in rehabilitation, upgrading or direct increase in the real or personal property owned or operated by a non-profit organization having 501 (c) (3) status under the Internal Revenue Code." Les Blaize seconded the motion. Chair Hansen called for the vote: unanimously passed.

Chair Hansen stated that the recommended language change to Metro Code 5.06.065 would be brought before the Council in the form of an ordinance.

COUNCILOR HANSEN'S RECOMMENDATION

Councilor Hansen and the Metro Central Station Community Enhancement Committee unanimously recommend language changes to (h) and (h) (1) of the Metro Code Chapter 5.06.065 be amended as provided in the attached Exhibit, entitled "Ordinance No. 93-503, Amendment to Chapter 5.06.065."

KD:ay
CENTRAL\ORD93503.RPT
June 1, 1993

Meeting Date: July 22, 1993
Agenda Item No. 7.1

RESOLUTION NO. 93-1821

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1821, APPROVING THE SELECTION OF HEARINGS OFFICERS FOR CONTESTED CASE HEARINGS

Date: June 28, 1993 Presented by: Councilor Moore

Committee Recommendation: At the June 22 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1821. Voting in favor: Councilors Van Bergen, Kvistad, Gates, Monroe, and Moore. Absent: Councilor Devlin.

Committee Issues/Discussion: Dan Cooper, Metro General Counsel, presented the staff report. He explained that this resolution completes the process for selection of hearings officers to conduct contested case hearings. The process began with issuance of an RFP, authorized by Resolution No. 93-1744. Five applicants responded. These were screened by a committee, consisting of Councilor Van Bergen, Dan Cooper, and Gail Ryder, and three names are suggested in this resolution as qualified.

He reviewed the rationale for selecting these applicants. Larry Epstein, who has previously filled this role is again selected, as are two other applicants. Of the two new applicants, one is qualified for urban growth boundary cases, the other for general contested cases. The applicants will be paid between $55-70 per hour for their work.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE SELECTION OF HEARINGS OFFICERS FOR CONTESTED CASE HEARINGS	))))	RESOLUTION NO. 93-1821 Introduced by Councilor George Van Bergen

WHEREAS, Section 2.05.025(a) of the Metro Code requires that contested case hearings and amendments to the Regional Urban Growth Boundary (UGB) shall be held before a Hearings Officer; and

WHEREAS, Metro also utilizes the services of Hearings Officers in other cases when contested case hearings must be held pursuant to the Metro Code; and

WHEREAS, The Council may from time to time approve and provide to the Executive Officer a list of prospective Hearings Officers from which Hearings Officers may be appointed by the Executive Officer; and

WHEREAS, The Council adopted Resolution No. 93-1744 authorizing the issuance of a Request for Proposals for Hearings Officer services; and

WHEREAS, Five responses were received and the responses were reviewed by a committee consisting of the Chair of the Planning Committee, the Metro General Counsel, and the Council Analyst assigned to the Planning Committee; and

WHEREAS, The review committee recommends that three responses be accepted and that Larry Epstein, John W. Burgess, and George D. McDowell be designated as approved Hearings Officers, and that the Executive Officer be authorized to enter into contracts to secure their services; now, therefore,

////

BE IT RESOLVED THAT

A. Pursuant to Metro Code Section 2.05.025(a) Larry Epstein, John W. Burgess, and George D. McDowell are designated as approved Hearings Officers.

B. The Executive Officer is authorized to enter into contracts with Larry Epstein, John Burgess, and George McDowall in a form substantially similar to the Request for Proposals document approved by Resolution No. 93-1744 and the responses received thereto.

ADOPTED by the Metro Council this _____ day of _____ 1993.

_____
Judy Wyers, Presiding Officer

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STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1821 FOR THE PURPOSE OF APPROVING THE SELECTION OF HEARINGS OFFICERS FOR CONTESTED CASE HEARINGS

Date: June 15, 1993

Presented by: Councilor George Van Bergen

PROPOSED ACTION

This Resolution would complete the process initiated by Resolution No. 93-1744 whereby the Council authorized the release of an RFP to identify qualified Hearings Officers. This Resolution officially designates three Hearings Officers, Larry Epstein, George D. McDowall, and John W. Burgess to conduct contested case hearings on amendments to the Regional Urban Growth Boundary (UGB), other land use decisions, and any other contested case hearings required by the Metro Code.

FACTUAL BACKGROUND AND ANALYSIS

In adopting Resolution No. 93-1744, the Council initiated a procedure for selecting an approved list of Hearings Officers as required by Metro Code Section 2.05.025(a). The previous list which had been created in 1988 was no longer sufficient since the two qualified applicants at that time had now dwindled to one and their contracts have expired.

Pursuant to Resolution No. 93-1744, a Request for Proposals document was released and applicants were solicited. Five applicants submitted written proposals to provide Hearings Officer services to Metro. The proposal documents were reviewed by a committee consisting of Councilor George Van Bergen, General Counsel Dan Cooper, and Council Analyst Gail Ryder. Larry Epstein, who has previously provided Hearings Officer services to Metro submitted a proposal indicating his past experience and his willingness to perform services for an hourly rate of $70 per hour. Mr. Epstein was deemed highly qualified by the committee based on his past work for Metro and his hourly rate was considered to be reasonable given his experience and the expertise required for his services. A proposal was received from John Burgess to perform Hearings Officer services. Mr. Burgess has considerable experience acting as a Hearings Officer for agencies of the State of Oregon in non-land use matters. His hourly rate is $55 per hour. Based on his considerable experience, he also was approved with the intention that he would be utilized on non-land use decision matters that happen to come before the Metro Council. George McDowall also submitted a proposal. His hourly rate is quoted as $55 per hour. He has less land use experience than Mr. Epstein, though in the views of the committee is qualified to conduct land use or other Hearings Officer services to Metro.

Two other proposals were received. One was from an attorney with virtually no experience conducting any contested case proceedings in land use matters or otherwise. A second proposal was received from an experienced land use attorney who has experience in contested case matters. However, his hourly rate was quoted at a substantially higher amount than those submitted by the other applicants and it was felt that three Hearings Officers selected would be sufficient.

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1130

Meeting Date: July 22, 1993
Agenda Item No. 7.2

RESOLUTION NO. 93-1820

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1820, RECOMMENDING SELECTION OF A LOCALLY PREFERRED ALTERNATIVE AND MAKING AN ASSOCIATED LAND USE DECISION FOR THE HILLSBORO CORRIDOR PROJECT

Date: July 15, 1993 Presented by: Councilor Moore

Committee Recommendation: At the July 13 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1820. Voting in favor: Councilors Van Bergen, Devlin, Gates, Monroe, and Moore. Absent: Councilor Kvistad.

Committee Issues/Discussion: Richard Brandman, Transportation Manager, presented the staff report This issue is one on which the committee has been briefed several times. A variety of other bodies have also provided review. JPACT has unanimously recommended approval, as have the Hillsboro City Council, the Washington County Commission, and the Westside Steering Committee.

This resolution recommends to the Tri-Met Board the selection of this particular alignment for the Hillsboro Corridor Project. The Tri-Met Board is scheduled to take action on this item on July 28.

Without discussion or comment, the Committee unanimously approved the resolution.

M E M O R A N D U M

METRO

DATE: July 15, 1993

TO: Metro Council
Executive Officer
Interested Parties

FROM: Paulette Allen, Clerk of the Council

RE: AGENDA ITEM NO. 7.2; RESOLUTION NO. 93-1820

Due to their volume, three reports related to Resolution No. 93-1820 have not been printed in this agenda packet. Those reports are: 1) Letters Received Through the Public Comment Period (Hillsboro Corridor Alternatives Analysis) dated June 1993; 2) Recommended Locally Preferred Alternative Report (Hillsboro Corridor Alternatives Analysis dated June 1993; and 3) Hillsboro Corridor Briefing Document (Selecting a Locally Preferred Alternative dated June 25, 1993. You may get a copy of any one or all reports by contacting the Clerk at 797-1534 and copies will be available at the Council meeting July 22 also.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING A LOCALLY PREFERRED ALTERNATIVE AND ASSOCIATED LAND USE ACTION FOR THE HILLSBORO CORRIDOR PROJECT	))))	RESOLUTION NO. 93-1820 Introduced by Councilor Van Bergen

WHEREAS, In 1979, a full spectrum of mode and route possibilities in the Westside Corridor from downtown Portland into Washington County were developed and examined as a part of a federal Alternatives Analysis process; and

WHEREAS, In 1983, upon completion of the Draft Environmental Impact Statement, the region chose Light Rail Transit to 185th Avenue in the Sunset Corridor as the region's Locally Preferred Alternative for the Westside Corridor Project; and

WHEREAS, In 1990, Metro initiated Alternatives Analysis for the Hillsboro Corridor; and

WHEREAS, The 1991 Oregon Legislature adopted Senate Bill 573 which designates the Tri-Met Board of Directors to make a consolidated land use decision on matters to be covered in the Locally Preferred Alternative decision for the Westside Corridor Project and the Hillsboro Corridor Project; and

WHEREAS, In 1991, a Supplemental Draft Environmental Impact Statement was prepared and land use findings addressing the criteria adopted by the Land Conservation and Development Commission were prepared and, subsequently, a second Locally Preferred Alternative Decision was made and a Consolidated Land Use action was taken by the region for the Westside Corridor Project; and

WHEREAS, A Draft Environmental Impact Statement has been

prepared, evaluating transportation alternatives and alignment options in the Hillsboro Corridor; and

WHEREAS, The extension of Light Rail Transit to the Hillsboro Central Business District would result in the lowest auto use and vehicle emissions, would provide the most reliable transit service, would provide the fastest transit service, would provide the highest level of transit service and would result in the highest transit and LRT ridership of the alternatives studied; and

WHEREAS, The Washington Street Alignment in downtown Hillsboro would have the least impacts and lowest cost of the downtown options; and

WHEREAS, The combined Westside and Hillsboro Citizens Advisory Committee, Project Management Group and Steering Group have evaluated the alternatives and options identified in the Draft Environmental Impact Statement and recommended the Light Rail Transit to the Central Hillsboro Alternative with the Washington Street Alignment Option as the Locally Preferred Alternative; and

WHEREAS, The City of Hillsboro City Council and the Washington County Board of Commissioners have concurred in this recommendation; now therefore,

BE IT RESOLVED,

1. That the Metro Council recommends the Light Rail Transit - Central Business District Alternative, with the Washington Street Alignment Option for the Hillsboro Corridor as described in the draft Locally Preferred Alternative Report (Exhibit 1).

2. That the Metro Council recommends that the Tri-Met Board of Directors adopt this recommendation as the region's Locally Preferred Alternative and as the region's decision on the matters to be covered by the consolidated land use action.

ADOPTED by the Metro Council this ____ day of July, 1993.

Judy Wyers, Presiding Officer

SKM:LS:lmk
93-1820.RES
6-13-93

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1820 FOR THE PURPOSE OF RECOMMENDING SELECTION OF A LOCALLY PREFERRED ALTERNATIVE AND MAKING AN ASSOCIATED LAND USE ACTION FOR THE HILLSBORO CORRIDOR PROJECT

Date: June 13, 1993 Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution recommends selection of the Light Rail Transit Alternative to the Hillsboro Central Business District with the Washington Street Alignment Option as the region's Locally Preferred Alternative as described in the Draft Hillsboro Corridor Locally Preferred Alternative Report and for the associated consolidated land use action.

TPAC has reviewed the selection process for the Locally Preferred Alternative for the Hillsboro Corridor project and unanimously recommends approval of Resolution No. 93-1820.

FACTUAL BACKGROUND AND ANALYSIS

In 1983, a Draft Environmental Impact Statement (DEIS) was prepared for the Westside Corridor Project. The DEIS evaluated a variety of corridors and alternatives between the Portland Central Business District and the urbanizing portion of Washington County. Light Rail Transit (LRT) in the Sunset Corridor to 185th Avenue in Washington County was selected as the region's Locally Preferred Alternative (LPA).

Due to a number of constraints at the local level, Preliminary Engineering was not initiated in the Westside Corridor until 1989. In 1991, a Supplemental Draft Environmental Impact Statement was prepared for the Westside Corridor, evaluating various alternatives and options and updating information from the 1983 DEIS.

In order to facilitate a timely and consolidated regional decision, in 1991, the Oregon Legislature adopted legislation which defined a process by which a single consolidated land use decision would be made by the region for each of the corridors (the Westside Corridor and the Hillsboro Corridor) by the Tri-Met Board of Directors.

In April 1991, the region again adopted a Locally Preferred Alternative for the Westside Corridor which extended LRT from downtown Portland to 185th Avenue.

In 1990, Alternatives Analysis was initiated for the Hillsboro Corridor. The purpose was to evaluate high-capacity transit alternatives in the Hillsboro Corridor between 185th Avenue and the Hillsboro CBD. Through the Westside/Hillsboro Steering Group (elected officials from each jurisdiction and agency), Citizens Advisory Committee (citizens appointed by each jurisdiction/

agency), Project Management Group (senior staff from each jurisdiction/agency), and Technical Advisory Committee (technical staff from each jurisdiction/agency), the region has developed and executed the process and analysis for the Hillsboro Corridor study.

A Draft Environmental Impact Statement has been prepared which defines and evaluates the following alternatives for the Hillsboro Corridor:

1. No-Build Alternative

2. Transportation Systems Management Alternative

3. Light Rail Transit to the Hillsboro Central Business District Alternative. Within this alternative, there are three alignment options in the Hillsboro CBD:

   a) Washington Street Option;
   b) Main Street Option; and
   c) Washington/Main Streets Couplet Option.

4. Light Rail Transit to the Washington County Fairplex Alternative

As stated in the DEIS analysis, extension of LRT to the Hillsboro Central Business District would result in the lowest auto use and vehicle emissions, would provide the most reliable transit service, would provide the fastest transit service, would provide the highest level of transit service and would result in the highest transit and LRT ridership of the alternatives studied. Also, the Washington Street Alignment in downtown Hillsboro would have the least impacts and lowest cost of the downtown options.

The analysis was reviewed by the TAC, PMG, CAC, and Steering Group. The CAC, PMG and Steering Group have all adopted resolutions in support of the Locally Preferred Alternative as defined in the Draft Locally Preferred Alternative Report. Also, the City of Hillsboro has adopted a resolution in support of the Locally Preferred Alternative as defined in the draft LPA report. The Washington County Board of Commissioners is scheduled to make its recommendation on June 22, 1993.

These groups have all recommended the Light Rail Transit to the Central Business District Alternative, with the Washington Street Alignment Option for the Hillsboro Corridor as described in the draft LPA report.

TPAC, JPACT, the Metro Planning Committee and the Metro Council will review the process and recommendations and make a recommendation to the Tri-Met Board of Directors which will formally adopt the LPA and Land use Final Order for the Region.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1820.

SKM:LS:lmk/93-1820.RES

Meeting Date: July 22, 1993
Agenda Item No. 7.3

RESOLUTION NO. 93-1823

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1823, FOR THE PURPOSE OF ADDING ONE NEW PROJECT TO THE YEAR FIVE PROJECT LIST FOR THE ONE PERCENT FOR RECYCLING PROGRAM FOR FISCAL YEAR 1992-93

Date: July 8, 1993 Presented by: Councilor McLain

Committee Recommendation: At the July 6 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 93-1823. Voting in favor: Councilors Buchanan, McFarland, McLain, Washington and Wyers.

Committee Issues/Discussion: Jennifer Ness, Solid Waste Staff, explained that during the original consideration of projects for funding, the 1% for Recycling Committee had recommended that Pacific Rock Products receive $70,000 to develop and test an aggregate base using waste concrete, asphalt and glass. It was then discovered that East County Recycling had received private funding for a similar project that would be operational prior to the Pacific Rock Product project. The 1% Committee examined whether the Pacific Rock project was innovative and whether it in fact would duplicate an existing facility. The committee concluded that it would in fact duplicate an existing facility.

The committee then reviewed projects that had earlier been rejected for funding and decided to fund one additional project. This resolution would approve this funding decision. Del Seitzinger, 1% Committee member, reviewed the project proposed for funding. He indicated that the project would involve an education program for large scale event planners to encourage recycling and waste reduction at these events. Examples would include the Auto Show, Home Show and the Octoberfest. The project also would include development of a "how-to" guide for future shows and reviewing the effectiveness of the program in actually reducing the waste generated by such events. Total funding for the project would be $30,400.

Councilor McLain asked if this project would duplicate any other existing programs. Ness answered that the program would be addressing much broader audiences. She indicated that it would compliment an existing 1% grant that will develop model recycling and waste reduction programs for the restaurant industry.

Martin Pohl, Northwest District Association representative on the enhancement committee, appeared in opposition to the amendment proposed by Mr. Bay. He expressed concern that the amendment would give a single neighborhood association too much control in the review and funding process. He noted that the present goals allow the entire enhancement area to benefit.

Leslie Blaize, Forest Park Association representative on the enhancement committee, appeared in opposition to the Bay amendment. Mr. Blaize noted that such a change in "mid-stream" would be harmful. He contended that the committee had attempted to follow the existing criteria. He noted that the Bay amendment was the result of NINA's belief that it did get its share of the funding. He further noted that NINA's representative on the committee had not attended many of the meetings related to the review and funding of projects.

Councilor Hansen, the chair of the enhancement committee noted that the proposals had been reviewed by individuals representing a broad spectrum of interests in the enhancement area. She indicated that she was sorry that NINA still feels that this is an issue. She expressed concern that the Bay amendment would create an impression that, unless a project was sponsored by a neighborhood association, it would not be actively considered.

The committee voted to approve the original ordinance, without the Bay amendment.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING ONE NEW PROJECT TO THE YEAR FIVE PROJECT LIST FOR THE ONE PERCENT FOR RECYCLING PROGRAM FOR FISCAL YEAR 1992-93	)))))	Resolution No. 93-1823 Introduced by Rena Cusma Executive Officer

WHEREAS, The 1992-93 One Percent For Recycling Project List consisting of five projects was approved March 11; and

WHEREAS, A sixth project was pending, subject to further review by the One Percent For Recycling Advisory Committee in light of new information received prior to Council presentation; and

WHEREAS, The Committee conducted a review of the project and determined that it did not meet the criteria of the program because of its potential for duplicating a similar facility which had secured private financing; and

WHEREAS, The Committee began renewed consideration of a proposal among those initially submitted, including interviews and discussion of a revised schedule and budget; and

WHEREAS, After consideration the committee recommends funding of a grant to Palermini & Associates to conduct a project to educate event planners on precycling and reducing wastes at special public events; and

WHEREAS, The proposed project budget is $30,400, which can be covered from unallocated carry-over in the 1% For Recycling Program; and

WHEREAS, The Resolution was submitted to the Executive Officer for consideration and forwarded to the Council for approval; now, therefore,

BE IT RESOLVED, That the Metro Council, as provided in Metro Code Section 5.04.050(a), approves the revised Project List submitted by the One Percent for Recycling Committee as shown in Exhibit A of this Resolution.

ADOPTED by the Metro Council this _____ day of July, 1993.

Judy Wyers, Presiding Officer

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EXHIBIT A

1% For Recycling Program
1992-93 Project List
Revised

PROPOSER: Palermini & Associates $30,400
Pamela Brown, Debbie Palermini; Project Coordinators

PROJECT: Educate event planners on precycling and reducing wastes at special public events, such as the Auto Show, the Home Show, OctoberFest, St. Patrick's Day Run, etc.

This promotion/education project provides educational services to inform event planners about precycling and reducing waste at public events. The contractor will work with event managers to develop practices that integrate sound environmental concepts into their event planning wherever possible. This will include developing guidelines for purchasing recycled content products with post consumer waste, using waste reducing containers, separating waste, and recycling. Contractor will work with event planners to develop specifications for Requests For Proposals to event exhibitors, concessionaires, and commercial haulers. Materials targeted for recycling will include glass, paper products, packaging materials, durable plastic containers such as reusable buckets, cork, food waste, aluminum, and wood and other materials used in booth and set construction and staging areas. Contractor will also work with solid waste haulers and recyclers to coordinate activities.

This project will tie together existing and previously funded 1% For Recycling and Waste Reduction projects. The composted food waste will be sent to the vermicomposting operation in Clackamas County and event employees will be provided construction recycling guides; set and booth construction debris can go to C/D waste processors. The restaurant recycling project funded this year that is being done by the same contractor can be interfaced with this project to learn more about managing organic food wastes, thus providing information that will assist in Metro's overall effort to develop the system for targeting organic wastes in the waste stream.

Additionally, the contractor will develop a "How-To" Guide to be used for future public events. Increasingly cities and counties will require waste management plans for such activities. Event organizers and promoters can acquire this guide to address this local government requirement. At the conclusion of the project, an evaluation will be conducted and results made available to event organizers and local governments.

The project will begin in late July and conclude in May, 1994. Seven events will be scheduled, targeting a total audience of 250,000 to 300,000 people. Events will include the Metro Zoo, OctoberFest, the Bridal Fair, the Auto Show, the Sportsman Show, the St. Patrick's Day Run, and the Home and Garden Show.

PROPOSER: Association of Oregon Recyclers $42,400
Jeff Detlefson, Coordinator, assisted by The Center for Urban Studies, Portland State University

PROJECT: In-store and household used oil recycling promotion and education

This project is expected to increase the amount of used motor oil collected for recycling from do-it-yourself oil changers through retail store campaigns and direct contact with households in targeted areas. The proposed timeframe is eight months starting in May.

The project will be conducted in two phases. During Phase I, information on oil recycling will be distributed to 50 local retail outlets that sell large volumes of motor oil. These materials will be comprised of large signs with tear-off slips detailing the curbside collection program, proper preparation of used oil for collection, and local depots accepting the materials. Brochures will be made available on store shelves and at sales counters, and the promotion will also focus on encouraging consumers to purchase oil with re-refined content. The proposer has contacted several large retail chains including Fred Meyer and GI Joe's. Reaction has been positive, and a substantial level of commitment is indicated. Students from Portland State University will deliver and place signs in the stores and perform follow-up studies and surveys at the outlets.

Phase II of the project is designed to promote used oil collection directly at the household level. Over a six-month period, 2,400 households will be contacted at a rate of 400 per month. Several forms of promotion will be tested to determine the most effective method. These tests will be conducted on a pilot basis in several different residential areas throughout the region. Promotion will be conducted by a variety of methods, including direct mailing of brochures, garbage can or door hanger information fliers, personal direct contact, post-paid mailing cards to residences to return to request free oil recycling containers, and the direct distribution of oil recycling containers door-to-door. Clean plastic milk jugs are proposed as the container to be used. The proposer will work with local garbage haulers to assess the effectiveness of each method. Hauler support has been solicited and is indicated in some areas, such as Eastside Recycling in Multnomah County.

Despite curbside collection of used motor oil available to residents in the Metro area, the recycling rate remains very low (near 20%). There is a substantial difference between in the amount of oil consumed and the amount recycled or safely disposed in the region. Unsafe and illegal disposal, therefore, continues to be of major concern. This project intends to heighten awareness of the environmentally sound options available to do-it-yourself oil changers and to increase the recycling level of used motor oil in the Metro region.

PROPOSER: Palermini and Associates
Debbie Palermini, Coordinator

$21,024

PROJECT: "Restaurants Taking the Challenge" Restaurant waste reduction and recycling

The purpose of this one-year project is to develop and implement a comprehensive demonstration program for Metro area restaurants. The goal is to reduce the amount of waste they generate, teach about and encourage the reuse and recycling of materials where possible, and encourage the use of products packaged in or made with recycled content. This project will target several types of restaurants, including upscale restaurants, cafe style and fast food establishments. Each pilot project will be tailored to suit the individual restaurant type.

This project has several commitments for in-kind services and other support from restaurant chains, Pacific Power, PGE and the Oregon Restaurant Association. It will be conducted in two phases.

Phase I will consist of five to seven pilot projects in local restaurants in the three-county area. These pilot projects will be used to determine the following:

- Baseline waste generation, current recycling levels, and currently used products that contain recycled materials.
- Hands-on training for managers and staff on cost effective ways to reduce waste, reuse materials when possible, and recycle as much as possible.
- Identify sources and encourage the purchase of recycled content products.
- Monitor the results of the educational pilots for six months.
- Conduct two follow-up waste audits on-site to determine changes in the recycling and waste flow levels.

The second phase of the project will be the development of a "How-To" guide which will contain information for restaurants on how to reduce, reuse, recycle, and purchase recycled content materials. The guide will also provide information on the use of less toxic cleaning materials, purchase of organic produce, and deal with the possibility of separating wastes for composting. A partner workshop for the guide will be held in cooperation with the Oregon Restaurant Association.

Restaurants produce a significant amount of the waste in the commercial waste stream (approximately 20%). Targeting the food industry could result in significant reductions of commercial waste generation levels in the Metro area. This project proposes to become a model for restaurants in the Metro area and, potentially through a later effort, reach out to a broader audience throughout the state. Because the scope includes several different types of eating establishments and has the support of the Oregon Restaurant Association, whose membership numbers 1,400, the project can serve as a model for many types of restaurants on several levels. The program will be designed to be flexible enough to suit particular establishments with unique needs.

PROPOSER: Project.Resource $28,800
Paul Seitz, Coordinator

PROJECT: "One-stop shopping" resource center for teachers and educators in the Metro area designed to provide information on waste reduction and recycling and environmental curriculums

This one-year project is designed to provide an information network that brings together sources of waste reduction and recycling educational curricula to serve as a referral service for teachers and educators in the Metro region. Currently, information is widely dispersed and fragmented. To identify and seek out sources for curricula and teaching tools specific to waste reduction and the environment that can be used as course material, teachers must use their own time, money and energy. The project would make an "800" number telephone line (currently subscribed to by the Environmental Education Association of Oregon *Environmental Hotline*) available to teachers, students or community members allowing them access to a variety of environmental information sources. This project will bring together many of the valuable services offered by several agencies, including Metro's Recycling Information Center, Greenspaces Program, DEQ curricula, OMSI, education services districts, and services offered by the cities, counties, state and private industries.

The grant funding would provide for staff time and basic start-up costs for the creation of this service. Support has been garnered from OMSI consists of office space and some in-kind services at the old Museum site. Interest and potential support has also been offered by the Oregon Department of Education, the EEAO (Environmental Education Association of Oregon), energy companies and members of the recycling industry. Other funding sources are being sought to augment Metro's grant. An oversight team comprised of Metro staff, educators and industry experts would be established to provide guidance and support to the project.

This project serves to provide teachers, students and members of the community with expanded information about and access to waste reduction and recycling curricula. Teachers and educators have expressed the need for such a resource and have supported the project's development. The proposer expects to seek other funding sources to continue the program following implementation when its value has been established.

PROPOSER: Resource Information Systems (RIS) $20,400
David Allaway, Coordinator

PROJECT: Model source reduction programs at four Metro region businesses and institutions to promote source reduction and recycling

This one-year project will set up programs to promote source reduction at four locations in the region. Two school districts in Washington County, a hospital in the Legacy Health System in Multnomah County, and the headquarters of Mentor Graphics in Clackamas County. The project will be conducted in two phases; to first implement and document model source reduction activities on-site, and second to use the results obtained to promote source reduction elsewhere.

Phase I will consist of interviews with site personnel to set up programs at the four locations. Working with purchasing agents and nursing staff at the hospital, RIS will conduct research targeting alternatives to over-packaging and disposables. The source reduction efforts at the high technology location will identify ways to reduce waste sent off-site in manuals and packaging, reduce campus landscaping and cafeteria wastes, and assist in reducing office paper generation. The two school district programs will target teachers and students by promoting source reduction ideas. Concepts such as *"Zero Waste Lunch"*, vermicomposting as science projects, and a materials exchange are examples of what can be promoted. This portion of phase I will begin after school starts in the fall. For each location, in-house promotional poster materials will be developed, designed to be modified or personalized for use by other businesses and institutions.

RIS will form teams of employees, perform waste audits and develop implementation plan at each site. As source reduction activities are implemented, staff will be trained and results monitored. Throughout the course of the project, modifications will be made to refine each model program. From this, information will be obtained to provide blue prints for fact sheets and brochures that can be replicated for other locations, promoting source reduction at hospitals, offices, schools, and specifically for yard maintenance and food service.

Phase II will begin this fall and consists of outreach to other businesses and institutions via local media, networking to professional organizations, and trade shows. Results of the model programs will be promoted with fact sheets and brochures. Metro Public Affairs and Solid Waste Department staff will be asked for assistance in integrating the information and to further refine communication strategies and identify target audiences.

Metro funds for this project will be used to provide two-thirds of the cost of project coordinator and promotion and educational materials. One-third of the coordinator's cost, or $8,000, will be secured from other sources by the contractor. This project is seen as having the potential to be an important supplement to on-going programs. Teachers and purchasers are critical links in the outreach to promote reduced consumption of poor market materials such as mixed waste paper, plastics, and "disposable," over-packaged products.

PROPOSER: Venture Solutions $10,000
R. Wayne Fields, Coordinator

PROJECT: The development of a prototype high-benefit roof tile with mixed crushed glass content

This one-year project will develop and test an innovative roof tile made from 50% mixed crushed glass bonded with an epoxy-based fiberglass resin. This tile would utilize glass products that currently have no market for reuse such as flat glass (i.e. windows) and ceramic based material, and are otherwise targeted for landfill disposal. Unlike other products that use waste glass, the composition tile can tolerate contaminants such as paper labels and small metal fragments without sacrificing the quality of the end product.

It is expected that the product will have a price that is competitive with existing roof tiles. It is light weight, requiring no structural alterations such as those needed for concrete roof tiles, and it is moldable. This allows for texture, shape, style and color variations, as well as high strength. The product also has a unique design that reduces or alleviates water leakage and tile blow-off. Another benefit to this roofing tile is that old tiles can be removed, re-ground and added to the mixture for new tiles resulting in little or no waste. The manufacture of the product creates little or no residual waste as batches of resin are mixed according to the number of tiles being molded. Any remaining resin can be ground and added to the next product. Tile life expectancy is designed to be comparable to conventional roof tile.

The grant funds will be used for further testing to create a marketable prototype in order to garner needed private sector support. Metro's money will be used for equipment, promotion and education, testing and engineering services, and some market evaluation. The project has a phased long-term approach for the manufacture and marketing of the roof tiles. Metro is contributing to Phase 1 development of the product. Venture Solutions anticipates having the final product on the market by 1995.

This project targets and utilizes a portion of the waste stream that presently has little or no value to other processors. Materials that would otherwise go directly into the landfill may have the potential of being incorporated into a viable and high value resource.

JM:ay
MAND/1PCT/REVPROJ.LST
June 23, 1993

EXHIBIT B

Revised Budget
Special Events Proposal

SUBMITTED TO: 1% For Recycling Committee
FROM: Pam Brown and Debbie Palermini

EVENT	Date	Attendance (Est.)
Metro Zoo Event	Late Summer 1993	10,000
October Fest (tent)	October 1993	8-10,000
The Bridal Fair	January 29-30, 1994	10-15,000
The Auto Show	February 1994	150,000
The Sportsman Show	Spring 1994	50,000
St. Patrick's Day Run	March 1994	3-5,000
The Home & Garden Show	April 1994	40-50,000

Budget

EXPENSES

Salaries, Wages, Benefits		$18,500
Materials and Services		
Promotion and Education		11,900
Logo Development	700	
Signage	2,500	
Hand-out Materials	6,500	
Includes graphics, lay-out, printing		
26,000 Flyers @ $.25		
how-To Guide	2,200	
Include graphics, lay-out, printing		
500 copies @ $4.40		
TOTAL BUDGET		$30,400

MAND\1PCT\PROMO.BUD

STAFF REPORT

FOR THE PURPOSE OF APPROVING RESOLUTION NO. 93-1823, ADDING ONE NEW PROJECT TO THE YEAR FIVE PROJECT LIST FOR THE ONE PERCENT FOR RECYCLING PROGRAM FOR FISCAL YEAR 1992-93

Date: June 22, 1993 Presented by: Judith Mandt
Jennifer Ness

This staff report presents a revised Project List (Exhibit A) for the fifth funding cycle of the 1% For Recycling Program, revising the List to add one new project for $30,400, to fund a project to educate event planners on precycling and reducing wastes at special public events, bringing the List to a total of six projects.

History: The 1% For Recycling Project List for 1992-93 was presented to the Metro Council on March 11. The 1% For Recycling Committee recommendations included five projects for a total of $122,624. Originally six projects had been recommended for funding from the $200,000 available; this recommendation was presented to the Council Solid Waste Committee March 2.

During the period between presentation to the Council committee and presentation to the full Council, Solid Waste staff were advised of a potential duplication of a project submitted by Pacific Rock Products located in Camas, WA. Their proposal for $70,000 was to develop and test an aggregate base from waste concrete, asphalt, and glass. Staff learned that a similar facility was being built by East County Recycling, not far from the intended Pacific Rock Products site, and was expected to be on line several months before the proposed 1% project could be operable. At issue was whether the project was innovative, a qualification test of 1% funding.

In light of this potential, the committee requested the full Council to approve a motion amending the resolution approved by the Council Solid Waste Committee and revising the Project List from six projects to five, deleting the Pacific Rock Products project subject to further consideration by the 1% Committee for future recommendation to and action by the Council.

The Committee considered two questions: 1) Is the proposal innovative? and 2) Does it duplicate an existing facility? The Committee and staff conducted a review which included Solid Waste and Office of General Counsel staff meeting with representatives from both firms, followed by the committee meeting with and interviewing representatives from Pacific Rock Products (East County Recycling representatives were unable to attend), discussion and debate about the similarities between the two facilities, and finally requesting and receiving financial information from Ralph Gilbert of East County Recycling, depicting the nature of financing for his facility. This information was requested by the committee to assist in determining whether the facility specifically could be financed with private funds, another criterion for 1% funding; in reference: "It (the 1% Program) is not intended to provide funding for tested recycling programs and technologies, or *projects that can receive private financing or other types of government funding.*" (page i. Application Instructions, 1% For Recycling Grant Program, Application For Funding, Year 5. *emphasis added).*

Following receipt of information and further review, the committee determined that the projects were similar enough that the project would actually duplicate a facility that was already coming on line and financed with private funds. They reluctantly concluded that it would constitute a duplication and did not meet the 1% funding criteria. Pacific Rock Products representatives were notified of the committee's decision in early April.

The committee reconvened and began discussion of possible recommendation of one other project that had received serious consideration in the initial reviews but that had not been selected because there wasn't enough money for more than the original six projects. This proposal was an educational project to inform event planners and local governments about precycling and reducing waste at public events. The idea was to have a visible presence at public events such as Rose Festival, Metro Zoo events, Cathedral Park Jazz Festival, etc. The project coordinators would work with event planners and volunteers at five events to provide information about products with recycling content, develop waste management plans for events, install signage and distribute educational fliers to the public at such events, and conduct waste generation analysis for each event to identify ways in which waste could be reduced. The project would conclude with a slide presentation for use be Metro in promoting waste reduction and production of a "How-To" Guide for use by event coordinators and local governments in future event planning activities.

The committee met with Pamela Brown and Debbie Palermini, project coordinators, in May to determine if their proposal that was originally submitted in December, 1992, was still viable. Both welcomed the opportunity for a second chance to implement their idea. Given the lateness of the time schedule -- the project would have begun in April -- the committee requested a revised schedule. They also observed that with a changed schedule, there was opportunity for more events to be included over a longer period of time, thus allowing opportunity for broader penetration of the educational message to a wider range of the population. The committee also requested a revised budget for the project, shown as Exhibit B. The revised schedule for the project begins in late summer and concludes in spring, 1994. The budget has been increased from the original proposal of $21,700 to $30,400 to allow for a longer time period for the project, addition of two 50,000 + spectator events, and publication of more educational materials.

Funds for this project can be covered by 1% For Recycling funds carried over to 1993-94, since the decision not to fund the Pacific Rock Products project for $70,000 was made after the FY 1993-94 budget was approved.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 93-1823, approving the 1% For Recycling Committee's recommendation to revise the 1992-93 Project List, adding one new project for $30,400, increasing the total approved by Council March 11, 1993 from $122,624 to $153,024.

Meeting Date: July 22, 1993
Agenda Item No. 7.4

RESOLUTION NO. 93-1824A

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1824A, FOR THE PURPOSE OF ESTABLISHING A PROCESS FOR EVALUATION OF METRO'S SOLID WASTE FEES, CONSIDERATION AND REVIEW OF A NEW RATE STRUCTURE FOR FY 94-95, AND COMPLETION OF CHAPTER 11 (RATES) OF THE REGIONAL SOLID WASTE MANAGEMENT PLAN

Date: July 8, 1993 Presented by: Councilor McFarland

Committee Recommendation: At the July 6 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 93-1824A. Voting in favor: Councilors Buchanan, McFarland, McLain, Washington and Wyers.

Committee Issues/Discussion: Terry Peterson, Solid Waste Planning and Technical Services Manager, explained the intent of the resolution is to establish a framework for a comprehensive review of the solid waste rate structure. It identifies the issues to be examined, establishes a timeline for completion (January 1994), provides for the completion of the RSWMP chapter dealing with rates and specifies the involvement of the Solid Waste Committee, the Solid Waste Advisory Committee and the Rate Review Committee.

Peterson explained that the budget includes $35,000 to obtain consultant assistance with this project. He noted that the debate over the system management fee and interest from several businesses in seeking rate relief indicates that now would be an appropriate time to comprehensively review the solid waste rate structure.

Councilor Wyers asked if this project would interfere with the performance audit of waste reduction programs. Peterson indicated that the results of the audit would be available prior to the completion of the rate structure study and that any applicable audit recommendations would be addressed in the rate study.

Councilor Wyers expressed concern about wording in the title and body of the resolution that would appear to require the Council to adopt a new rate structure for FY 94-95. Councilor McFarland asked about the involvement of the Rate Review Committee in the study.

Following committee discussion, amendment language was developed to address these issues. The following amendments were approved: 1) in the resolution title, delete the work "adoption" and insert the words "consideration and review", 2) in Be It Resolved (1) delete the word "adoption" and insert the words "consideration and review", and 3) in Be It Resolved (2) add the words "Solid Waste Committee on a monthly basis for discussion of policy implications." The intent of these amendments was to give the Council flexibility in addressing the need for changes in the rate structure and to insure that the Council is kept informed about the progress of the study.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING A PROCESS FOR EVALUATION OF METRO'S SOLID WASTE FEES, [~~ADOPTION~~] CONSIDERATION AND REVIEW OF A NEW RATE STRUCTURE FOR FY94-95, AND COMPLETION OF CHAPTER 11 (RATES) OF THE REGIONAL SOLID WASTE MANAGEMENT PLAN	))))))))	RESOLUTION NO. 93-1824A Introduced by Rena Cusma Executive Officer

WHEREAS, Policy 11.0 of the Regional Solid Waste Management Plan (adopted by Ordinance No. 88-266B) states: "The solid waste system shall be developed to achieve stable, equitable and predictable solid waste system costs and rates," and

WHEREAS, Chapter 5.02 of the Metro Code establishes a rate system that is based on per-ton fees for solid waste delivered to designated transfer stations and landfills for disposal; and

WHEREAS, These per-ton fees generate tonnage-dependent revenues that must pay all solid waste costs, regardless of whether those costs are dependent or independent of tonnage; and

WHEREAS, Despite the region's expected population growth, tonnage delivered to designated transfer stations and landfills will decline if regional waste reduction and recycling goals are met; and

WHEREAS, Continuing to pay for all costs of managing and operating the solid waste system entirely through fees assessed on a per-ton basis at transfer stations and

landfills will likely lead to ever increasing per-ton rates that are unstable and inequitable and therefore inconsistent with Policy 11.0; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED, that

1. The Metro Council shall [~~adopt~~] consider and review a new rate structure for FY 94-95 based on a comprehensive review to be completed by January, 1994.

2. The Solid Waste Advisory Committee will review rate alternatives and make recommendations to the Council Solid Waste Committee on a monthly basis for discussion of policy implications. These recommendations will included:

   A. Short-term modifications feasible for rates to be adopted for FY 94-95.

   B. Long-term modifications that would make Metro's rates more consistent with adopted or proposed policies but which require additional work before implementation.

   C. Any other changes in the region's solid waste collection and disposal system that are needed in order to implement short- or long-term recommendations.

3. The Rate Review Committee will consider the recommendations of the Solid Waste Advisory Committee when developing solid waste rates for FY 94-95.

4. Chapter 11 of the Regional Solid Waste Management Plan dealing with solid waste rates will be completed and submitted to the Council for review and adoption by March, 1994.

5. Alternatives to be considered as part of this process will include but are not limited to the following:

A. Broaden the Rate Base. Rates are levied over a broader tonnage base than that which arrives at designated transfer stations and landfills for disposal.

B. Rate Restructuring. Rates are restructured so as to cover tonnage-independent costs with tonnage-independent revenues; and tonnage-dependent costs are covered with per-ton tip fees related to the true costs of handling various waste streams.

C. Diversify the Revenue Base. Fund some solid waste functions from sources other than system-specific user charges (*e.g.* taxes).

6. Criteria used to evaluate alternatives will include the following:

A. Consistency. Consistency with Metro's agency-wide planning policies and objectives, including but not limited to the Solid Waste Management Plan, and the economic opportunity and related objectives of Regional Urban Growth Goals and Objectives (RUGGO).

B. Revenue Adequacy. The generation of sufficient revenues to fund the costs of the solid waste system.

C. Equity. Charges to users of the waste disposal system are directly related to disposal services received. Charges to residents of the Metro service district who may not be direct users of the disposal system should be related to other benefits received.

D. Economic Impacts. The economic effects on the various types of rate payers, including the cost of living on residential waste generators and the cost of doing business on non-residential generators, as well as the economic effect on others in the region.

E. Waste Reduction. The rate structure provides incentives to encourage waste reduction, reuse and recycling.

F. Affordability. The ability of those paying for the program to bear the costs that they are determined to be responsible for.

G. Implementation. The relative cost and effort of implementing and administering the rates. Ensure that the rates can be verified and enforced.

H. Credit Rating Impacts. The effect of the rate structure on Metro's credit rating.

I. Authority to Implement. The legal ability of Metro to implement the rate structure; the relative ease or difficulty of obtaining the authority if such authority is not already held; and the changes needed to Metro Code to implement the new rate structure.

J. Reliability. The extent to which anticipated revenues are stable and unlikely to deviate from financial plan expectations.

K. Predictability. Metro rate adjustments will occur in a predictable and orderly manner such that local governments, haulers, and rate payers will be able to perform effective business planning.

ADOPTED by the Metro Council this _____ day of _____, 1993.

_____
Judy Wyers, Presiding Officer

Attest:

_____
Clerk of the Council

mgs\SWC\93-1824A.AMD

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 93-1824 FOR THE PURPOSE OF ESTABLISHING A PROCESS FOR EVALUATION OF METRO'S SOLID WASTE FEES, ADOPTION OF A NEW RATE STRUCTURE FOR FY94-95, AND COMPLETION OF CHAPTER 11 (RATES) OF THE REGIONAL SOLID WASTE MANAGEMENT PLAN

Date: July 25, 1993 Presented by: Terry Petersen

PROPOSED ACTION

Approval of Resolution 93-1824 will establish a process for comprehensively reviewing Metro's method of funding solid waste programs, adopting a new rate structure for FY94-95, and completing Chapter 11 (rates) of the Regional Solid Waste Management Plan.

FACTUAL BACKGROUND

Metro's policy is to have stable, equitable, and predictable solid waste system costs and rates. Implementing this policy is becoming increasingly difficult given the current reliance on per-ton fees.

As the tip fee has risen during the past few years, certain ratepayers have identified what they consider to be inequities in Metro's rate structure. However, these cases have usually involved specific waste materials, facilities, or generators. Rather than addressing each of these on an individual basis, Resolution 93-1824 will create a process for establishing consistent and uniform guidelines regarding any modification of Metro's rates .

The process established by Resolution 93-1824 includes the following key elements:

1. The Metro Council shall adopt a new rate structure for FY94-95 based on comprehensive review to be completed by January, 1994.

2. The Solid Waste Advisory Committee will conduct the review and make recommendations to the Council and the Rate Review Committee for their consideration. Recommendations will include both short- and long-term changes that could make Metro's rates more consistent with adopted or proposed policies.

3. Chapter 11 of the Regional Solid Waste Management Plan will be presented to the Council for adoption by March, 1994.

4. Alternatives to be considered will include: (1) broadening the rate base by levying rates over tons that arrive at facilities other than just transfer stations and landfills, (2) restructuring rates in order to cover tonnage-independent costs with tonnage-independent user fees, and (3) funding some solid waste functions from sources other than user fees. Any tax options considered as part of the third alternative will be referred to the Tax Study Committee for consideration.

5. Criteria for evaluating these alternatives are established.

Resolution 93-1824 was reviewed and recommend by the Solid Waste Advisory Committee on June 24, 1993.

BUDGET IMPACT

There is no direct budget impact associated with approval of this resolution. The FY93-94 budget includes $35,000 for professional services to assist in the analysis of Metro's solid waste fees.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1824.

TP:clk
s:\share\pete\finance\res----.rpt

Meeting Date: July 22, 1993
Agenda Item No. 7.5

RESOLUTION NO. 93-93-1827

M E M O R A N D U M

METRO

DATE: July 15, 1993

TO: Metro Council
Executive Officer
Interested Parties

FROM: Paulette Allen, Clerk of the Council

RE: AGENDA ITEM NO. 7.5; RESOLUTION NO. 93-1827

Presiding Officer Judy Wyers has given permission for Solid Waste Department staff to submit the above-referenced resolution for the July 20 Solid Waste Committee meeting and then the July 22 Council meeting because of a Department of Environmental Quality (DEQ) deadline staff must meet. Committee reports will be distributed in Councilors' mailboxes as soon as possible after the meeting and available at the Council meeting July 22.

M E M O R A N D U M

METRO

To: Solid Waste Committee Members

From: John Houser, Council Analyst

Date: July 14, 1993

Re: Resolution No. 93-1827, For the Purpose of Authorizing the Issuance of a Request for Proposals for Laboratory Services for St. Johns Landfill

Resolution No. 93-1827 is scheduled for committee consideration at the July 20 meeting. At the request of the Solid Waste Department, the Presiding Officer has tenatively scheduled the resolution for consideration by the full Council at its July 22 meeting, subject to committee action at the July 20 meeting.

Background

The Council budgeted a total of $700,000 for a multi-year contract to provide groundwater, surface water and stormwater monitoring at the St. Johns Landfill. A total of $200,000 was allocated for expenditure during the current fiscal year. This work is being completed to comply with various state and federal requirements placed on the closure of the landfill. The proposed contract would be for 3 1/2 years, the remainder of the closure period. It will be difficult to estimate the total cost of the work because the scope of future work will be determined based on ongoing testing results.

Issues and Questions

The committee may wish to consider the following issues and questions related to this resolution:

1) In a memo dated July 9 Joanna Karl, Senior Engineer, requests that the Council expedite its consideration of the resolution. The reason given for the request is that the DEQ "requires that sampling and analysis of the groundwater monitoring wells take place during the month of August. It is contemplated that Metro will be late (September) due to the minimum time required for the RFP process." The committee may wish to ask:

a) Why the RFP process was not begun early enough to meet the DEQ requirement?

b) Are there environmental or other considerations that are affected by the timing of the monitoring?

c) Has DEQ indicated that data from a later test date will be acceptable?

d) Will Metro be subject to any monetary or other types of penalties for failing to meet the August testing date?

2) In light of the uncertainty about the future scope and cost of the monitoring work, why is Metro proposing a multi-year contract for this work?

METRO

DATE: July 9, 1993

TO: Paulette Allen, Council Clerk

FROM: Joanna Karl, Senior Engineer

RE: RFP #93R-39-SW, Laboratory Services for St. Johns Landfill

The Oregon Department of Environmental Quality (DEQ) requires that sampling and analysis of the groundwater monitoring wells take place during the month of August. It is contemplated that Metro will be late (September) due to the minimum time required for the RFP process.

Thus, it is highly desirable that this Request for Proposals (RFP) go before the Solid Waste Committee on Tuesday, July 20, 1993, and before the full Council on Thursday, July 22, 1993, to try and minimize how late we will be in meeting the regulatory requirements.

JK:jc

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS FOR LABORATORY SERVICES FOR ST. JOHNS LANDFILL	))))	RESOLUTION NO. 93-1827 Introduced by Rena Cusma Executive Officer

WHEREAS, It is in the public interest that the St. Johns Landfill closure process move forward in an expeditious manner; and

WHEREAS, Water quality monitoring is required by the Oregon Department of Environmental Quality (DEQ), the Revised Closure and Financial Assurance Plan for St. Johns Landfill, and the Smith and Bybee Lakes Management Plan; and,

WHEREAS, This Request for Proposals (RFP) will provide laboratory services as required to implement the Water Quality Monitoring Plan for St. Johns Landfill; and

WHEREAS, This resolution along with the Request for Proposals and contract form for the work described above were submitted to the Executive Officer for consideration and all were forwarded to the Council for approval; now therefore,

BE IT RESOLVED,

That the Metro Council authorizes issuance of an RFP for work associated with Laboratory Services for sampling at the St. Johns Landfill.

ADOPTED by the Metro Council this ____ day of _____, 1993.

_____
Judy Wyers, Presiding Officer

JK:clk
s:\karl\931827.res

Laboratory Services

for St. Johns Landfill

RFP #93R-39SW

Metro
Solid Waste Department
600 NE Grand Ave.
Portland, OR 97232-2736

TABLE OF CONTENTS

REQUEST FOR PROPOSALS

FOR

LABORATORY SERVICES AT ST. JOHNS LANDFILL (1993-1996)

I. INTRODUCTION

The Solid Waste Department of Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, located at 600 NE Grand Avenue, Portland, OR 97232-2736, is requesting proposals for laboratory services for St. Johns Landfill (1993-1996). Proposals will be due no later than 3:00 p.m., PDT, Monday, August 16 , 1993 in Metro's business offices at 600 NE Grand Avenue, Portland, Oregon 97232-2736. Details concerning the project and proposal are contained in this document.

Interviews, if required, will be held Tuesday, August 24, 1993 or Wednesday, August 25, 1993.

II. BACKGROUND/HISTORY OF PROJECT

The half-century-old St. Johns Landfill, which served nearly all of the Portland metropolitan region, is currently being closed. Metro, which is responsible for managing all asepcts of solid waste disposal in the Portland metropolitan area, owns the St. Johns Landfill, and has operated it since 1980. Metro is currently in the second year of the five-year closure.

To monitor the environmental impact of St. Johns Landfill, Metro performs groundwater, surface water, stormwater, sediment, biological, and leachate sampling. Metro staff collects the samples, to be tested/analyzed by a laboratory.

III. PROPOSED SCOPE OF WORK/SCHEDULE

Metro is seeking proposals from qualified firms to perform the following services and to deliver the products described in the attached Scope of Work (Attachment 3). Initial sampling will be conducted as soon as possible after award of contract. (It is contemplated that such award can take place as early as Friday, September 10, 1993).

IV. QUALIFICATIONS/EXPERIENCE

Each proposal must include a description of both the firm's experience and qualifications which directly relates to the work identified in the Scope of Work.

V. PROJECT ADMINISTRATION

Metro's project manager is Joanna Karl, Senior Solid Waste Engineer.

Proposers must identify a single person as project manager to work with Metro. The Contractor must assure responsibility for any subcontractor work and shall be responsible for the day-to-day direction and internal management of the project. The prime contractor shall have, or be capable of obtaining, professional liability insurance, general liability insurance, business automobile insurance, and workers compensation insurance covering the services to be performed, as shown in Attachment 2 (Personal Services Agreement). Metro shall be named as an additional insured.

VI. PROPOSAL INSTRUCTIONS

A. Submission of Proposals

Five (5) copies of the proposal shall be furnished to Metro, addressed to:

Joanna Karl, PE
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

B. Deadline

Proposals will not be considered if received after 3:00 pm, PDT, Monday, August 16, 1993.

C. RFP as Basis for Proposals:

This Request for Proposals represents the most definitive statement Metro will make concerning the information upon which Proposals are to be based. Any verbal information which is not contained in this RFP will not be considered by Metro in evaluating the Proposal. All questions relating to this RFP should be addressed to Joanna Karl, PE, Senior Engineer at (503) 797-1650. Any questions, which in the opinion of Metro, warrant a written reply or RFP amendment will be furnished to all parties receiving this RFP. Metro will not respond to questions received after Friday, August 6, 1993.

D. Contract Type

Metro intends to award a Personal Services Agreement with the selected Contractor. A copy of the standard contract form approved by Metro General Counsel is attached (Attachment 2). Any proposed changes in the language, construction or requirements of these documents must be raised and resolved as a part of the RFP process. All respondents are therefore advised to review, and include a well-supported response to this document in their proposal.

E. Information Release

All proposers are hereby advised that Metro may solicit and secure background information based upon the information, including references, provided in response to this RFP. By submission of a proposal all proposers agree to such activity and release Metro from all claims arising from such activity.

F. Disadvantaged, Minority and Women-Owned Business Program

In the event that any subcontracts are to be utilized in the performance of this agreement, the proposer's attention is directed to Metro Code ~~provisions~~ sections 2.04.100, 200 ~~& 300~~.

Copies of that document are available from the Procurement and Contracts Division of Regional Facilities, Metro, 600 NE Grand Avenue, Portland, Or 97232-2736 or call (503) 797-1713. Ms. Amila Hazena,

VII. PROPOSAL CONTENTS

The text of the proposal should contain not more than ten (10) pages of written material (excluding biographies and brochures, which may be included in an appendix), describing the ability of the consultant to perform the work requested, as outlined below:

A. Transmittal Letter: Indicate who will be assigned to the project, who will be project manager, and that the proposal will be valid for ninety (90) days.

B. Approach/Project Work Plan: Describe how the work will be done within the given timeframe and budget. Include a proposed work plan and schedule.

C. Staffing/Project Manager Designation: Identify specific personnel assigned to major project tasks, their roles in relation to the work required, percent of their time on the project, and special qualifications they may bring to the project.

Metro intends to award this contract to a single firm to provide the services required. Proposals must identify a single person as project manager to work with Metro. The consultant must assure responsibility for any subconsultant work and shall be responsible for the day-today direction and internal management of the consultant effort.

Designate which tasks will be done by subcontractors.

D. Experience: List projects conducted over the past five years similar to the work required here. For each project, include the name of the contact person, his/her title, role on the project, and telephone number. Identify persons on the proposed team who worked on each project, and their respective roles. Include resumes of individuals proposed for this contract.

E. Cost/Budget: Present the proposed cost of the project. List hourly rates for personnel assigned to the project, total personnel expenditures, support services, and subconsultant fees (if any). Requested expenses should also be listed. A budget not to exceed $240,000 has been established for all lab monitoring work at St. Johns Landfill in fiscal year 1993-1994.

The Cost Proposal Form (Attachment 1, Form 2), to be filled out, is divided into 4 separate years, as well as a summary page (first page) to show the total contract price. Phase II testing may not be required in full by regulators in the future. A contingency, based on the Phase II sampling costs, shall be established for this contract. This contingency, if not required in full by Metro for Phase II sampling, may be used for other required testing, if requested by Metro. Cost of such testing shall be at the unit costs in this proposal.

Indicate the following on the form: (1) unit cost per lab test for each year, (2) the annual cost for each test, (3) the total annual cost for all testing, (4) total contract cost. All costs should be shown on the summary form (first page of the Cost Proposal Form), as well as the detailed forms (pages 2-5). Also, include the proposed test method if not specified by Metro.

F. Technical Information:

(1) Certification and membership.

A. Indicate whether you are certified as a drinking water sample test lab.

B. Indicate whether you are or have been a member of the EPA Contract Lab Program.

(2) Describe the QA/QC, and how it will meet or exceed Metro's Water Quality Sampling and Analysis Plan (Appendix B).

(3) Provide a sample diskette of lab results in ASCII (or compatible with Metro's software). Metro has a water quality data base, and will use the sample to determine what manipulation will be required to input the data.

(4) Provide an expected minimum detection limit or practical quantitation limit for each test parameter and each matrix listed in the RFP.

G. Exceptions and Comments: To facilitate evaluation of proposals, Metro wishes that all responding firms adhere to the format outlined within this RFP.

Firms wishing to take exception to, or comment on, any specified criteria within this RFP are encouraged to document their concerns in this part of their proposal. Exceptions or comments should be succinct, thorough and organized.

VIII. GENERAL PROPOSAL/CONTRACT CONDITIONS

A. Limitation and Award: This RFP does not commit Metro to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to waive minor irregularities, accept or reject any or all proposals received as the result of this request, negotiate with all qualified sources, or to cancel all or part of this RFP.

B. Contract Type: Metro intends to award a personal services contract with the selected firm for this project. A copy of the standard form contract which the successful consultant will be required to execute is attached.

C. Billing Procedures: Proposers are informed that the billing procedures of the selected firm are subject to the review and prior approval of Metro before reimbursement of services can occur. A monthly billing, accompanied by a progress report, will be prepared for review and approval.

D. Validity Period and Authority: The proposal shall be considered valid for a period of at least ninety (90) days and shall contain a statement to that effect. The proposal shall contain the name, title, address, and telephone number of an individual or individuals with authority to bind any company contacted during the period in which Metro is evaluating the proposal.

IX. EVALUATION OF PROPOSALS

A. Evaluation Procedure: Proposals received that conform to the proposal instructions will be evaluated. The evaluation will take place using the evaluation criteria identified in the following section. The evaluation process will result in Metro developing a short list of the firms who, in its opinion, are most qualified. Interviews with these firms may be requested prior to final selection of one firm.

B. Evaluation Criteria: This section provides a description of the criteria which will be used in the evaluation of the proposals submitted to accomplish the work defined in the RFP.

PROJECT WORK PLAN/APPROACH (35%)

- Clarity, understandability, and completeness of proposal
- Demonstration of understanding of the project objectives.
- Responsiveness of proposal to project objectives
- Understanding of work schedule deadlines
- Quality assurance/quality control

PROJECT STAFFING EXPERIENCE (35%)

- Project organization: project management and assignment of personnel; project manager clearly designated; and use of subconsultants clearly described.
- Qualifications and favorable references indicating the directly relevant experience of the project manager, project team, and subconsultants.
- Certified drinking water sample test lab
- Current or past membership in EPA Contract Laboratory Program (CLP)
- Demonstrated knowledge of similar services
- Work schedule deadlines adequately met in previous jobs

BUDGET/COST PROPOSAL (30%)

- Stated ability to complete project within budget
- Completed cost proposal with pricing most advantageous to Metro.

X. NOTICE TO ALL PROPOSERS -- STANDARD AGREEMENT

The personal services agreement (Attachment 2) included herein is a standard agreement approved for use by Metro's General Counsel. As such, it is included for your review prior to submitting a proposal.

Any changes in the included standard agreement must be requested and resolved as part of the proposal process or as a condition attached to the proposal.

Consider the language carefully. Conditioned proposals may be considered nonresponsive. Subsequent requests for modification may not only be rejected, but interpreted as a request to modify and withdraw the original proposal.

Form 1. TECHNICAL INFORMATION

(1) Certification and membership.

A. Indicate whether you are certified as a drinking water sample test lab.

B. Indicate whether you are or have been a member of the EPA Contract Lab Program.

(2) Describe quality assurance/quality control (QA/QC) proacedures, and how they will meet or exceed Metro's sampling plan.

(3) Provide a sample diskette of lab results in ASCII. Metro has a water quality data base, and will use the sample to determine what manipulation will be required to input the data.

(4) Provide an expected minimum detection limit or practical quantitation limit for each parameter and each matrix listed in the RFP.

Attachment 1. PROPOSAL FORMS

FORM 2. COST PROPOSAL

COST PROPOSAL FORM-Summary																					
p.1/5																					
Year:									1993				1994				1995			1996	TOTAL
SUMMARY (from following pages):																					
GROUNDWATER									-				-				-			-	
SURFACE WATER									-				-				-			-	
STORMWATER									-				-				-			-	
SEDIMENT SAMPLING									-				-				-			-	
BIOLOGICAL SAMPLING									-				-				-			-	
LEACHATE COLLECTION SYSTEM									-				-				-			-	
TOTAL									-				-				-			-	-

COST PROPOSAL FORM (cont)

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	Method	Sample Points	Dupl.	Blanks	Samples/ Event	1993 Freq/ Year	1993 Samples/ Year	1993 Unit Cost	1993 Total Cost/yr	1994 Freq/ Year	1994 Samples/ Year	1994 Unit Cost	1994 Total Cost/yr	1995 Freq/ Year	1995 Samples/ Year	1995 Unit Cost	1995 Total Cost/yr	1996 Freq/ Year	1996 Samples/ Year	1996 Unit Cost	1996 Total Cost/yr	Total
GROUNDWATER																						
Leachate Indicators																						
Alkalinity, CaCO3	310.1	31	3		34	1	34			2	68			2	68			2	68			
Ammonium, HN4-N	350.3	31	3		34	1	34			2	68			2	68			2	68			
Bicarbonate, HCO3	SM2320B	31	3		34	1	34			2	68			2	68			2	68			
Calcium (field filtered)	6010	31	3		34	1	34			2	68			2	68			2	68			
Carbonate, CO3 (field filtered)	SM2320B	31	3		34	1	34			2	68			2	68			2	68			
Chemical Oxygen Demand (COD)	410.2	31	3		34	1	34			2	68			2	68			2	68			
Chloride (field filtered)	300.0	31	3		34	1	34			2	68			2	68			2	68			
Conductivity	120.1	31	3		34	1	34			2	68			2	68			2	68			
Hardness, CaCO2	6010	31	3		34	1	34			2	68			2	68			2	68			
Iron	6010	31	3		34	1	34			2	68			2	68			2	68			
Magnesium (field filtered)	6010	31	3		34	1	34			2	68			2	68			2	68			
Manganese, dissolved (field filtered)	6010	31	3		34	1	34			2	68			2	68			2	68			
Nitrate, as N (field filtered)	300.0	31	3		34	1	34			2	68			2	68			2	68			
Phosphorus, Dissolved		31	3		34	1	34			2	68			2	68			2	68			
Potassium (field filtered)	6010	31	3		34	1	34			2	68			2	68			2	68			
Sodium (field filtered)	6010	31	3		34	1	34			2	68			2	68			2	68			
Sulfate, SO4 (field filtered)	300.0	31	3		34	1	34			2	68			2	68			2	68			
Total Dissolved Solids (TDS)	160.1	31	3		34	1	34			2	68			2	68			2	68			
Total Organic Carbon (TOC)	415.1	31	3		34	1	34			2	68			2	68			2	68			
Total Suspended Solids (TSS)	160.2	31	3		34	1	34			2	68			2	68			2	68			
Trace Metals (total recoverable, unfiltered)	EPA 6010	31	3		34	1	34			2	68			2	68			2	68			
Volatile Organic Compounds - Appendix I	EPA 8260	31	3	1	35	1	35			2	70			2	70			2	70			
Volatile Organic Compounds - Other	EPA 8260	31	3	1	35	1	35			2	70			2	70			2	70			
Herbicides	EPA 8150	12	1	1	14	1	14			1	14			1	14			1	14			
Pesticides/PCBs	EPA 808	12	1	1	14	1	14			1	14			1	14			1	14			
EPA Acid/Base Neutral Priority Pollutants	EPA 8270	12	1	1	14	1	14			1	14			1	14			1	14			
SUBTOTAL									+				+				+				+	+
PHASE II Parameters (Appendix II)																						
Metals (15 Metals)	6010 & 7000						60				60				60				60			
Cyanide	9010						60				60				60				60			
Sulfide	9030						60				60				60				60			
Volatile Organics (60 Analytes)	8260						60				60				60				60			
Semivolatile Organics (103 Analytes)	8270						60				60				60				60			
Chlorinated Pesticides/PCBs (26 Analytes)	8080						60				60				60				60			
Chlorinated Herbicides (4 Analytes)	8150						60				60				60				60			
Organophosphorus Pesticides (9 Analytes)	8140						60				60				60				60			
SUBTOTAL (Phase II only)									+				+				+				+	+
SUBTOTAL (All groundwater parameters)									+				+				+				+	

COST PROPOSAL FORM (cont)

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						1993	1993	1993	1993	1994	1994	1994	1994	1995	1995	1995	1995	1996	1996	1996	1996	Total
		Sample			Samples/		Samples/		Total	Freq/	Samples/		Total	Freq/	Samples/		Total	Freq/	Samples/		Total	
	Method	Locations	Dupl.	Blanks	Event	Freq/yr	year	Unit Cost	Cost/yr	Year	Year	Unit Cost	Cost/yr	Year	Year	Unit Cost	Cost/yr	Year	Year	Unit Cost	Cost/yr	
SURFACE WATER																						
Basics - BOD	405.1	8	1		9	2	18			2	18			2	18			2	18			
Nutrients																						
NO2-NO3		8	1		9	4	36			4	36			4	36			4	36			
Total Kjeldahl Nitrogen (TKN)		8	1		9	4	36			4	36			4	36			4	36			
Total Phosphorus		8	1		9	4	36			4	36			4	36			4	36			
Dissolved Phosphorus (Available Phos.)		8	1		9	2	18			2	18			2	18			2	18			
Bacteria	SM9221C																					
Enterococci Bacteria		8	1		9	4	36			4	36			4	36			4	36			
Fecal Coliform Bacteria		8	1		9	4	36			4	36			4	36			4	36			
Toxins-Total Halogented Org (TOX)	9020	8	1		9	2	18			2	18			2	18			2	18			
Leachate Indicators																						
Ammonium, NH4-N	350.3	8	1		9	2	18			2	18			2	18			2	18			
Chemical Oxygen Demand (COD)	410.2	8	1		9	2	18			2	18			2	18			2	18			
Conductivity	120.1	8	1		9	2	18			2	18			2	18			2	18			
Hardness, as Ca CO3	6010	8	1		9	2	18			2	18			2	18			2	18			
Total Dissolved Solids (TDS)	160.1	8	1		9	2	18			2	18			2	18			2	18			
Total Solids	160.3	8	1		9	2	18			2	18			2	18			2	18			
Total Suspended Solids (TSS)	160.2	8	1		9	2	18			2	18			2	18			2	18			
Total Organic Carbon (TOC)	415.1	8	1		9	2	18			2	18			2	18			2	18			
Leachate Indicator - Anions & Cations																						
Bicarbonate, HCO3 (field filtered)	SM2320B	8	1		9	2	18			2	18			2	18			2	18			
Calcium, Ca (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Chloride, Cl (field filtered)	300.0	8	1		9	2	18			2	18			2	18			2	18			
Iron, Fe (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Magnesium, Mg (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Manganese, Mn (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Nitrate, NO3-N (field filtered)	300.0	8	1		9	2	18			2	18			2	18			2	18			
Potassium (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Silica, SiO2 (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Sodium, Na (field filtered)	6010	8	1		9	2	18			2	18			2	18			2	18			
Sulfate, SO4 (field filtered)	300.0	8	1		9	2	18			2	18			2	18			2	18			
Critical Parameters																						
Trace Metals (total recoverable, unfiltered)	6010	8	1		9	1	8			1	9			1	9			1	9			
VOCs	EPA 8260	8	1	1	10	1	10			1	10			1	10			1	10			
SUBTOTAL																						

COST PROPOSAL FORM (cont)

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						1993	1993	1993	1993	1994	1994	1994	1994	1995	1995	1995	1995	1996	1996	1996	1996	Total
		Sample			Samples/		Samples/		Total	Freq/	Samples/		Total	Freq/	Samples/		Total	Freq/	Samples/		Total	
	Method	Points*	Dupl.	Blanks	Event	Freq/yr	year	Unit Cost	Cost/yr	Year	Year	Unit Cost	Cost/yr	Year	Year	Unit Cost	Cost/yr	Year	Year*	Unit Cost	Cost/yr	
STORMWATER SAMPLING																						
Metals	6010	5	1		6	1	6			2	12			2	12			2	10			
Other																						
pH	150.1	5	1		6	1	6			2	12			2	12			2	10			
Oil & grease	413.1	5	1		6	1	6			2	12			2	12			2	10			
Conductivity	120.1	5	1		6	1	6			2	12			2	12			2	10			
COD	410.2	5	1		6	1	6			2	12			2	12			2	10			
TOC	415.1	5	1		6	1	6			2	12			2	12			2	10			
Total suspended solids	160.2	5	1		6	1	6			2	12			2	12			2	10			
Total phosphorus	365.3	5	1		6	1	6			2	12			2	12			2	10			
Dissolved Ortho phosphorus	365.3	5	1		6	1	6			2	12			2	12			2	10			
Fecal coliform	SM9221C	5	1		6	1	6			2	12			2	12			2	10			
Enterococci	SM9230B	5	1		6	1	6			2	12			2	12			2	10			
SUBTOTAL									•				•				•				•	
*No. of sampling points decreases to 4 in 1996.																						
SEDIMENT SAMPLING																						
Total Metals	6010	4	1		5	1	5			1	5			1	5			1	5			
PAH's	8100	4	1	1	6	1	6			1	6			1	6			1	6			
Pesticides and PCBs	8080	4	1	1	6	1	6			1	6			1	6			1	6			
Other																						
2,4-D	8150	4	1	1	6	1	6			1	6			1	6			1	6			
Total Organic Carbon	STM 4129 82-M	4	1		5	1	5			1	5			1	5			1	5			
Acid Volatile Sulfides (cold acid soluble)	8/81 EPA dr.	4	1		5	1	5			1	5			1	5			1	5			
SUBTOTAL									•				•				•				•	•
BIOLOGICAL SAMPLING																						
Invertebrate																						
Mercury, Total	EPA 7471	1	0		1	1	1			1	1			1	1			1	1			
Cadmium, Total	EPA 7131	1	0		1	1	1			1	1			1	1			1	1			
Pesticides and PCBs	EPA 8080	1	0	1	2	1	2			1	2			1	2			1	2			
PAH's		1	0	1	2	1	2			1	2			1	2			1	2			
Lead, Total	EPA 7421	1	0		1	1	1			1	1			1	1			1	1			
	& 3540																					
Fish Tissue																						
Mercury, Total	EPA 7471	1	0		1	1	1			1	1			1	1			1	1			
Cadmium, Total	EPA 7131	1	0		1	1	1			1	1			1	1			1	1			
Pesticides and PCBs	EPA 8080	1	0	1	2	1	2			1	2			1	2			1	2			
PAH's		1	0	1	2	1	2			1	2			1	2			1	2			
Lead, Total	EPA 7421	1	0		1	1	1			1	1			1	1			1	1			
	& 3540																					
SUBTOTAL									•				•				•				•	•

COST PROPOSAL FORM (cont)

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	Method	Sample Locations	Dupl.	Blanks	Samples/ Event	1993 Freq/yr	1993 Samples/ year	1993 Unit Cost	1993 Total Cost/yr	1994 Freq/ Year	1994 Samples/ Year	1994 Unit Cost	1994 Total Cost/yr	1995 Freq/ Year	1995 Samples/ Year	1995 Unit Cost	1995 Total Cost/yr	1996 Freq/ Year	1996 Samples/ Year	1996 Unit Cost	1996 Total Cost/yr	Total
LEACHATE COLLECTION SYSTEM MONITORING																						
Sulfide	376.2	1	0		1	3	3			12	12			12	12			12	12			
pH	150.1	1	0		1	3	3			12	12			12	12			12	12			
Ammonia (grab)	350.3	1	0		1	3	3			12	12			12	12			12	12			
Cadmium (composite)	6010	1	0		1	2	2			4	4			4	4			4	4			
Chromium, Total (composite)	6010	1	0		1	2	2			4	4			4	4			4	4			
Copper (composite)	6010	1	0		1	2	2			4	4			4	4			4	4			
Lead (composite)	7421	1	0		1	2	2			4	4			4	4			4	4			
Nickel (composite)	6010	1	0		1	2	2			4	4			4	4			4	4			
Zinc (composite)	6010	1	0		1	2	2			4	4			4	4			4	4			
Sulfate (composite)	300.0	1	0		1	1	1			2	2			2	2			2	2			
Mercury (composite)	7470	1	0		1	1	1			2	2			2	2			2	2			
Fats, oils, and grease (grab)	413.1	1	0		1	1	1			2	2			2	2			2	2			
TTO (grab)	608/624/625	1	0	1	2	1	2			2	4			2	4			2	4			
SUBTOTAL									-				-				-				-	-
TOTAL									-				-				-				-	-

Attachment 2. PERSONAL SERVICES AGREEMENT

Project:
Contract No:

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, located at 600 NE Grand Avenue, Portland, OR 97232, and _____, referred to herein as "Contractor," located at _____, 97___.

In exchange for the promises and other consideration set forth below, the parties agree as follows:

1. Duration. This personal services agreement shall be effective _____, and shall remain in effect until and including _____, unless terminated or extended as provided in this Agreement.

2. Scope of Work. Contractor shall provide all services and materials specified in Attachment 3 -- Scope of Work," which is incorporated into this Agreement by reference. All services and materials shall be provided by Contractor in accordance with the Scope of Work, in a competent and professional manner. To the extent that the Scope of Work contains additional contract provisions or waives any provision in the body of this Agreement, the Scope of Work shall control.

3. Payment. Metro shall pay Contractor for services performed and materials delivered in the amount(s), manner and at the time(s) specified in the Scope of Work for a maximum sum not to exceed _____ ($_____).

4. Insurance.

a. Contractor shall purchase and maintain at the Contractor's expense, the following types of insurance, covering the Contractor, its employees, and agents:

(1) Broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and

(2) Automobile bodily injury and property damage liability insurance.

b. Insurance coverage shall be a minimum of $500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than $1,000,000.

c. Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS. Notice of any material change or policy cancellation shall be provided to Metro 30 days prior to the change or cancellation.

d. Contractor, its subcontractors, if any, and all employers working under this Agreement that are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Contractor shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If Contractor has no employees and will perform the work without the assistance of others, a certificate to that effect may be attached, as Exhibit B, in lieu of the certificate showing current Workers' Compensation.

e. If required by the Scope of Work, Contractor shall maintain for the duration of this Agreement professional liability insurance covering personal injury and property damage arising from errors, omissions, or malpractice. Coverage shall be in the minimum amount of $500,000. Contractor shall provide to Metro a certificate of this insurance, and 30 days' advance notice of material change or cancellation.

5. Indemnification. Contractor shall indemnify and hold Metro, its agents, employees and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, or with any patent infringement or copyright claims arising out of the use of Contractor's designs or other materials by Metro and for any claims or disputes involving subcontractors.

6. Maintenance of Records. Contractor shall maintain all of its records relating to the Scope of Work on a generally recognized accounting basis and allow Metro the opportunity to inspect and/or copy such records at a convenient place during normal business hours. All required records shall be maintained by Contractor for three years after Metro makes final payment and all other pending matters are closed.

7. Ownership of Documents. All documents of any nature including, but not limited to, reports, drawings, works of art and photographs, produced by Contractor pursuant to this Agreement are the property of Metro, and it is agreed by the parties that such documents are works made for hire. Contractor hereby conveys, transfers, and grants to Metro all rights of reproduction and the copyright to all such documents.

8. Project Information. Contractor shall share all project information and fully cooperate with Metro, informing Metro of all aspects of the project including actual or potential problems or defects. Contractor shall abstain from releasing any information or project news without the prior and specific written approval of Metro.

9. Independent Contractor Status. Contractor shall be an independent contractor for all purposes and shall be entitled only to the compensation provided for in this Agreement. Under no circumstances shall Contractor be considered an employee of Metro. Contractor shall provide all tools or equipment necessary to carry out this Agreement, and shall exercise complete control in achieving the results specified in the Scope of Work. Contractor is solely responsible for its performance under this Agreement and the quality of its work; for obtaining and maintaining all licenses and certifications necessary to carry out this Agreement; for payment of any fees, taxes, royalties, or other expenses necessary to complete the work except as otherwise specified in the Scope of Work; and for meeting all other requirements of law in carrying out this Agreement. Contractor shall identify and certify tax status and identification number through execution of IRS form W-9 prior to submitting any request for payment to Metro.

10. Right to Withhold Payments. Metro shall have the right to withhold from payments due to Contractor such sums as necessary, in Metro's sole opinion, to protect Metro against any loss, damage, or claim which may result from Contractor's performance or failure to perform under this Agreement or the failure of Contractor to make proper payment to any suppliers or subcontractors.

11. State and Federal Law Constraints. Both parties shall comply with the public contracting provisions of ORS chapter 279, and the recycling provisions of ORS 279.545 - 279.650, to the extent those provisions apply to this Agreement. All such provisions required to be included in this Agreement are incorporated herein by reference. Contractor shall comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations including those of the Americans with Disabilities Act.

12. Situs. The situs of this Agreement is Portland, Oregon. Any litigation over this agreement shall be governed by the laws of the state of Oregon and shall be conducted in the circuit court of the state of Oregon, for Multnomah County, or, if jurisdiction is proper, in the U.S. District Court for the District of Oregon.

13. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstance, be assigned or transferred by either party.

14. Termination. This Agreement may be terminated by mutual consent of the parties. In addition, Metro may terminate this Agreement by giving Contractor five days prior written notice of intent to terminate, without waiving any claims or remedies it may have against Contractor. Termination shall not excuse payment for expenses properly incurred prior to notice of termination, but neither party shall be liable for indirect or consequential damages arising from termination under this section.

15. No Waiver of Claims. The failure to enforce any provision of this Agreement shall not constitute a waiver by Metro of that or any other provision.

16. Modification. Notwithstanding and succeeding any and all prior agreement(s) or practice(s), this Agreement constitutes the entire Agreement between the parties, and may only be expressly modified in writing(s), signed by both parties.

_____	METRO
By: _____	By: _____
_____	_____
Print name and title	Print name and title
Date: _____	Date: _____

Attachment 3. SCOPE OF WORK

ATTACHMENT 3

SCOPE OF WORK
LABORATORY SERVICES AT ST. JOHNS LANDFILL (1993-1996)

Metro is seeking proposals from qualified firms to perform the following services and to deliver the products described. The landfill is located in North Portland at 9363 N. Columbia Boulevard.

The Contractor shall identify a single person as project manager to work with Metro. The Contractor shall be responsible for any subcontractor work and shall be responsible for the day-to-day direction and internal management of the Contractor and subcontractor effort.

The Contractor shall provide professional liability insurance, as discussed in Section 4e of the Personal Services Agreement.

The work shall begin in the late summer/early fall of 1993, and continue through the end of 1996. Metro will collect all samples to be analyzed.

TASK 1: Contractor shall adhere to Metro's Sampling and Analysis Plan (Appendix A), which specifies the following: cleaning of sampling containers, use of a laboratory logbook, and laboratory quality assurance/quality control (QA/QC).

All records of testing must be available for inspection if required by Metro. Lab should provide Metro a copy of their QA/QC plan.

TASK 2: Contractor shall analyze parameters, as shown in Appendices A1 (Sampling Parameters) and A2 (TTO's). Note that the number of stormwater monitoring locations decrease from 5 to 4 in 1996.

Sampling parameters or frequency could change, due to sampling results or regulatory requirements. The lab shall be notified at least twenty four hours before each sampling event, of what tests and how many will be required. Field duplicates (one per ten samples) shall be included as well.

Dates of sample collection may vary by a month or so. The analysis shall be completed within thirty (30) days of the Contractor's receipt of each sample. The August 1993 sampling will take place as soon as possible following contract award.

When doing any scan using GC/MS, report the quantitative results for listed parameters. Also, tentatively identify (but not quantify) other observed significant peaks.

The Phase II parameters (Appendix A3) will be tested, only if required by the regulators. A regulatory contingency shall be established for the cost of this sampling. This contingency money, if not required in full for Phase II sampling, shall be available for other testing, if requested by Metro. Cost of such testings shall be at the unit costs established by the proposal.

TASK 3: Lab shall provide all sample containers, delivered to St. Johns Landfill. Samples shall be picked up from the landfill by the lab. The lab will be notified at least 24 hours before a sampling event of the containers required.

TASK 4: Lab report shall specify each test method and minimum detection limits or practical quantitation limits achieved. The lab report shall contain an explanation of any deviation from the minimum detection limits or practical quantitation limits set forth in the proposal.

TASK 5: An ASCII file (or file compatible with Metro's software) of the sampling results, as well as hard copy, shall also be provided to Metro.

Payment Provisions

Contractor shall invoice Metro for services in the amounts indicated by Contractor in the Cost Schedule Proposal Form included in Metro's RFP and in Contractor's proposal, all of which are incorporated into this Agreement by this reference.

Metro shall pay Contractor for services performed and materials delivered in the maximum sum of _____ AND NO/100THS DOLLARS ($ _____). This maximum sum includes all fees, costs, and expenses of whatever nature. Contractor's billing statements shall include an itemized statement of the work done during the billing period, and will not be submitted more frequently than once per month. Metro shall pay Contractor within 30 days of receipt of an approved invoice/billing statement.

Invoices shall be sent to: Joanna Karl, Metro, 600 NE Grand Ave., Portland, OR 97232-2736.

Appendix A. PARAMETER LISTS

Appendix A1. ROUTINE PARAMETERS

GROUNDWATER MONITORING WELLS

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
Feb, Aug Feb,May Aug, Nov	31 5	2 4	N/A N/A	**VISUAL INSPECTION** Visual inspection of well: Evidence of disturbance: Cracking or lifting of the concrete base: Change in vertical orientation: Other changes: Does the lock need treating with penetrating lubricant? If the lock requires treating, was it done? H-wells only: Distance (within 1/4") between the top of the 2" stainless steel well casing and the top of the 4-1/2" steel surface monument casing:	Metro	82	N/A	N/A
Feb, Aug Feb,May Aug, Nov	31 5	2 4	N/A N/A	**WATER LEVEL** Depth to water: Measuring point elevation (ft) —from survey Water level elevation (ft)	Metro	82	N/A	N/A
Feb, Aug	31	2	N/A	**LEACHATE INDICATOR PARAMETERS**				
				FIELD PARAMETERS Conductivity Dissolved Oxygen (DO) pH Temperature	DEQ	62	N/A	N/A
				Alkalinity (CaCO3)	Ph I	62		
				Ammonium (HN4-N)	DEQ	62		
				Bicarbonate (HCO3) - FIELD FILTERED	Ph I, DEQ	62		
				Calcium - FIELD FILTERED	Ph I, DEQ	62		
				Carbonate (CO3) - FIELD FILTERED	DEQ	62		
				Chemical Oxygen Demand (COD)	Ph I	62		
				Chloride - FIELD FILTERED	Ph I, DEQ	62		
				Conductivity (lab)	DEQ	62		
				Hardness (CaCO2)	DEQ	62		
				Iron	Ph I, DEQ	62		
				Magnesium - FIELD FILTERED	Ph I, DEQ	62		
				Manganese, dissolved - FIELD FILTERED	Ph I, DEQ	62		
				Nitrate (as N) - FIELD FILTERED	Ph I, DEQ	62		
				Potassium - FIELD FILTERED	Ph I, DEQ	62		
				Sodium - FIELD FILTERED	Ph I, DEQ	62		
				Silica - FIELD FILTERED	DEQ	62		
				Sulfate (SO4) - FIELD FILTERED	Ph I, DEQ	62		
				Total Dissolved Solids (TDS)	Ph I	62		
				Total Organic Carbon (TOC)	Ph I	62		
				Total Suspended Solids (TSS)	DEQ	62		

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
Feb, Aug	31	2	EPA 6010	TRACE METALS (Total Recoverable - Unfiltered)		62		
			6010	Antimony (Sb)	DEQ			
			6010	Arsenic (As)	Ph I, DEQ			
			6010	Barium (Ba)	Ph I, DEQ			
			6010	Beryllium (Be)	DEQ			
			6010	Cadmium (Cd)	Ph I, DEQ			
			6010	Chromium (Cr)	Ph I, DEQ			
			6010	Cobalt (Co)	Ph I, DEQ			
			6010	Copper (Cu)	Ph I, DEQ			
			6010	Cyanide	Ph I			
			6010	Lead (Pb)	Ph I, DEQ			
			6010	Nickel (Ni)	DEQ			
			6010	Mercury	Ph I			
			6010	Selenium (Se)	Ph I, DEQ			
			6010	Silver (Ag)	Ph I, DEQ			
			6010	Thallium (Tl)	DEQ			
			6010	Vanadium (V)	DEQ			
			6010	Zinc	DEQ			

Sampling Dates	#Samp'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
Feb, Aug	31	2	EPA 8260	VOLATILE ORGANIC COMPOUNDS	Fed. Reg.	62		
				APPENDIX I (Federal Register)				
				Acetone				
				Acrylonitrile				
				Benzene				
				Bromochloromethane				
				Bromodichloromethane				
				Bromoform (Tribromomethane)				
				Carbon disulfide				
				Carbon tetrachloride				
				Chlorobenzene				
				Chloroethane (Ethyl chloride)				
				Chloroform (Trichloromethane)				
				Dibromochloromethane (Chlorodibromomethane)				
				1,2,-Dibromo-3-chloropropane (DBCP)				
				1,2-Dibromoethane (Ethylene dibromide; EDB)				
				o-Dichlorobenzene (1,2-Dichlorobenzene)				
				p-Dichlorobenzene (1,4-Dichlorobenzene)				
				trans-1,4-Dichloro-2-butene				
				1,1-Dichloroethane (Ethylidene chloride)				
				1,2-Dichlorethane (Ethylene dichloride)				
				1,1-Dichloroethylene (1,1-Dichloroethene; Vinylidene chloride)				
				cis-1,2-Dichloroethylene (cis-1,2-Dichloroethene)				
				trans-1,2-Dichloroethylene (trans-1,2-Dichloroethene)				
				1,2-Dichloropropane (Propylene dichloride)				
				cis-1,3-Dichloropropene				
				trans-1,3-Dichloropropene				
				Ethylbenzene				
				2-Hexanone (Methyl butyl ketone)				
				Methyl bromide (Bromomethane)				
				Methyl chloride (Chloromethane)				
				Methylene bromide (Dibromomethane)				
				Methylene chloride (Dichoromethane)				
				Methyl ethyl ketone (MEK; 2-Butanone)				
				Methyl iodide (Iodomethane)				
				4-Methyl-2-pentanone (Methyl isobutyl ketone)				
				Styrene				
				1,1,1,2-Tetrachloroethane				
				1,1,2,2,-Tetrachloroethane				
				Tetrachloroethylene (Tetrachloroethene; Perchloroethylene)				
				Toluene				
				1,1,1-Trichloroethane (Methylchloroform)				
				1,1,2-Trichloroethane				
				Trichloroethylene (Trichloroethene)				
				Trichlorofluoromethane (CFC-11)				
				1,2,3-Trichloropropane				
				Vinyl acetate				
				Vinyl chloride				
				Xylenes				

Sampling Dates	#Sampl'g Points*	Freq/Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
			EPA 8260	OTHER VOC's (p.51075. Federal Register 1,2-dibromo-3-chloropropane 1,2-dibromoethane o-dichlorobenzene p-dichlorobenzene 1,2-dichloropropane 1,1,1,2-tetrachloroethane tetrachloroethylene cis-1,2-dichloroethylene	Fed Reg	62		
????	12	1	EPA 8150	**HERBICIDES**	SE/E	12		
				Dalapon Diacamba MCPA MCPP Dichloroprop 2,4-D Silvex (2,4,5-TP) 2,4,5-T 2.4-DB Dinoseb Picloram				
????	12	1	EPA 608	**PESTICIDES/PCBs**	SE/E	12		
				Pesticides Alpha--BHC Gamma-BHC (Lindane) Beta-BHC Heptachlor Delta-BHC Aldrin Heptachlor Epoxide Alpha-Endosulfan 4,4'-DDE Dieldrin Emdrin r,r'-DDD Beta-Endosulfan 4,4'-DDT Endrin Aldehyde Endosulfan Sulfate Methoxychlor Toxaphene Chlordane PCB's Aroclor 1016 Arochlor 1221 Arochlor 1232 Aroclor 1242 Aroclor 1248 Aroclor 1254 Aroclor 1260 Total phenols				

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
?????	12	1	EPA 8270	**EPA ACID/BASE NEUTRAL PRIORITY POLLUTANTS**	SE/E	12		
				N-Nitrosodimethylamine				
				Aniline				
				Bis(2-chloroethyl) ether				
				1,3-Dichlorobenzene				
				1,4-Dichlorobenzene				
				1,2-Dichlorobenzene				
				Bis(2-chloroisopropyl) ether				
				N-Nitrososdi-n-propyl anine				
				Hexachloroethane				
				Nitrobenzene				
				Isophorone				
				Bis(2-Chloroethoxy)methane				
				1,2,4-Trichlorobenzen				
				Napthalene				
				4-Chloraniline				
				Hexachlorobutadiene				
				2-Methylnapthalene				
				Hexachlorocyclopentadiene				
				2-Chloronaphthalene				
				2-Nitroaniline				
				Dimethylphthalate				
				Acenaphthylene				
				3-Nitroaniline				
				Acenaphthene				
				Dibenzofuran				
				2,4-Dinitrotoluene				
				2,6-Dinitrotoluene				
				Diethylphthalate				
				4-Chlorophenyl phenyl ether				
				Fluorene				
				4-Nitroaniline				
				N-Nitrosodiphenylamine				
				4-Bromophenyl phenyl ether				
				Hexachlorobenzene				
				Phenanthrene				
				Anthracene				
				Dibutylphthalate				
				Fluoranthene				
				Pyrene				
				Butyl benzyl phthalate				
				3,3'-Dichlorobenzidine				
				Benzo(a)anthracene				
				Bis(2-ethylhexyl)phthalate				
				Chrysene				
				Di-n-octyl phthalate				
				Benzo(b)fluoranthene				
				Benzo(k)fluoranthene				
				Benzo(a)pyrene				
				Indeno(1,2,3-c,d)pyrene				
				Dibenzo(a,h)anthracene				
				Benzo(g,h,i)perylene				

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
				EPA ACID/BASE NEUTRAL PRIORITY POLLUTANTS(cont)				
				Phenol				
				2-Chlorophenol				
				Benzyl Alcohol				
				2-Methylphenol.				
				4-Methylphenol				
				2-Nitrophenol				
				2,4-Dimethylphenol				
				Benzoic Acid				
				2,4-Dichlorophenol				
				4-Chloro-3-methylphenol				
				2,4,6-Trichlorophenol				
				2,4,5-Trichlorophenol				
				2,4-Dinitrophenol				
				4-Nitrophenol				
				2-Methyl-4,6-dinitrophenol				
				Pentachlorophenol				

SURFACE WATER MONITORING

Sampling Dates	#Sampl'g Points*	Freq/Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
Feb, July, Aug, Sept	8	4		**BASICS**				
				FIELD PARAMETERS	S/B, DEQ		N/A	N/A
				Conductivity		32		
				Dissolved Oxygen		32		
				pH		32		
				Temperature		32		
		2		Water Level (required by DEQ only)		16		
???	8	2		BOD	DEQ	16		
				NUTRIENTS				
Feb, July, Aug, Sept	8	4		NO2-NO3-N	S/B	32		
Feb, July, Aug, Sept	8	4		Total Kjeldahl Nitorgen (TKN)	S/B, DEQ	32		
Feb, July, Aug, Sept	8	4		Total Phosphorus	TMDL, S/B	32		
???	8	2		Dissolved Phosphorus (Available Phosphorus)	DEQ	16		
				BACTERIA				
Feb, July, Aug, Sept	8	4		Enteroccocci Bacteria	TMDL, DEQ	32		
Feb, July, Aug, Sept	8	4		Fecal Coliform Bacteria	TMDL, DEQ	32		
???	8	2		Total Coliform Bacteria	DEQ	16		
				TOXINS				
????	8	2		Total Halogenated Organics (TOX)	DEQ	16		
????	8	2		????	TMDL			
????	8	2		**INDICATOR PARAMETERS** - Leachate Indicator Constituents and Related Parameters				
				Ammonium (NH4-N)	DEQ	16		
				Chemical Oxygen Demand (COD)	DEQ	16		
				Conductivity (lab)	DEQ	16		
				Hardness (as CaCO3)	DEQ	16		
				Total Dissolved Solids (TDS)	DEQ	16		
				Total Solids	S/B	16		
				Total Suspended Solids (TSS)	DEQ	16		
				Total Organic Carbon (TOC)	DEQ	16		

Sampling Dates	#Samp'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
????	8	2		**INDICATOR PARAMETERS** Anions and Cations - FIELD FILTERED				
				Bicarbonate (HCO3)	DEQ	16		
				Carbonate (CO3)	DEQ	16		
				Calcium (Ca)	DEQ	16		
				Chloride (Cl)	DEQ	16		
				Iron (Fe)	DEQ	16		
				Magnesium (Mg)	DEQ	16		
				Manganese (Mn)	DEQ	16		
				Nitrate (NO3-N)	DEQ	16		
				Potassium (K)	DEQ	16		
				Silica (SiO2)	DEQ	16		
				Sodium (Na)	DEQ	16		
				Sulfate (SO4)	DEQ	16		
????	8	2		**CRITICAL PARAMETERS**				
				TRACE METALS Antimony (Sb) Arsenic (As) Barium (Ba) Beryllium (Be) Cadmium (Cd) Chromium (Cr) Cobalt (Co) Copper (Cu) Lead (Pb) Nickel (Ni) Selenium (Se) Silver (Ag) Thallium (Tl) Vanadium (V) Zinc (Zn)	DEQ	16		
????	8	2	EPA 8260	VOLATILE ORGANIC CONSTITUENTS	DEQ	16		

SEDIMENT SAMPLING

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
???	4	1		**TOTAL METALS - 1/yr**		4		
				Arsenic		4		
				Cadmium		4		
				Chromium		4		
				Copper		4		
				Lead		4		
				Mercury		4		
				Zinc		4		
???	4	1		**PAH's - 1/yr**				
						4		
	4	1	8080	**PESTICIDES and PCBs** (listed in EPA, Method 8080)		4		
				OTHER				
	4	1		2,4-D		4		
	4	1		Total Organic Carbon		4		
	4	1		Acid Volatile Sulfides (cold acid soluble)		4		

BIOLOGICAL SAMPLING

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
		1	EPA 7471	INVERTEBRATE - Mercury, Total		1		
		1	EPA 7131	INVERTEBRATE - Cadmium, Total		1		
		1	EPA 8080	INVERTEBRATE - Pesticides and PCBs		1		
		1	EPA 7421 and 3540	INVERTEBRATE - Lead, Total		1		
		1	EPA 7471	FISH TISSUE - Mercury, Total		1		
		1	EPA 7131	FISH TISSUE - Cadmium, Totall		1		
		1	EPA 8080	FISH TISSUE - Pesticides and PCBs		1		
		1	EPA 7421 and 3540	FISH TISSUE - Lead, Total		1		

*Invertebrate will be crayfish or penned Asian clams (Corbicula fluminea)
Fish from prefereably five specimens, from each of three species.

STORMWATER MONITORING

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
	7	12		**VISUAL OBSERVATIONS** - Monthly (when at least one storm event occurs which produces runoff)		84	N/A	N/A
Fall, ?	7			Color				
				Foam				
				Oil & grease sheen				
Fall, ?	7	2		**METALS** (Grab Samples) - 2/yr (plus whenever leachate seepage is detected or sewage sludge is disposed of at the site)		14		
				Arsenic				
				Cadmium				
				Chromium				
				Copper				
				Orpm				
				Lead				
				Manganese				
				Mercury				
				Nickel				
				Zinc				
Fall, ?	7	2		**OTHER** - 2/yr (plus oil & grease whenever a visible oil sheen is detected in a stormwater discharge)				
				pH		14		
				Oil & Grease (mg/l)		14		
				Conductivity (uMHO/cm)		14		
				COD (mg/l)		14		
				TOC (mg/l)		14		
				Total Suspended Solids (mg/l)		14		
				Total Phosphorus (mg/l)		14		
				Dissolved Ortho Phosphorus (mg/l)		14		
				Fecal Coliform (#/100 ml)		14		
				Enteroccocci (#/100 ml)		14		

LEACHATE COLLECTION SYSTEM MONITORING

Sampling Dates	#Sampl'g Points*	Freq./Yr	Method #	PARAMETER TO BE SAMPLED	Source	Total No.	Cost/Test	Total Cost
Monthly	1	12		Sulfide (Grab)	City Permit	12		
Monthly	1	12		pH (Grab)	City Permit	12		
Monthly	1	12		Ammonia (Grab)	JQ	12		
Mar, June, Sept,Dec	1	4		Cadmium (composite)	City Permit	4		
Mar, June, Sept,Dec	1	4		Chromium, Total (composite)	City Permit	4		
Mar, June, Sept,Dec	1	4		Copper (composite)	City Permit	4		
Mar, June, Sept,Dec	1	4		Lead (composite)	City Permit	4		
Mar, June, Sept,Dec	1	4		Nickel (composite)	City Permit	4		
Mar, June, Sept,Dec	1	4		Zinc (zinc)	City Permit	4		
June, Dec	1	2		Sulfate (composite)	City Permit	2		
June, Dec	1	2		Mercury (composite)	City Permit	2		
June, Dec	1	2		Fats, Oils, and Grease (grab)	City Permit	2		
June, Dec	1	2		TTO (grab)	City Permit	2		
Contin-uously				Flow (metered)	City Permit	N/A		

Appendix A2. TTO's

Acenaphthene
Acrolein
Acrylonitrile
Benzene
Benzidine
Carbon tetrachloride (tetrachloromethane)
Chlorobenzene
1,2,4-trichlorobenzene
Hexachlorobenzene
1,2-dichloroethane
1,1,1-trichloroethane
Hexachloroethane
1,1-dichloroethane
1,1,2-trichloroethane
1,1,2,2-tetrachloroethane
Chloroethane
Bis(2-chloroethyl) ether
2-chloroethyl vinyl ether (mixed)
2-chloronaphthalene
2,4,6-trichlorophenol
Parachlorometa cresol
Chloroform (trichloromethane)
2-chlorophenol
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3-dichlorobenzidine
1,1-dichloroethylene
1,2-trans-dichloroethylene
2,4-dichlorophenol
1,2-dichloropropane
1,3-dichloropropylene(1,3-dichloropropene)
2,4-dimethylphenol
2,4-dinitrotoluene
2,6-dinitrotoluene
1,2-diphenylhydrazine
Ethylbenzene
Fluoranthene
4-chlorophenyl phenyl ether
4-bromophenyl phenyl ether
Bis(2-chloroisopropyl) ether
Bis(2-chloroethoxy) methane
Methylene chloride (dichloromethane)
Methyl chloride (chloromethane)
Methyl bromide (bromomethane)
Bromoform (tribromomethane)
Dichlorobromomethane
Chlorodibromomethane
Hexachlorobutadiene
Hexachlorocyclopentadiene
Isophorone
Naphthalene
Nitrobenzene
2-nitrophenolthylamine
4-nitrophenolenylamine
2,4-dinitrophenol
4,6-dinitro-o-cresol
N-nitrosodimethylamine
N-nitroxodiphenylamine
N-nitrosodi-n-propylamine
Pentachlorophenol
Phenol
Bis(2-ethylhexyl)phthalate
Butyl benzyl phthalate
Di-n-butyl phthalate
Di-n-octyl phthalate
Diethyl phthalate
Dimethyl phthalate
1,2-benzanthracene
(benzo(a)anthracene)
Benzo(a)pyrene(3,4-benzopyrene)
3,4-Benzofluoranthene
(benzo(b)fluoranthene)
11,12-benzofluoranthene
(benzo(k)fluoranthene)
Chrysene
Acenaphthylene
Anthracene
1,12-benzoperylene
(benzo(ghi)perylene)
Fluorene
Phenanthrene
1,2,5,6-dibenzanthracene
(dibenzo(a,h)anthracene)
Indeno(1,2,3-cd pyrene
(2,3-o-phenylene pyrene)
Pyrene
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl chloride (chloroethylene)
Aldrin
Dieldrin
Chlordane (technical mixture
and metabolites)
4,4-DDT
4,4-DDE(p,p-DEX)
4,4-DDD(p,p-TDE)
Alpha-endosulfan
Beta-endolulfan

TOTAL TOXIC ORGANICS (cont)

Endosulfan sulfate
Endrin
Endrin aldehyde
Heptachlor
Heptachlor epoxide
(BHC-hexachlorocyclohexane)
- Alpha-BHC
- Beta-BHC
- Gamma-BHC
- Delta-BHC

(PCB-polychlorinated biphenyls)
- PCB-1242 (Arochlor 1242)
- PCB-1254 (Arochlor 1254)
- PCB-1221 (Arochlor 1221)
- PCB-1232 (Arochlor 1232)
- PCB-1248 (Arochlor 1248)
- PCB-1260 (Arochlor 1260)
- PCB-1016 (Arochlor 1016)

Toxaphene
2,3,7,8-tetrachlorodibenxo-p-dioxin (TCDD)

Appendix A3. PHASE II PARAMETERS

Appendix II to this Part 258—List of Hazardous Inorganic and Organic Constituents [1]

Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	PQL (µg/L) [6]
Acenaphthene	83-32-9	Acenaphthylene, 1,2-dihydro-	8100	200
			8270	10
Acenaphthylene	208-96-8	Acenaphthylene	8100	200
			8270	10
Acetone	67-64-1	2-Propanone	8260	100
Acetonitrile; Methyl cyanide	75-05-8	Acetonitrile	8015	100
Acetophenone	98-86-2	Ethanone, 1-phenyl-	8270	10
2-Acetylaminofluorene; 2-AAF	53-96-3	Acetamide, N-9H-fluoren-2-yl-	8270	20
Acrolein	107-02-8	2-Propenal	8030	5
			8260	100
Acrylonitrile	107-13-1	2-Propenenitrile	8030	5
			8260	200
Aldrin	309-00-2	1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro- (1α,4α,4aβ,5α,8α,8aβ)-	8080	0.05
			8270	10
Allyl chloride	107-05-1	1-Propene, 3-chloro-	8010	5
			8260	10
4-Aminobiphenyl	92-67-1	[1,1'-Biphenyl]-4-amine	8270	20
Anthracene	120-12-7	Anthracene	8100	200
			8270	10
Antimony	(Total)	Antimony	6010	300
			7040	2000
Arsenic	(Total)	Arsenic	7041	30
			6010	500
			7060	10
Barium	(Total)	Barium	7061	20
			6010	20
Benzene	71-43-2	Benzene	7060	1000
			8020	2
			8021	0.1
Benzo[a]anthracene; Benzanthracene	56-55-3	Benz[a]anthracene	8260	5
			8100	200
Benzo[b]fluoranthene	205-99-2	Benz[e]acephenanthrylene	8270	10
			8100	200
Benzo[k]fluoranthene	207-08-9	Benzo[k]fluoranthene	8270	10
			8100	200
Benzo[ghi]perylene	191-24-2	Benzo[ghi]perylene	8270	10
			8100	200
Benzo[a]pyrene	50-32-8	Benzo[a]pyrene	8270	10
			8100	200
Benzyl alcohol	100-51-6	Benzenemethanol	8270	10
Beryllium	(Total)	Beryllium	8270	20
			6010	3
			7090	50
			7091	2
alpha-BHC	319-84-6	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1α,2α,3β,4α,5β,6β)-	8080	0.05
			8270	10
beta-BHC	319-85-7	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1α,2β,3α,4β,5α,6β)-	8080	0.05
			8270	20
delta-BHC	319-86-8	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1α,2α,3α,4β,5α,6β)-	8080	0.1
			8270	20

Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	PQL (µg/L) [6]
gamma-BHC, Lindane	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1α,2α,3β,4α,5α,6β)-	8080	0.05
			8270	20
Bis(2-chloroethoxy)methane	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-	8110	5
			8270	10
Bis(2-chloroethyl) ether; Dichloroethyl ether	111-44-4	Ethane, 1,1'-oxybis[2-chloro-	8110	3
			8270	10
Bis-(2-chloro-1-methylethyl) ether; 2,2'-Dichlorodiisopropyl ether; DCIP, See note 7	108-60-1	Propane, 2,2'-oxybis[1-chloro-	8110	10
			8270	10
Bis(2-ethylhexyl) phthalate	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	8060	20
Bromochloromethane; Chlorobromomethane	74-97-5	Methane, bromochloro-	8021	0.1
			8260	5
Bromodichloromethane; Dibromochloromethane	75-27-4	Methane, bromodichloro-	8010	1
			8021	0.2
			8250	5
Bromoform; Tribromomethane	75-25-2	Methane, tribromo-	8010	2
			8021	15
			8260	5
4-Bromophenyl phenyl ether	101-55-3	Benzene, 1-bromo-4-phenoxy-	8110	25
			8270	10
Butyl benzyl phthalate; Benzyl butyl phthalate	85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	8060	5
			8270	10
Cadmium	(Total)	Cadmium	6010	40
			7130	50
			7131	1
Carbon disulfide	75-15-0	Carbon disulfide	8260	100
Carbon tetrachloride	56-23-5	Methane, tetrachloro-	8010	1
			8021	0.1
			8260	10
Chlordane	See Note 8	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-	8080	0.1
			8270	50
p-Chloroaniline	106-47-8	Benzenamine, 4-chloro-	8270	20
Chlorobenzene	108-90-7	Benzene, chloro-	8010	2
			8020	2
			8021	0.1
			8260	5
Chlorobenzilate	510-15-6	Benzeneacetic acid, 4-chloro-α-(4-chlorophenyl)-α-hydroxy-, ethyl ester.	8270	10
p-Chloro-m-cresol; 4-Chloro-3-methylphenol	59-50-7	Phenol, 4-chloro-3-methyl-	8040	5
			8270	20
Chloroethane; Ethyl chloride	75-00-3	Ethane, chloro-	8010	5
			8021	1
			8260	10
Chloroform; Trichloromethane	67-66-3	Methane, trichloro-	8010	0.5
			8021	0.2
			8260	5
2-Chloronaphthalene	91-58-7	Naphthalene, 2-chloro-	8120	10
			8270	10
2-Chlorophenol	95-57-8	Phenol, 2-chloro-	8040	5
			8270	10
4-Chlorophenyl phenyl ether	7005-72-3	Benzene, 1-chloro-4-phenoxy-	8110	40
			8270	10
Chloroprene	126-99-8	1,3-Butadiene, 2-chloro-	8010	50
			8260	20
Chromium	(Total)	Chromium	6010	70
			7190	500
			7191	10
Chrysene	218-01-9	Chrysene	8100	200
			8270	10
Cobalt	(Total)	Cobalt	6010	70
			7200	500
			7201	10
Copper	(Total)	Copper	6010	60
			7210	200
			7211	10
m-Cresol; 3-methylphenol	108-39-4	Phenol, 3-methyl-	8270	10
o-Cresol; 2-methylphenol	95-48-7	Phenol, 2-methyl-	8270	10
p-Cresol; 4-methylphenol	106-44-5	Phenol, 4-methyl-	8270	10
Cyanide	57-12-5	Cyanide	9010	200
2,4-D; 2,4-Dichlorophenoxyacetic acid	94-75-7	Acetic acid, (2,4-dichlorophenoxy)-	8150	10
4,4'-DDD	72-54-8	Benzene 1,1'-(2,2-dichloroethylidene)bis[4-chloro-	8080	0.1
			8270	10
4,4'-DDE	72-55-9	Benzene, 1,1'-(dichloroethyenylidene)bis[4-chloro-	8080	0.05
			8270	10
4,4'-DDT	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-	8080	0.1
			8270	10
Diallate	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-,S-(2,3-dichloro-2-propenyl) ester.	8270	10

Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	PQL (µg/L) [6]
Dibenz[a,h]anthracene	53-70-3	Dibenz[a,h]anthracene	8100	200
			8270	10
Dibenzofuran	132-64-9	Dibenzofuran	8270	10
Dibromochloromethane; Chlorodibromomethane	124-48-1	Methane, dibromochloro-	8010	1
			8021	0.3
			8260	5
1,2-Dibromo-3-chloropropane; DBCP	96-12-8	Propane, 1,2-dibromo-3-chloro-	8011	0.1
			8021	30
			8260	25
1,2-Dibromoethane; Ethylene dibromide; EDB	106-93-4	Ethane, 1,2-dibromo-	8011	0.1
			8021	10
			8260	5
Di-n-butyl phthalate	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester	8060	5
			8270	10
o-Dichlorobenzene; 1,2-Dichlorobenzene	95-50-1	Benzene, 1,2-dichloro-	8010	2
			8020	5
			8021	0.5
			8120	10
			8260	5
			8270	10
m-Dichlorobenzene; 1,3-Dichlorobenzene	541-73-1	Benzene, 1,3-Dichloro-	8010	5
			8020	5
			8021	0.2
			8120	10
			8260	5
			8270	10
p-Dichlorobenzene; 1,4-Dichlorobenzene	106-46-7	Benzene, 1,4-dichloro-	8010	2
			8020	5
			8021	0.1
			8120	15
			8260	5
			8270	10
3,3'-Dichlorobenzidine	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-	8270	20
trans-1,4-Dichloro-2-butene	110-57-6	2-Butene, 1,4-dichloro-, (E)-	8260	100
Dichlorodifluoromethane; CFC 12	75-71-8	Methane, dichlorodifluoro-	8021	0.5
			8260	5
1,1-Dichloroethane; Ethylidene chloride	75-34-3	Ethane, 1,1-dichloro-	8010	1
			8021	0.5
			8260	5
1,2-Dichloroethane; Ethylene dichloride	107-06-2	Ethane, 1,1-dichloro-	8010	0.5
			8021	0.3
			8260	5
1,1-Dichloroethylene; 1,1-Dichloroethene; Vinylidene chloride	75-35-4	Ethene, 1,1-dichloro-	8010	1
			8021	0.5
			8260	5
cis-1,2-Dichloroethylene; cis-1,2-Dichloroethene	156-59-2	Ethene, 1,2-dichloro-, (Z)-	8021	0.2
			8260	5
trans-1,2-Dichloroethylene trans-1,2-Dichloroethene	156-60-5	Ethene, 1,2-dichloro-, (E)-	8010	1
			8021	0.5
			8260	5
2,4-Dichlorophenol	120-83-2	Phenol, 2,4-dichloro-	8040	5
			8270	10
2,6-Dichlorophenol	87-65-0	Phenol, 2,6-dichloro-	8270	10
1,2-Dichloropropane; Propylene dichloride	78-87-5	Propane, 1,2-dichloro-	8010	0.5
			8021	0.05
			8260	5
1,3-Dichloropropane; Trimethylene dichloride	142-28-9	Propane, 1,3-dichloro-	8021	0.3
			8260	5
2,2-Dichloropropane; Isopropylidene chloride	594-20-7	Propane, 2,2-dichloro-	8021	0.5
			8260	15
1,1-Dichloropropene	563-58-6	1-Propene, 1,1-dichloro-	8021	0.2
			8260	5
cis-1,3-Dichloropropene	10061-01-5	1-Propene, 1,3-dichloro-, (Z)-	8010	20
			8260	10
trans-1,3-Dichloropropene	10061-02-6	1-Propene, 1,3-dichloro-, (E)-	8010	5
			8260	10
Dieldrin	60-57-1	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aα,2β,2aα,3β,6β,6aα,7β,7aα)-.	8080	0.05
			8270	10
Diethyl phthalate	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester	8060	5
			8270	10
0,0-Diethyl 0-2-pyrazinyl phosphorothioate; Thionazin	297-97-2	Phosphorothioic acid, 0,0-diethyl 0-pyrazinyl ester	8141	5
			8270	20
Dimethoate	60-51-5	Phosphorodithioic acid, 0,0-dimethyl S-[2-(methylamino)-2-oxoethyl] ester.	8141	3
			8270	20
p-(Dimethylamino)azobenzene	60-11-7	Benzenamine, N,N-dimethyl-4-(phenylazo)-	8270	10
7,12-Dimethylbenz[a]anthracene	57-97-6	Benz[a]anthracene, 7,12-dimethyl-	8270	10

—Continued

Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	PQL (µg/L) [6]
3,3'-Dimethylbenzidine	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	8270	10
2,4-Dimethylphenol; m-Xylenol	105-67-9	Phenol, 2,4-dimethyl-	8040	5
			8270	10
Dimethyl phthalate	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester	8060	5
			8270	10
m-Dinitrobenzene	99-65-0	Benzene, 1,3-dinitro-	8270	20
4,6-Dinitro-o-cresol 4,6-Dinitro-2-methylphenol	534-52-1	Phenol, 2-methyl-4,6-dinitro	8040	150
			8270	50
2,4-Dinitrophenol;	51-28-5	Phenol, 2,4-dinitro-	8040	150
			8270	50
2,4-Dinitrotoluene	121-14-2	Benzene, 1-methyl-2,4-dinitro-	8090	0.2
			8270	10
2,6-Dinitrotoluene	606-20-2	Benzene, 2-methyl-1,3-dinitro-	8090	0.1
			8270	10
Dinoseb; DNBP; 2-sec-Butyl-4,6-dinitrophenol	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	8150	1
			8270	20
Di-n-octyl phthalate	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester	8060	30
			8270	10
Diphenylamine	122-39-4	Benzenamine, N-phenyl-	8270	10
Disulfoton	298-04-4	Phosphorodithioic acid, 0,0-diethyl S-[2-(ethylthio)ethyl] ester	8140	2
			8141	0.5
			8270	10
Endosulfan I	959-98-8	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide,	8080	0.1
			8270	20
Endosulfan II	33213-65-9	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3 oxide, (3α,5aα,6β,9β,9aα)-.	8080	0.05
			8270	20
Endosulfan sulfate	1031-07-8	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-,3-3-dioxide.	8080	0.5
			8270	10
Endrin	72-20-8	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aα, 2β,2aβ,3α,6α, 6aβ,7β,7aα)-.	8080	0.1
			8270	20
Endrin aldehyde	7421-93-4	1,2,4-Methenocyclopenta[cd]pentalene-5-carboxaldehyde, 2,2a,3,3,4,7-hexachlorodecahydro-, (1α,2β,2aβ,4β, 4aβ,5β,6aβ,6bβ,7R*)-.	8080	0.2
			8270	10
Ethylbenzene	100-41-4	Benzene, ethyl-	8020	2
			8221	0.05
			8260	5
Ethyl methacrylate	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester	8015	5
			8260	10
			8270	10
Ethyl methanesulfonate	62-50-0	Methanesulfonic acid, ethyl ester	8270	20
Famphur	52-85-7	Phosphorothioic acid, 0-[4-[(dimethylamino)sulfonyl]phenyl] 0,0-dimethyl ester.	8270	20
Fluoranthene	206-44-0	Fluoranthene	8100	200
			8270	10
Fluorene	86-73-7	9H-Fluorene	8100	200
			8270	10
Heptachlor	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-.	8080	0.05
			8270	10
Heptachlor epoxide	1024-57-3	2,5-Methano-2H-indeno[1,2-b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexahydro-, (1aα, 1bβ, 2α, 5α, 5aβ, 6β, 6aα).	8080	1
			8270	10
Hexachlorobenzene	118-74-1	Benzene, hexachloro-	8120	0.5
			8270	10
Hexachlorobutadiene	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	8021	0.5
			8120	5
			8260	10
			8270	10
Hexachlorocyclopentadiene	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-	8120	5
			8270	10
Hexachloroethane	67-72-1	Ethane, hexachloro-	8120	0.5
			8260	10
			8270	10
Hexachloropropene	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-	8270	10
2-Hexanone; Methyl butyl ketone	591-78-6	2-Hexanone	8260	50
Indeno(1,2,3-cd)pyrene	193-39-5	Indeno(1,2,3-cd)pyrene	8100	200
			8270	10
Isobutyl alcohol	78-83-1	1-Propanol, 2-methyl-	8015	50
			8240	100
Isodrin	465-73-6	1,4,5,8-Dimethanonaphthalene,1,2,3,4,10,10- hexachloro-1,4,4a,5,8,8a hexahydro- (1α,4α,4aβ,5β,8β,8aβ)-.	8270	20
			8260	10
Isophorone	78-59-1	2-Cyclohexen-1-one, 3,5,5-trimethyl-	8090	60
			8270	10
Isosafrole	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-	8270	10
Kepone	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5,5a,5b,6-decachlorooctahydro-	8270	20

—Continued

Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	POL (µg/L) [6]
Lead	(Total)	Lead	6010	400
			7420	1000
			7421	10
Mercury	(Total)	Mercury	7470	2
Methacrylonitrile	126-98-7	2-Propenenitrile, 2-methyl-	8015	5
			8260	100
Methapyrilene	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'2-thienylmethyl)-.	8270	100
Methoxychlor	72-43-5	Benzene,1,1'-(2,2,2,trichloroethylidene)bis[4-methoxy-	8080	2
			8270	10
Methyl bromide; Bromomethane	74-83-9	Methane, bromo-	8010	20
			8021	10
Methyl chloride; Chloromethane	74-87-3	Methane, chloro-	8010	1
			8021	0.3
3-Methylcholanthrene	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	8270	10
Methyl ethyl ketone; MEK; 2-Butanone	78-93-3	2-Butanone	8015	10
			8260	100
Methyl iodide; Iodomethane	74-88-4	Methane, iodo-	8010	40
			8260	10
Methyl methacrylate	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester	8015	2
			8260	30
Methyl methanesulfonate	66-27-3	Methanesulfonic acid, methyl ester	8270	10
2-Methylnaphthalene	91-57-6	Naphthalene, 2-methyl-	8270	10
Methyl parathion; Parathion methyl	298-00-0	Phosphorothioic acid, 0,0-dimethyl 0-(4-nitrophenyl) ester	8140	0.5
			8141	1
			8270	10
4-Methyl-2-pentanone; Methyl isobutyl ketone	108-10-1	2-Pentanone, 4-methyl-	8015	5
			8260	100
Methylene bromide; Dibromomethane	74-95-3	Methane, dibromo-	8010	15
			8021	20
			8260	10
Methylene chloride; Dichloromethane	75-09-2	Methane, dichloro-	8010	5
			8021	0.2
			8260	10
Naphthalene	91-20-3	Naphthalene	8021	0.5
			8100	200
			8260	5
			8270	10
1,4-Naphthoquinone	130-15-4	1,4-Naphthalenedione	8270	10
1-Naphthylamine	134-32-7	1-Naphthalenamine	8270	10
2-Naphthylamine	91-59-8	2-Naphthalenamine	8270	10
Nickel	(Total)	Nickel	6010	150
			7520	400
o-Nitroaniline; 2-Nitroaniline	88-74-4	Benzenamine, 2-nitro-	8270	50
m-Nitroaniline; 3-Nitroanile	99-09-2	Benzenamine, 3-nitro-	8270	50
p-Nitroaniline; 4-Nitroaniline	100-01-6	Benzenamine, 4-nitro	8270	20
Nitrobenzene	98-95-3	Benzene, nitro-	8090	40
			8270	10
o-Nitrophenol; 2-Nitrophenol	88-75-5	Phenol, 2-nitro-	8040	5
			8270	10
p-Nitrophenol; 4-Nitrophenol	100-02-7	Phenol, 4-nitro-	8040	10
			8270	50
N-Nitrosodi-n-butylamine	924-16-3	1-Butanamine, N-butyl-N-nitroso-	8270	10
N-Nitrosodiethylamine	55-18-5	Ethanamine, N-ethyl-N-nitroso-	8270	20
N-Nitrosodimethylamine	62-75-9	Methanamine, N-methyl-N-nitroso-	8070	2
N-Nitrosodiphenylamine	86-30-6	Benzenamine, N-nitroso-N-phenyl-	8070	5
N-Nitrosodipropylamine; N-Nitroso-N-dipropylamine; Di-n-propylnitrosamine.	621-64-7	1-Propanamine, N-nitroso-N-propyl-	8070	10
N-Nitrosomethylethalamine	10595-95-6	Ethanamine, N-methyl-N-nitroso-	8270	10
N-Nitrosopiperidine	100-75-4	Piperidine, 1-nitroso-	8270	20
N-Nitrosopyrrolidine	930-55-2	Pyrrolidine, 1-nitroso-	8270	40
5-Nitro-o-toluidine	99-55-8	Benzenamine, 2-methyl-5-nitro-	8270	10
Parathion	56-38-2	Phosphorothioic acid, 0,0-diethyl 0-(4-nitrophenyl) ester	8141	0.5
			8270	10
Pentachlorobenzene	608-93-5	Benzene, pentachloro-	8270	10
Pentachloronitrobenzene	82-68-8	Benzene, pentachloronitro-	8270	20
Pentachlorophenol	87-86-5	Phenol, pentachloro-	8040	5
			8270	50
Phenacetin	62-44-2	Acetamide, N-(4-ethoxyphenl)	8270	20
Phenanthrene	85-01-8	Phenanthrene	8100	200
			8270	10
Phenol	108-95-2	Phenol	8040	1
p-Phenylenediamine	106-50-3	1,4-Benzenediamine	8270	10
Phorate	298-02-2	Phosphorodithioic acid, 0,0-diethyl S-[(ethylthio)methyl] ester	8140	2
			8141	0.5
			8270	1[7]

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Common Name [2]	CAS RN [3]	Chemical abstracts service index name [4]	Suggested methods [5]	PQL (µg/L) [6]
Polychlorinated biphenyls; PCBs; Aroclors	See Note 9	1,1'-Biphenyl, chloro derivatives	8080	50
			8270	200
Pronamide	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-	8270	10
Propionitrile; Ethyl cyanide	107-12-0	Propanenitrile	8015	60
			8260	150
Pyrene	129-00-0	Pyrene	8100	200
			8270	10
Safrole	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-	8270	10
Selenium	(Total)	Selenium	6010	750
			7740	20
			7741	20
Silver	(Total)	Silver	6010	70
			7760	100
			7761	10
Silvex; 2,4,5-TP	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-	8150	2
Styrene	100-42-5	Benzene, ethenyl-	8020	1
			8021	0.1
			8260	10
Sulfide	18496-25-8	Sulfide	9030	4000
2,4,5-T; 2,4,5-Trichlorophenoxyacetic acid	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-	8150	2
1,2,4,5-Tetrachlorobenzene	95-94-3	Benzene, 1,2,4,5-tetrachloro-	8270	10
1,1,1,2-Tetrachloroethane	630-20-6	Ethane, 1,1,1,2-tetrachloro-	8010	5
			8021	0.05
			8260	5
1,1,2,2-Tetrachloroethane	79-34-5	Ethane, 1,1,2,2-tetrachloro-	8010	0.5
			8021	0.1
			8260	5
Tetrachloroethylene; Tetrachloroethene; Perchloroethylene	127-18-4	Ethene, tetrachloro-	8010	0.5
			8021	0.5
			8260	5
2,3,4,6-Tetrachlorophenol	58-90-2	Phenol, 2,3,4,6-tetrachloro-	8270	10
Thallium	(Total)	Thallium	6010	400
			7840	1000
			7841	10
Tin	(Total)	Tin	6010	40
Toluene	108-88-3	Benzene, methyl-	8020	2
			8021	0.1
			8260	5
o-Toluidine	95-53-4	Benzenamine, 2-methyl-	8270	10
Toxaphene	See Note 10	Toxaphene	8080	2
1,2,4-Trichlorobenzene	120-82-1	Benzene, 1,2,4-trichloro-	8021	0.3
			8120	0.5
			8260	10
			8270	10
1,1,1-Trichloroethane; Methylchloroform	71-55-6	Ethane, 1,1,1-trichloro-	8010	0.3
			8021	0.3
			8260	5
1,1,2-Trichloroethane	79-00-5	Ethane, 1,1,2-trichloro-	8010	0.2
			8260	5
Trichloroethylene; Trichloroethene	79-01-6	Ethene, trichloro-	8010	1
			8021	0.2
			8260	5
Trichlorofluoromethane; CFC-11	75-69-4	Methane, trichlorofluoro-	8010	10
			8021	0.3
			8260	5
2,4,5-Trichlorophenol	95-95-4	Phenol, 2,4,5-trichloro-	8270	10
2,4,6-Trichlorophenol	88-06-2	Phenol, 2,4,6-trichloro-	8040	5
			8270	10
1,2,3-Trichloropropane	96-18-4	Propane, 1,2,3-trichloro-	8010	10
			8021	5
			8260	15
0,0,0-Triethyl phosphorothioate	126-68-1	Phosphorothioic acid, 0,0,0-triethylester	8270	10
sym-Trinitrobenzene	99-35-4	Benzene, 1,3,5-trinitro-	8270	10
Vanadium	(Total)	Vanadium	6010	8
			7910	2000
			7911	40
Vinyl acetate	108-05-4	Acetic acid, ethenyl ester	8260	50
Vinyl chloride; Chloroethene	75-01-4	Ethene, chloro-	8010	2
			8021	0.4
			8260	10
Xylene (total)	See Note 11	Benzene, dimethyl-	8020	5
			8021	0.2
			8260	5
Zinc	(Total)	Zinc	6010	20
			7950	50
			7951	0.5

Notes

[1] The regulatory requirements pertain only to the list of substances; the right hand columns (Methods and POL) are given for informational purposes only. See also footnotes 5 and 6.

[2] Common names are those widely used in government regulations, scientific publications, and commerce; synonyms exist for many chemicals.

[3] Chemical Abstracts Service registry number. Where "Total" is entered, all species in the ground water that contain this element are included.

[4] CAS Index are those used in the 9th Collective Index.

[5] Suggested Methods refer to analytical procedure numbers used in EPA Report SW-846 "Test Methods for Evaluating Solid Waste", third edition, November 1986, as revised, December 1987. Analytical details can be found in SW-846 and in documentation on file at the agency. CAUTION: The methods listed are representative SW-846 procedures and may not always be the most suitable method(s) for monitoring an analyte under the regulations.

[6] Practical Quantitation Limits (POLs) are the lowest concentrations of analytes in ground waters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating conditions. The POLs listed are generally stated to one significant figure. POLs are based on 5 mL samples for volatile organics and 1 L samples for semivolatile organics. CAUTION: The POL values in many cases are based only on a general estimate for the method and not on a determination for individual compounds; POLs are not a part of the regulation.

[7] This substance is often called Bis(2-chloroisopropyl) ether, the name Chemical Abstracts Service applies to its noncommercial isomer, Propane, 2,2'-oxybis[2-chloro- (CAS RN 39638-32-9).

[8] Chlordane: This entry includes alpha-chlordane (CAS RN 5103-71-9), beta-chlordane (CAS RN 5103-74-2), gamma-chlordane (CAS RN 5566-34-7), and constituents of chlordane (CAS RN 57-74-9 and CAS RN 12789-03-6). POL shown is for technical chlordane. POLs of specific isomers are about 20 μg/L by method 8270.

[9] Polychlorinated biphenyls (CAS RN 1336-36-3); this category contains congener chemicals, including constituents of Aroclor 1016 (CAS RN 12674-11-2), Aroclor 1221 (CAS RN 11104-28-2), Aroclor 1232 (CAS RN 11141-16-5), Aroclor 1242 (CAS RN 53469-21-9), Aroclor 1248 (CAS RN 12672-29-6), Aroclor 1254 (CAS RN 11097-69-1), and Aroclor 1260 (CAS RN 11096-82-5). The POL shown is an average value for PCB congeners.

[10] Toxaphene: This entry includes congener chemicals contained in technical toxaphene (CAS RN 8001-35-2), i.e., chlorinated camphene.

[11] Xylene (total): This entry includes o-xylene (CAS RN 96-47-6), m-xylene (CAS RN 108-38-3), p-xylene (CAS RN 106-42-3), and unspecified xylenes (dimethylbenzenes) (CAS RN 1330-20-7). POLs for method 8021 are 0.2 for o-xylene and 0.1 for m- or p-xylene. The POL for m-xylene is 2.0 μg/L by method 8020 or 8260.

TABLE 1.—ADDITIONS TO APPENDIX II

Common name	CAS RN
2-Chloroethyl ethyl ether	628-34-2
m-Cresol; 3-Methylphenol	108-39-4
Diallate	2303-16-4
cis-1,2-Dichloroethylene	156-59-2
1,3-Dichloropropane; Trimethylene dichloride	142-28-9
2,2-Dichloropropane; Isopropylidene chloride	594-20-7
1,1-Dichloropropene	563-58-6
Dimethoate	60-51-5
Endosulfan sulfate	1031-07-8
Ethyl methanesulfonate	62-50-0
p-Phenylenediamine	106-50-3
o-Toluidine	95-53-4
O,O,O-Triethyl phosphorothioate	126-68-1
sym-Trinitrobenzene	99-35-4

TABLE 2.—DELETIONS FROM APPENDIX II

Common name	CAS RN
Allyl alcohol	107-18-6
Aluminum	7429-90-5
Aniline	62-53-3
Benzidine	92-87-5
Benzoic acid	65-85-0
p-Benzoquinone	106-51-4
Calcium	7440-43-9
2-Chloroethyl vinyl ether	110-75-8
3-Chloropropionitrile	542-76-7
Dibenzo[a,i]pyrene	189-55-9
Dibenzo[a,e]pyrene	192-65-4
Dibenzo[a,h]pyrene	189-64-0
Dibenzofurans (tetra-, penta-, and hexachlorodibenzofurans)	132-64-9
1,4-Dioxane	123-91-1
3,3'-Dimethoxybenzidine	119-90-4
alpha,alpha-Dimethylphenethylamine	122-09-8
1,2-Diphenylhydrazine	122-66-7
Ethylene oxide	75-21-8
Fluoride	16984-48-8
Hexachlorophene	70-30-4
Iron	7439-89-6
Magnesium	7439-39-4
Malononitrile	109-77-3
Manganese	7439-96-5

TABLE 2.—DELETIONS FROM APPENDIX II—Continued

Common name	CAS RN
4,4'-Methylenebis(2-chloroaniline)	101-14-4
N-Nitrosomorpholine	59-89-2
Osmium	7440-04-2
Pentachloroethane	76-01-7
2-Picoline	109-06-8
Potassium	7440-09-7
2-Propyn-1-ol; Propargyl alcohol	107-19-7
Pyridine	110-86-1
Resorcinol	108-46-3
Sodium	7440-23-5
2,3,7,8-Tetrachlorodibenzo-p-dioxin	1746-01-6
Tetraethyl dithiopyrophosphate; Sulfotepp	3689-24-5
Thiophenol; Benzenethiol	108-98-5
Trichloromethanethiol	75-70-7
Tris(2,3-dibromopropyl) phosphate	126-72-7

Appendix B. SAMPLING AND ANALYSIS PLAN

A sampling and analysis plan is included to insure that the water monitoring plan is carried out in a prudent manner. The purpose of this plan is to optimize the accuracy and validity of the collected samples and resulting analysis. The elements of this plan include: presampling procedures; monitoring well purging; sample collection procedures and preservation; chain-of-custody control; and both field and laboratory quality assurance/quality control. The personnel who will implement the water monitoring plan for Metro shall, at a minimum, be required to adhere to the program described in this sampling and analysis plan.

LEACHATE AND GROUND WATER MONITORING WELLS

I. Presampling Procedures.

Several processes shall be undertaken and information collected prior to purging and sampling of a monitoring well.

A. Decontamination of Equipment

1. All equipment that will be placed within the well casing will be cleaned prior to use on the site and after use at each monitoring well.

2. Decontamination of non-dedicated sampling and monitoring equipment shall use the following procedure: wash with a non-phosphate laboratory grade detergent; rinse with tap water and distilled water; and let air dry.

3. Sample containers shall be decontaminated according to Section III.B.10.

B. Static Water Level Elevation

1. Measurements shall be taken from an established reference point on the well. The reference point shall be:

   a. established by licensed surveyor to an established National Geodetic Vertical Datum (NGVD);

   b. periodically re-surveyed;

   c. permanent and easily identified; and

   d. located on the top of the well casing with the locking cap removed.

2. Measurements in all wells for each hydrogeological unit shall be performed as close to low tide as is feasible, and the time of day of each measurement will be recorded.

3. Equipment used shall be sufficiently sensitive so that a measurement to $\pm$ 0.01 foot can be obtained reliably. The equipment shall:

   a. be constructed of inert materials;
   b. be the same water level indicator used to measure levels in all wells; and
   c. be a steel tape or preferably be a electronic device, which has been decontaminated.

C. Total Depth of the Well

1. Measurements shall be taken from an established reference point on the well. The reference point shall be located as described above for static water level elevations.

2. Equipment used shall be sufficiently sensitive so that a measurement to ± 0.01 foot can be obtained reliably. The equipment shall:

   a. be constructed of inert materials;
   b. be the same depth level indicator used to measure depths in all wells; and
   c. preferably be a project-dedicated steel tape.

D. Air Monitoring

1. If needed, the air above the well head shall be monitored for an explosive and toxic environment including but not limited to, methane, hydrogen sulfide, and carbon monoxide.

2. Personal protective equipment and safety procedures shall be suitable to meet health and safety regulations.

E. Documentation

1. A field logbook shall be maintained. Field measurements, procedures, and observations shall be recorded. Copies shall be submitted to Metro with laboratory sample analysis results.

II. Monitoring Well Purging

Standing water in the well and filter pack shall be removed so that formation water can replace the stagnant well water. The equipment used for purging the monitoring wells shall minimize the introduction of contamination into the well. Adherence to a proper procedure should allow for the extraction of a water quality sample representative of the in-situ groundwater.

A. Purging Equipment

1. The equipment used will be:

   a. a positive-gas-displacement, fluorocarbon resin bladder pump; or
   b. a fluorocarbon resin or stainless steel bottom-emptying bailer.
   c. Where the use of the above devices is not feasible, a peristaltic pump, gas-lift pump, centrifugal pump, or venture pump will be utilized.

2. Twenty-four (24) hours will be allowed for the well water to stabilize prior to sampling.

3. Measures will be taken to prevent contact between surface soils and the purging equipment and lines.

4. The equipment and methods used for purging the individual wells shall be consistently used for each well for the life of the monitoring plan.

B. Purging Procedure

1. Well Volume Calculation

   Prior to purging, the volume of water in the well shall be calculated using the following formula:

   CASING VOLUME = $D^2 \times 0.0055 \times (TD - DTW)$, where:
   D = Diameter of the well casing (in),
   TD = Total Depth of Well (ft) from top of casing, and
   DTW = Depth To Water (ft) from top of casing

2. Purging of Low Yielding Wells (incapable of yielding three casing volumes with continuous bailing)

   a. Purge the well dry once, at a rate that does not cause recharge water to be excessively agitated.

   b. The procedure and all readings shall be recorded in the field logbook.

3. Purging of High Yielding Wells (wells capable of yielding three casing volumes with continuous bailing).

   a. Purge the well of a minimum of three casing volumes prior to sampling at a rate that does not cause recharge water to be excessively agitated.

   b. The procedure and all readings shall be recorded in the field logbook.

4. Disposal of Purged Monitoring Well Water.

   a. Water removed from landfill perimeter and offsite groundwater monitoring wells may be disposed of on the surrounding ground unless the well water has been previously shown to contain toxic substances at concentrations above the Maximum Contaminant Levels for drinking water.

   b. Water removed from interior leachate monitoring wells and from monitoring wells previously shown to contain toxic substances at concentration above the Maximum Contaminant Levels shall be deposited in the leachate pump station wet well.

C. Documentation

1. A field logbook shall be maintained. Measurements and procedures shall be recorded. Copies shall be submitted to Metro with laboratory sample analysis results.

III. Sample Collection Procedures and Preservation.

Alteration of the physical and chemical characteristics of the water sample shall be minimized during the sampling process. Adherence to proper protocol should result in delivery to the laboratory of a water quality sample representative of the *in situ* ground water. Sampling of wells shall occur at least 24 hours after purging of wells to allow the wells to stabilize.

A. Sampling Equipment

1. Sampling bailers dedicated to each individual monitoring well will be used. The bailers will be either PVC, fluorocarbon resin, or stainless steel and have bottom emptying valves. Currently, dedicated PVC bailers are being used for purging and sampling.

2. The chain/cable used to lower and raise the bailers will be an inert material. (e.g., polypropylene cord, fluorocarbon resin-coated wire, single strand stainless steel wire, monofilament). Currently, dedicated polypropylene cord is being used.

B. Sample Collection

1. The sampling bailer shall be slowly immersed into the well water;

2. Contents of the bailer shall be slowly emptied directly into the sample container in a manner that minimizes agitation and aeration of the sample;

3. Containers are filled with zero headspace to minimize loss of volatiles. Containers of samples for heavy metal analysis shall not be allowed to overflow;

4. Samples will be collected and containerized in the order of the decreasing volatilization sensitivity of the parameters of interest. In general, the order is as listed below:

   Volatile organics (VOA)
   Purgeable organic carbon (POC)
   Purgeable organic halogens (POX)
   Total organic halogens (TOX)
   Total organic carbon (TOC)
   Extractable organics
   Total recoverable metals
   Dissolved metals
   Phenols
   Cyanide
   Sulfate and chloride
   Turbidity
   Nitrate and ammonia
   Radionuclides

5. Types of sample containers used are dependent on the parameters of interest and are listed in Table 1.

6. Preservation procedures that will be observed are dependent on the parameters of interest and are listed in Table 1. In most cases samples should be immediately stored in a chest of ice.

7. Dissolved metals samples shall be filtered and preserved immediately in the field.

   a. Use a separate 0.45 micron membrane filter for each sample; and

   b. Develop a standard written procedure and equipment list.

8. The sample containers shall be:

   a. cleaned in the laboratory based on the analyte of interest.

      (1) Metals - wash with nonphosphate detergent and tap water; rinse with (1:1) nitric acid, tap water, (1:1) hydrochloric acid, tap water, and Type II water

      (2) Organics - wash with nonphosphate detergent in hot water, rinse with tap water, distilled water, acetone, and pesticide-quality hexane

   b. verified in the laboratory for cleanliness.

9. Chemically unstable parameters will only be determined in the field using a test probe or a field test kit as soon as possible after the sample is collected.

   a. These parameters include:

      (1) temperature
      (2) specific conductance
      (3) pH
      (4) dissolved oxygen

   b. A sample not intended for laboratory analysis shall be used for field readings.

   c. Calibration of any *in situ* or field test probes will be performed twice each day of use according to the manufacturers' specifications and in accordance with EPA, Test Methods for Evaluating Solid Waste - Physical/Chemical Methods, SW-846. A log book shall be used to document all calibration results.

10. Decontamination of Equipment

   a. Prior to use at each well, all test probes that will be placed within the well casing will be cleaned initially and after each use.

   b. Non-dedicated equipment shall be decontaminated using the following procedure: wash with a non-phosphate detergent; rinse with tap water and distilled water; and let air dry.

C. Documentation

1. A field logbook shall be maintained as specified in Section IV. Measurements and procedures shall be recorded. Copies shall be submitted to Metro with laboratory sample analysis results.

IV. Chain of Custody Control

The tracing of the sampling methodologies, the sample possession and sample handling from the time of field laboratory analysis shall be possible with the proper documentation.

A. Field Log

A field logbook will be maintained, including the following information:

Identification of well
Well depth
Static water level depth and measurement technique
Purge volume and pumping rate, if applicable
Time well purged
Well evacuation procedure/equipment, if varies from the sampling/analysis plan
Sample withdrawal procedure/equipment, if varies from the sampling/analysis plan
Date and time of collection
Sampling sequence of samples per well, if varies from the sampling/analysis plan
Preservative(s) used, if varies from the sampling/analysis plan
Field analysis data
Sample distribution and transporter, if unusual
Field observations on sampling event, including:
  Unusual well recharge rates
  Equipment malfunction(s)
  Possible sample contamination
Name(s) of collector(s)
Climatic conditions
Documentation of date, procedure, and maintenance for equipment calibration
Documentation of any deviations from plan approved procedures due to differing or unanticipated site conditions

B. Sample Labels

1. Sample labels shall include a unique sample identification for each sample and provide the following information:

   a. location is St. Johns Landfill
   b. date & time of collection
   c. collector's name
   d. sample test parameter

2. The sample label shall not provide an indication of whether the sample is a quality assurance/quality control sample such as a field blank or duplicate sample.

3. The sample labels shall be marked with permanent waterproof ink.

C. Sample seals shall be placed on the shipping or individual sample containers, if directed by Metro.

D. Chain-of-Custody Record

1. Shall accompany each sample.

2. Shall include the identification number for each sample and provide the following information:

   a. date & time of collection
   b. sample matrix type
   c. number of containers
   d. sample test parameters requested
   e. signatures of all persons involved in the chain-ofpossession, including field, office, and laboratory personnel
   f. inclusive dates of possession

E. Sample Analysis Request Sheet

1. Shall accompany each sample delivered to the laboratory

2. Shall provide the following information:
   a. name of person receiving the sample
   b. date of sample receipt
   c. laboratory sample identification number (may be different than field identification number)
   d. analysis to be performed

F. Laboratory Logbook

1. Shall be maintained a minimum of three (3) years to document the sample processing steps

2. Shall provide the following information:

   a. sample preparation technique (e.g., extraction)
   b. analytical procedures/instrumental methods
   c. experimental conditions

3. Shall be available for review and duplication by Metro representatives for a reasonable period after testing per a written agreement with Metro

V. Field Quality Assurance/Quality Control

The field QA/QC program helps to insure the reliability and validity of the gathered field samples and data. The field QA/QC program consists of carefully following all of the procedures above and recording any unavailable changes. QA/QC samples help assess the validity of the information gained from the field samples. All QA/QC samples shall be coded such that their identity as QA/QC samples is unknown to the analytical laboratory.

A.. If a sampling contractor is used, a field quality assurance plan shall be submitted to Metro by the sampling contractor prior to start of the field sampling program.

B. Transport Blanks

1. Transport blanks shall be prepared and analyzed per sampling event if volatile or extractable organics are to be tested;

2. Containers shall be filled at the laboratory with Type II reagent grade water transported and stored with the sample containers, and transported from the sampling site to the laboratory with the sample containers. At no time are these trip blank containers opened or exposed.

3. Transport blanks shall be given a unique identification number, transported, processed, and analyzed at the laboratory like a sample

C. Equipment (Field) Blanks

1. Equipment (field) blanks shall be collected when non-dedicated sampling equipment is used. Date, time, location, and exact procedure used to prepare the equipment blank shall be recorded in the log book.

2. Collection frequency shall be at least one per day or one per ten samples.

3. Equipment (field) blanks shall uniquely identified, transported, processed, and analyzed at the laboratory like a sample.

D. Field Duplicates

1. Field duplicates shall be two samples collected simultaneously or collected one after the other (co-sampled) and shall be analyzed for all parameters;

2. Collection frequency shall be at least one per ten sample locations; and

3. Field duplicates shall be given a unique identification number, transported, processed, and analyzed at the laboratory like a sample

E. Field Measurement Equipment

1. Field measurement equipment shall be calibrated prior to field use; and
2. Field measurement equipment shall be recalibrated in the field twice per day

VI. Laboratory Quality Assurance/Quality Control

The laboratory QA/QC program shall insure the reliability and validity of the sample data. The results from the laboratory QC samples shall be used as a measure of performance or as an indicator of potential sources of cross-contamination. They will be submitted to Metro with the monitoring test results. At a minimum the following shall be included:

A. Laboratory Quality Assurance Plan

1. Shall be submitted in writing to Metro by the laboratory that will perform the sample analysis prior to the start of the field sampling program.

2. Shall include routine equipment calibration procedures to standards of known concentration on a schedule appropriate for the analytes of concern and analytical methods used.

3. Shall include sample analytical methods and results, of laboratory QC samples including blanks,

duplicates, and matrix spikes on a schedule appropriate for the analytes of concern. Water samples shall be spiked to a concentration not more than 10 times the drinking water standard (MCL).

4. Shall report percent recovery of surrogate spikes and matrix spikes in each sample analyzed for organic analytes.

5. Shall include the methods for preparing all sample containers and trip blanks. These shall be of equal or better quality to those listed in this water monitoring sampling and analysis plan.

B. Analytical Laboratory

1. Shall analyze all samples within the specified holding time limit of the analyte(s) of concern. Date of receipt and date of test will be noted on report.

2. Shall report the analytical method(s) used and the method detection limits (MDLs) or method reporting limits (MRLs)and the primary or secondary drinking water Maximum Contaminant (MCL), as applicable, with the laboratory data reports.

3. Shalll use only RCRA or EPA equipment or methods for surface and groundwater samples [SW 846 or 40 CFR 136].

4. Shall achieve Method Detection or Reporting Limits (and practical quantitation limits, if any) which must be met by laboratories participating in the EPA Contract Laboratory program.

SURFACE WATER AND ASSOCIATED SAMPLES

I. Presampling Procedure.

A. Decontamination of Equipment

1. All equipment will be decontaminated prior to use at each sampling location and after each use.

2. Non-dedicated sampling and monitoring equipment shall be decontaminated using the following procedure or equivalent: wash with a non-phosphate laboratory grade detergent; rinse with tap water and distilled water; and let air dry.

3. Sample containers shall be decontaminated according to Section II.D.

II. Sample Collection Procedure.

A. Water Column Sampling

1. Grab samples will be collected at each monitoring location at approximately 6 inches below the water surface.

2. Grab samples shall be collected in a manner which minimizes the risk that the sample will contain floating oil or debris, or water which has touched the hands, outside of the sample container, the boat, the motor, and its combustion products. Collecting the sample in an upstream direction will usually minimize the risks.

3. Chemically unstable parameters will only be measured in the field. These parameters include: temperature, specific conductance, pH, and dissolved oxygen.

B. Sediment Sampling

1. Samples shall be collected from the top six inches or less, utilizing a standard sampler. Caution shall be exerted to prevent sample contamination from the sampler.

   a. Metals - utilize plastic sampler and a decontaminated plastic spoon
   b. Organics - utilize metal sampler and a decontaminated stainless steel spoon

C. Sample Preservation

1. Sample preservation procedures shall be equivalent to groundwater preservation methods addressed in Table 1. In most cases samples should be stored in a chest of ice as soon as feasible. Maximum holding time for bacteria testing is 30 hours.

2. Any modifications to preparation and preservation of the sample for laboratory analysis will be as prescribed by DEQ.

D. Sample Containers

1. Type of sample containers used are dependent on the parameters of interest and are listed in Table 1.

2. Sample containers shall be cleaned in the laboratory using the following procedure:

   a. Bacteria test sample containers - wash with a nonphosphate detergent, rinse with tap water, rinse with distilled water, and sterilize in an autoclave or oven.

   b. Non-bacteria test sample containers - wash with laboratory grade nonphosphate detergent in hot water, rinse with tap water, distilled water, acetone, and pesticide-quality hexane.

3. Cleanliness of the sample containers will be verified by the laboratory.

E. Documentation

1. A field logbook shall be maintained as specified in Section IV, below. Measurements and procedures shall be recorded. Copies shall be submitted to Metro with laboratory sample analysis results.

III. Sample Collection Procedure - Biological Sampling

A. Fish and Invertebrate

1. Edible portions of the sample fish and the crayfish shall be removed using an acid-washed stainless steel filet knife;

2. One composite sample of at least 100 grams of tissue shall be collected for each species sample; and

3. Each sample shall be placed in a clean sample jar and frozen prior to transport and analysis at the laboratory.

IV. Chain of Custody Control Program

The tracing of the sampling methodologies, the sample possession and sample handling from the time of field collection through laboratory analysis shall be possible with the proper documentation. Elements of the program include, field logbook, sample labels, sample seals, chain-of-custody records, sample analysis, request sheet, and laboratory logbook. The documentation and chain of custody program for the surface water monitoring shall be equivalent to the well monitoring chain of custody control program, Section IV, with the omission of references to monitoring wells.

V. Field Quality Assurance/Quality Control Program

The field QA/QC program shall insure the reliability and validity of the gathered field samples and data. Elements of the program include a field quality assurance plan, transport blanks, equipment blanks, field duplicates, spiked samples, and field measurement equipment protocol. The field QA/QC program for the surface water monitoring shall be equivalent to the field QA/QC well monitoring program, section V.

VI. Laboratory Quality Assurance/Quality Control Program

The laboratory QA/QC program shall insure the reliability and validity of the sample data. The results from the QC samples shall be used as a measure of performance or as an indicator of potential sources of cross-contamination. These results will be submitted to DEQ with the surface water monitoring sample results. The laboratory QA/QC program for surface water monitoring shall be equivalent to the QA/QC well monitoring program, Section VI.

STORMWATER

I. Presampling Procedure

A. Decontamination of Equipment

1. All equipment will be cleaned prior to use at each sampling location and after each use.

2. Equipment shall be decontaminated using a procedure equivalent to the surface water decontamination procedure.

3. Sample containers shall be decontaminated according to Section II,D.

II. Sample Collection Procedure

A. Grab Samples (routinely collected)

Grab samples shall be collected beneath the water surface during the first 30 minutes of a storm. event.

B. Flow-weighted Composite Samples (if collected)

1. Shall be collected for the entire discharge or for the first three hours of discharge, whichever is less;

2. Sampling may be continuous or may be a composite of a minimum of three sample aliquots per hour of discharge; and

3. Sampling equipment will include:

a. Parshall flumes at sediment basin outlets

b. automatic proportional sampling device connected to a flow measurement device and programmed (either variable time interval or variable volume) such that the volume of one composite sample is proportional to stormwater flow during the sampling period.

C. Sample Preservation

1. Sample container types, holding times, sampling volumes, and preservation procedures shall be equivalent to groundwater preservation methods addressed in Table 1 and Table 3.

2. Maximum holding time for fecal colilform and fecal streptococcus bacteria is 30 hours[1].

D. Sample container types and methods for cleaning depend on the test parameter of interest and shall be equivalent to the type and methods utilized for surface water sample containers, Section II.D, Table 1, and Table 3.

E. Chemically unstable parameters will only be determined in the field including temperature and specific conductance as per procedures addressed in ground water monitoring sample collection, section III.A.9.

---

[1]3/91, Dianna Coulter, Public Health Laboratory, OSHD, personal communication with Dennis O'Neil, Metro.

III. Chain of Custody Control Program

The chain of custody program for the stormwater monitoring shall be equivalent to the well monitoring chain of custody program, section IV.

IV. Field Quality Assurance/Quality Control Program

The field QA/QC program for the stormwater monitoring program shall be equivalent to the field QA/QC program for the well monitoring program, Section V.

V. Laboratory Quality Assurance/Quality Control Program

The laboratory QA/QC program for the stormwater monitoring program shall be equivalent to the laboratory QA/QC program for the well monitoring program, Section VI.

LEACHATE SYSTEM DISCHARGE

I. Presampling Procedure.

Sampling equipment shall be decontaminated as addressed in the surface water decontamination of equipment section, I.A.

II. Sample Collection Procedure.

Sampling procedures shall meet the City of Portland discharge permit #400-018 conditions, Schedule B (included in main text of the water monitoring plan).

A. Grab and composite samples shall be collected from Isco sampler at the landfill bridge.

B. Sample container types and methods for cleaning depend on the test parameter of interest and are similar to the type and methods utilized for surface water sample containers, Section II,D.

C. Chemically unstable parameters will be determined in the field including pH as per procedures addressed in ground water monitoring sample collection, section III.B.9, Table 1, and Table 3.

III. Chain of Custody Control Program

The chain of custody program for the leachate monitoring shall be equivalent to the well monitoring chain of custody program, Section IV.

IV. Field Quality Assurance/Quality Control Program

The field QA/QC program for the leachate monitoring program shall be equivalent to the field QA/QC program for the well monitoring program, Section V.

V. Laboratory Quality Assurance/Quality Control Program

The laboratory QA/QC program for the leachate monitoring program shall be equivalent to the laboratory QA/QC program for the well monitoring program, Section VI.

TABLE 1

SAMPLING AND PRESERVATION PROCEDURES FOR DETECTION MONITORING[a]

Parameter	Recommended Container[b]	Preservative	Maximum Holding Time	Minimum Volume Required for Analysis
Indicators of Ground-Water Contamination[c]				
pH	T, P, G	Field determined	None	~~9-25~~ 100-150 ml
Specific conductance	T, P, G	Field determined	None	~~100~~ 250 ml
TOC	G, amber, T-lined cap[e]	Cool 4°C,[d] HCl to pH <2	28 days	4 x 15 ml
TOX	G, amber, T-lined septa or caps	Cool 4°C, add 1 ml of 1.1M sodium sulfite	7 days	4 x 15 ml
Ground-Water Quality Characteristics				
Chloride	T, P, G	4°C	28 days	50 ml
Iron Manganese Sodium	T, P	Field acidified to pH <2 with HNO_3	6 months	200 ml
Phenols	G	4°C/H_2SO_4 to pH <2	28 days	500 ml
Sulfate	T, P, G	Cool, 4°C	28 days	50 ml
EPA Interim Drinking Water Characteristics				
Arsenic Barium Cadmium Chromium Lead Mercury Selenium Silver	T, P Dark Bottle	Total Metals Field acidified to pH <2 with HNO_3 Dissolved Metals 1. Field filtration (0.45 micron) 2. Acidify to pH <2 with HNO_3	6 months 6 months	1,000 ml 1,000 ml
Fluoride	T, P	Cool, 4°C	28 days	300 ml
Nitrate/Nitrite	T, P, G	4°C/H_2SO_4 to pH <2	14 days	1,000 ml

(Continued)

Source: RCRA Ground-Water Monitoring Technical Enforcement Guidance Document September, 1986

TABLE 1
(Continue)

SAMPLING AND PRESERVATION PROCEDURES FOR DETECTION MONITORING

Parameter	Recommended Container[b]	Preservative	Maximum Holding Time	Minimum Volume Required for Analysis
Endrin Lindane Methoxychlor Toxaphene 2,4 D 2,4,5 TP Silvex	T, G	Cool, 4°C	7 days	2,000 ml
Radium Gross Alpha Gross Beta	P, G	Field acidified to pH <2 with HNO_3	6 months	1 gallon
Coliform bacteria	PP, G (sterilized)	Cool, 4°C	6 hours	200 ml
	Other Ground-Water Characteristics of Interest			
Cyanide	P, G	Cool, 4°C, NaOH to pH >12, 0.6 g ascorbic acid[f]	14 days[g]	500 ml
Oil and Grease	G only	Cool, 4°C H_2SO_4 to pH <2	28 days	100 ml
Semivolatile, nonvolatile organics	T, G	Cool, 4°C	14 days	60 ml
Volatiles	G, T-lined	Cool, 4°C	14 days	60 ml

[a]References: Test Methods for Evaluating Solid Waste - Physical/Chemical Methods, SW-846 (2nd edition, 1982).
Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020.
Standard Methods for the Examination of Water and Wastewater, 16th edition (1985).

[b]Container Types:
P = Plastic (polyethylene)
G = Glass
T = Fluorocarbon resins (PTFE, Teflon®, FEP, PFA, etc.)
PP = Polypropylene

(Continued)

TABLE 1
(Cont.)

SAMPLING AND PRESERVATION PROCEDURES FOR DETECTION MONITORING

[c]Based on the requirements for detection monitoring (§265.93), the owner/operator must collect a sufficient volume of ground water to allow for the analysis of four separate replicates.

[d]Shipping containers (cooling chest with ice or ice pack) should be certified as to the 4°C temperature at time of sample placement into these containers. Preservation of samples requires that the temperature of collected samples be adjusted to the 4°C immediately after collection. Shipping coolers must be at 4°C and maintained at 4°C upon placement of sample and during shipment. Maximum-minimum thermometers are to be placed into the shipping chest to record temperature history. Chain-of-custody forms will have Shipping/Receiving and In-transit (max/min) temperature boxes for recording data and verification.

[e]Do not allow any head space in the container.

[f]Use ascorbic acid only in the presence of oxidizing agents.

[g]Maximum holding time is 24 hours when sulfide is present. Optionally, all samples may be tested with lead acetate paper before the pH adjustment in order to determine if sulfide is present. If sulfide is present, it can be removed by addition of cadmium nitrate powder until a negative spot test is obtained. The sample is filtered and then NaOH is added to pH 12.

TABLE 2

Field Standard And Sample Spiking Solutions

Sample Type	Volume	Composition	Field Standard (Concentration)	Stock Solution for Field Spike of Split Samples: Solvent	Concentration of Components	Field Spike Volume
Alkalinity	50 mL	Na^+, HCO_3^-	10.0; 25 (ppm)	H_2O	10,000; 25,000 (ppm)	(50 µL)
Anions	1 L	K^+, Na^+, Cl^-, $SO_4^=$ F^-, NO_3^-, $PO_4^{\equiv}$, SI	25, 50 (ppm)	H_2O	25,000; 50,000 (ppm)	(1 mL)
Cations	1 L	Na^+, K^+ Ca^{++}, Mg^{++}, Cl^-, NO_3^-	5.0; 10.0 (ppm)	H_2O, H^+ (acid)	5,000; 10,000 (ppm)	(1 mL)
Trace Metals	1 L	Cd^{++}, Cu^{++}, Pb^{++} Cr^{+++}, Ni^{++}, Ag^+ Fe^{+++}, Mn^{++}	10.0; 25.0 (ppm)	H_2O, H^+ (acid)	10,000; 25,000 (ppm)	(1 mL)
TOC	40 mL	Acetone KHP	0.2; 0.5 (ppm-C) 1.8; 4.5 (ppm-C)	H_2O	200; 500 (ppm-C) 1,800; 4,500 (ppm-C)	(40 µL)
TOX	50 mL	Chloroform 2,4,6 Trichlorophenol	12.5; 25 (ppb) 12.5; 25 (ppb)	H_2O/poly* (ethylene glycol)	12,500; 25 (ppm) 12,500; 25 (ppm)	(500 µL)
Volatiles	40 mL	Dichlorobutane, Toluene Dibromopropane, Xylene	25; 50 (ppb)	H_2O/poly* (ethylene glycol)	25; 50 (ppm)	(40 µL)
Extractables A	1 L	Phenol Standards	25; 50 (ppb)	Methanol**	25; 50 (ppm)	(1 mL)
Extractables B	1 L	Polynuclear Aromatic Standards	25; 50 (ppb)	Methanol	25; 50 (ppm)	(1 mL)
Extractables C	1 L	Standards as Required	25; 50 (ppb)	Methanol	25; 50 (ppm)	(1 mL)

*75:25 water/polyethylene glycol (400 amu) mixture.

**Glass distilled methanol.

Source: Barcelona et al., 1981.

Table 3

PARAMETER	RECOMMENDED CONTAINER	PRESERVATIVE	MAXIMUM HOLDING TIME	MINIMUM VOLUME
Suspended Solids	P, G	4°c	7 days	100
Biochemical Oxygen Demand	P, G	4°c	2 "	500
Chemical Oxygen Demand	P, G	4°c (H_2SO_4)	7 "	250
			(28 days)	
Total Phosphorus	P, G	4°c (H_2SO_4)	28 "	100
Dissolved Phosphorus	P, G	4°c (filtered)	2 "	100

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 93-1827 FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR LABORATORY SERVICES FOR ST. JOHNS LANDFILL

Date: July 12, 1993 Presented by: Jim Watkins

PROPOSED ACTION

Adopt Resolution No. 93-1827 which authorizes the issuance of a Request for Proposals (RFP) for Laboratory Services at St. Johns Landfill.

FACTUAL BACKGROUND AND ANALYSIS

Water quality monitoring is required at St. Johns Landfill by both the Oregon Department of Environmental Quality's (DEQ's) Solid Waste Disposal Site Closure Permit (#116, issued July 19, 1988) and the U.S. Environmental Protection Agency's October 9, 1991 Final Rule (40 CFR, Part 258, Subpart E - Groundwater Monitoring and Corrective Action).

As part of the closure of St. Johns Landfill, a draft water quality monitoring plan was submitted to DEQ. DEQ responded with modifications on August 25, 1992. A final plan is being submitted to DEQ. This RFP will provide laboratory services, required to implement the Water Quality Monitoring Plan.

The Request for Proposals (RFP) is for a 3-1/2 year contract to handle laboratory testing for water quality monitoring at St. Johns Landfill throughout the remaining closure period. The contract will provide for routine testing, as well as a contingency to provide for additional testing if required by regulators.

BUDGET IMPACT

$200,000 is budgeted within the Operations Division for groundwater monitoring at St. Johns Landfill, $27,007 for surface water and sediment monitoring at the landfill, and $16,500 for stormwater monitoring at the landfill in the 1993-94 fiscal year.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1828.

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TEL 503 797 1700 | FAX 503 797 1797

METRO

Council
7/22/93
4.1

June 30, 1993

The Honorable Judy Wyers
Metro Council
Metro
600 NE Grand
Portland, OR 97232

Dear Presiding Officer Wyers and the Metro Council:

The work of the Metro Apportionment Commission has come to a close. The Apportionment Commission adopted the Apportionment Plan consisting of legal descriptions of the new districts which you will find in Appendix C in the attached report. The report and plan are enclosed herein and the Commission asks that these be filed with the Council.

Although the choice of the boundaries as reflected in the final plan was the product of a split vote of the Commission, the Commissioners ask that the Council note that the Apportionment Plan was adopted by a unanimous vote of Commissioners present at their June 28, 1993, meeting. Commissioner Ardis Stevenson was unable to attend, but she wants the Council to know that her vote would have been affirmative if she had been present.

I would like to personally thank all the Councilors who shared their expertise with the Commission by way of public testimony during our hearings. I also want to thank each of the members of the Commission who gave so generously of their time to bring this project to a successful conclusion.

Sincerely,

William J. Boyd

William J. Boyd
Metro Apportionment Commission Chair

c: Apportionment Commission
Frances P. Hunter

METRO APPORTIONMENT COMMISSION REPORT

Creation and Authority of Commission; Process to Be Used

The voters of the Portland metropolitan area adopted the 1992 Metro Charter at the November 3, 1992, General Election. The Charter (attached as Appendix A) provided for an accountable regional government to be governed by a Council consisting of representatives of single-member districts. The Charter further provided for the creation of an apportionment commission responsible for the division of the Metro area into seven districts for the election of Council members to take office on January 2, 1995.

Authority for the creation of the Apportionment Commission can be found in Chapter IV, Section 16(3) of the Metro Charter, wherein the Metro Council was required to divide itself into five pairs of Councilors and one group of three. Each pair and group had to be from contiguous districts and select a commissioner from the districts the Councilors represented. At least two commissioners had to be appointed from each of the three counties within the District. The Presiding Officer appointed one commissioner and the commission chair. Specific factors that could give rise to disqualification were also set forth in Chapter IV, Section 16(3)(c).

The work of the Commission was to be completed by July 1, 1993, when an apportionment plan was to be adopted and filed with the Metro Council.

Authority for further designation of the criteria and process to be used was lodged with the Metro Council. The Commission's directives were set forth in Ordinance No. 93-477A (Appendix B). This ordinance required an initial public hearing to gather information from interested parties and the general public. Thereafter, the Commission would prepare a draft apportionment plan by May 15, 1993, and hold a series of seven public hearings on that draft plan. These hearings were to provide comment from the public regarding the appropriateness of the newly proposed districts. Each of these seven public hearings was to be held in one of the newly proposed districts. The hearing dates were to be scheduled so as to allow the Commission sufficient time to consider the public testimony, and if necessary, amend the draft plan prior to the July 1, 1993, filing deadline.

An affirmative vote of at least four of the commissioners was required to approve any final plan filed with the Metro Council.

While providing authority for the creation of the Metro Apportionment Commission, Chapter IV, Section 16(3)(h) of the Metro Charter sets the basic criteria for the Apportionment Plan:

> As nearly as practicable, all council districts shall be of equal population and each shall be contiguous and geographically compact. The Council may by ordinance prescribe additional criteria for districts that are consistent with the requirements of this subsection.

Metro Council Ordinance No. 93-477A, the product of work sessions of the Council Governmental Affairs Committee and the consideration of the Metro Council itself, restates the requirements of the Metro Charter as to equal population, contiguity and geographical compactness, and then goes on to list five additional criteria to be used by the Metro Apportionment Commission.

The first criterion listed is a requirement that the apportionment plan "comply with applicable federal law pertaining to the voting rights of minority populations." Federal law 42 U.S.C.S. §1973 provides:

> (a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section (4)(f)(2)[42 U.S.C.S. §1973 b(f)(2)], as provided in subsection (b):
>
> (b) A violation of subsection (a) is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: Provided, that, nothing in this section establishes a right to have a member of a protected class elected in numbers equal to their proportion in the population.

These provisions are from what is commonly known as the Federal Voting Rights Act. Based on these statutes, some courts have held that the creation of district boundaries which dilute the percentage of minority population by splitting one community or concentration of minority voters into two separate districts is a violation of this act. Recognizing that other factors or issues were also considered in many of these cases, the language of the ordinance gives the Commission the directive to satisfy federal voting rights requirements while not prescribing any particular formula or remedy to be used.

Two of the charges of the ordinance dealt with meeting population criteria. Ordinance No. 93-477A, Section 1(2) provides:

> No district shall vary in population more than 5.0 percent from the average population of the districts. "Average population" shall be that amount equal to

> one seventh the total Metro area population. For the purpose of this subsection, all population figures shall be based upon the 1990 Census data. This maximum variance of 5.0 percent shall be construed to mean that no district may be more than 5.0 percent larger nor more than 5.0 percent smaller in population than the average population.

Authority for this requirement is found in the equal protection clause of the United States Constitution. Controlling cases tell us that where population disparities between districts are less than a total variance of no greater than 5.0 percent larger or 5.0 percent smaller than the "norm," the disparity is not sufficient to require any justification to meet the equal protection requirements of the Fourteenth Amendment of the Constitution.

A second directive as to population appears in Section 1(3):

> While observing the maximum 5.0 percent population variance based on the 1990 Census data stipulated in No. 2, above, the commission shall make every effort to create districts with population variances of 0% (zero percent) based upon the most recent and reliable population estimates prepared by Metro's Data Resource Center.

While recognizing the preeminence of ensuring that the plan satisfies the equal protection requirement mandated in Article I§2 of the U.S. Constitution, this criterion allowed the Commission to make use of the most recent reliable population estimates which could be prepared by Metro's Data Resource Center. Thus, once having established that all of the proposed districts were within the 5.0 percent variance from the average population established under the 1990 Census data, the districts could be adjusted further using current population estimates to satisfy as much as possible the zero percent variance criteria of Section 1(3).

By satisfying both the Federal Equal Protection Standard and making every effort possible to create districts with population variances of 0 percent, the Commission will also be in compliance with the Charter directive of creating districts of equal population. The fourth criterion dealt with concerns over the best way to handle representation of the three counties that comprise the Metro district. After considering several ways to address this issue, the agreed-upon approach is set forth in Section 1(4) of the ordinance:

> To the maximum extent possible after meeting all other applicable criteria, each of the three counties with territory in the Metro area shall have at least one district wholly within the county.

The intent of this provision was to attempt to ensure that all counties within the region would be represented by at least one county resident.

The final criterion provided by the ordinance asked the Commission to, once having satisfied all other criteria, give consideration to existing precincts and communities of interest. A definition of communities of interest is found in the text of Section 1(5):

> Communities of interest are represented in counties, cities under 15,000 population, established neighborhood associations, neighborhood planning organizations, community planning/participation organizations, or other similar groups as specifically defined by the commission.

Methodology Used to Prepare 1992 Population Estimates

The 1992 population estimates were created by Metro's Data Resource Center using the population estimate produced by the State Data Center; Portland State University, School of Urban Affairs; and the Center for Population Research and Census (CRPC). Their estimates were used as control totals at the county level. This data is certified by the Secretary of State each December 15 as the official population estimates for Oregon cities and counties. The CPRC produce their estimates by determining, from administrative records and statistical methods, natural increase (births minus deaths) and net migration (persons moving to Oregon minus persons leaving Oregon) for the period since the 1990 U.S. Census (April 1, 1990).

The 1992 population estimates were derived at the block group level. Block groups are a Census Bureau defined geography representing aggregations of blocks, or portions of census tracts. The estimates are derived by Metro's Data Resource Center from building permits issued during the period since the 1990 U.S. Census. These building permits were identified by block group location and added to the single family and multi-family housing unit data for block groups from the 1990 Census. Utilizing occupancy data and household size data, these housing counts provided first the number of occupied households (occupied housing units = households), and then were used to calculate household population. Group quarter population data from the 1990 Census were added to the household population to produce total population for each Census block group.

Block group population estimates were allocated to neighborhood geographies using a spatial overlay procedure in a geographic information system (GIS). Block group geographies were overlaid with neighborhood boundaries and the original population data were allocated to neighborhoods based on the percent of land area that the block group occupied in the neighborhood area.

Description of New Council Districts

The following describes some of the features that characterize the Metro Council districts as adopted. Refer to the legal description for controlling boundary descriptions.

District 1

This district includes the cities of Gresham, Fairview, Wood Village and Troutdale. This district includes the City of Portland neighborhoods of Pleasant Valley, Mill Park, Woodland Park. The City of Portland neighborhoods of Hazelwood and Powellhurst-Gilbert are split between this district and District 6. In order to avoid splitting existing precincts, small sections of the City of Portland neighborhoods of Argay, Wilkes and Parkrose are placed in this district.

District 2

This district includes the cities of Lake Oswego, Rivergrove, West Linn, Oregon City, Gladstone, Johnson City and Happy Valley; the Clackamas County communities of Damascus, Boring, and Rock Creek; and the Clackamas County neighborhoods of Sunnyside, Oak Lodge, Jennings Lodge, and most of the community of Clackamas. This district splits the Clackamas County neighborhoods of North Clackamas and Oatfield Ridge with District 7 to avoid dividing existing precincts.

District 3

This district includes the Cities of Wilsonville, Tigard, Tualatin, Sherwood, Durham, King City, and most of the City of Beaverton, the community of Metzger and the Bull Mountain Community Planning Organization (CPO) and CPO No. 5 (Sherwood-Tualatin). This district splits CPO No. 6, (Cooper Mountain/Aloha) with District 4, and CPO No. 3 (Garden Home) is split with District 7.

District 4

This district includes the Cities of Cornelius, Hillsboro and Forest Grove; City of Beaverton neighborhoods of Five Oaks and Triple Creek and the communities of Bonny Slope, Raleigh Hills, West Slope, Cedar Mill and Cedar Hills. This district includes CPO No. 7 (Sommerset West-Elmonia) and splits CPO No. 6 (Cooper Mountain/Aloha) with District 3.

District 5

This district includes the following City of Portland neighborhoods: Hayden Island, Forest Park, Linnton, Humboldt, Goose Hollow, Northwest Industrial, Bridgeton, Old Town-China Town, Sullivan's Gulch, Irvington, Arbor Lodge, Sylvan-Highland, Downtown, Piedmont, Kenton, Pearl, Sunderland, Overlook, Eliot, Sabin, Sabin-Irvington, Grant Park, Cathedral Park, Northwest, Hillside, Woodlawn, Concordia, Vernon, Beaumont-Wilshire, St. Johns, Alameda, University Park, Portsmouth, East Columbia, Boise, King, Airport and

Arlington Heights. This district splits the City of Portland neighborhood of Cully with District 6.

District 6

This district includes Government Island and the City of Maywood Park; the City of Portland neighborhoods of Parkrose Heights, Mount Tabor, Mt. Scott-Arleta, Laurelhurst, Madison South, South Tabor, Center, Parkrose Neighborhood Association, Brentwood-Darlington, Hollywood, Lents, Foster-Powell, Roseway, Woodstock, Montavilla and Rose City Park; and the Clackamas County neighborhood of West Mt. Scott. This district includes most of the Clackamas County neighborhood of Southgate and a small section of the Clackamas County community of Clackamas. Most of the City of Portland neighborhoods of Argay, Parkrose and Wilkes are included in this district. This district splits the City of Portland neighborhood of Cully with District 5.

District 7

This district includes the City of Milwaukie; the City of Portland neighborhoods of Buckman, Bridlemile-Robert Gray, Arnold Creek, Richmond, Eastmoreland, Sellwood-Moreland, South Burlington, Markham, Maplewood, Crestwood, Marshall Park, Sunnyside, Ardenwald, Far Southwest, Reed, Multnomah, Southwood-Woodland Park, Southwest Hills Residential League, Ashcreek, Homestead, West Portland Park, Healy Heights, Hosford-Abernethy, Collins View, Wilson, Corbett-Terwilliger-Lair Hill, Kerns, Brooklyn and Hayhurst; and the Birds Hill neighborhood of unincorporated Clackamas County. This district splits the City of Portland neighborhood of Creston-Kenilworth with District 6 and the Clackamas County neighborhoods of North Clackamas and Oatfield Ridge with District 2.

Process Used; Analysis of Apportionment Plan

The Metro Apportionment Commission was established as prescribed by the Metro Charter. Those chosen to serve on the Commission included Chair Bill Boyd, Sheila Holden, and Nadia Kahl (Multnomah County); Gary Coe and Arthur Monson (Washington County); and Ardis Stevenson and Sid Bass (Clackamas County). The Commission held its first meeting on April 1, 1993. The Commission received preliminary public testimony at a public hearing held on April 19, 1993.

The Commission pursued a lengthy consideration of various geographical alternatives. While referring to the criteria for guidance, the Commissioners agreed to strive for an optimal configuration for the whole Metro area.

The draft plan required by the Metro Council was prepared before the May 15, 1993, deadline. Shortly after the deadline a second option, designated Plan B, was approved for distribution to the public. The Commissioners heard public comment on both plans at the seven required public hearings held throughout the district.

Additional public testimony was received by the Commission at regular weekly meetings. Responding to the testimony received, the Commission revised portions of the draft plans and developed a new map designated Plan C. During public testimony held in connection with work sessions on Plan C, the City of Milwaukie presented a modification of Plan C which became known as Plan D. The Commission considered both Plan C and Plan D and adopted Plan C as the "Proposed Final Draft Plan." This map was released in a mailing to all concerned jurisdictions and community groups. An additional opportunity for public comment was provided at a public hearing on June 15, 1993.

On June 21, 1993, the Commission met, heard additional public testimony, and selected by a majority vote the Apportionment Plan attached to this report (Appendix C). Final approval of the plan took place on June 28, 1993, when the Commission adopted the plan to be filed with the Metro Council by unanimous vote.

The Apportionment Plan met the criteria found in the Metro Charter and the Metro Council's Ordinance No. 93-477A in the following ways:

1. Minority Population Criteria

In order to analyze the data available concerning minority population distribution, the Commission requested maps from Metro's Data Resource Center which offered a visual display of various concentrations of minority populations throughout the Metro district. Analysis of this map provided valuable information about the location of these groups. The Commission referred to this information throughout its work and cites demographic data on Table 2 of Appendix D to substantiate its assertion that the Plan complies with federal law regarding the voting rights of minority populations.

2. Maximum Deviation of 5 Percent from 1990 Census Data

As geographical configurations were considered, population data for these possible districts were provided by Metro's Data Resource Center. Based on the 1990 Census data, the population totals for the individual districts within the Apportionment Plan and the degree to which these totals deviate from the average population can be found on Table 1 of Appendix C. The population variance in the Plan ranges from 2.63 percent above the average to 4.37 percent below the average which clearly satisfies the criteria in this case.

3. Efforts to Achieve 0 Percent Deviation

As various geographical possibilities were considered by the Commission, an assessment was made of the extent to which these proposed districts achieved the goal of 0 percent deviation using the most recent reliable population data. Although some configurations arguably satisfied this criterion to a greater degree, the Commission recognized the preeminence of the need to satisfy the Equal Protection requirement as stated in Section 1(2) of Council Ordinance No. 93-477A. The data, which reveals the percentage deviation from the 1992 population estimates, can be found on Table 1 of Appendix D. The population variance ranges from 3.18 percent above the average to 3.09 percent below the average.

4. Each County Contains One Whole District

The Apportionment Plan satisfies the requirement that each county contain one whole district in the following regard:

a. District 4 represents a district wholly within Washington County;

b. District 2 represents a district wholly within Clackamas County except for two minor variances necessary to preserve natural communities of interest:
   1. the Mountain Park section of Lake Oswego; and
   2. the Washington County portion of the City of Rivergrove.

c. Districts 5 represents a district that is wholly within Multnomah County.

5. Consideration Given to Precincts and Communities of Interest

While keeping counties together whenever possible, the Apportionment Plan also keeps not only cities of less than 15,000 persons intact but most larger cities as well. Portland, the largest city in the district, is divided into more than one district. A northern portion of the City of Beaverton is in an adjacent district to facilitate geographic compactness. Several small segment of Beaverton is placed in another district in order to achieve a more sensible boundary.

In an effort to respect the natural boundaries created by neighborhood associations, neighborhood coalitions and planning groups, the Commission requested the production of a neighborhood map for the region. Making use of this information, the Commission sought to keep these groups together whenever possible.

Finally, when a proposed final plan was adopted and minor adjustments to the district boundaries were requested, precinct maps were used in order to avoid unnecessary divisions of existing precincts.

1992 METRO CHARTER

Filed by the Metro Charter Committee with the elections officer of the Portland area metropolitan service district, pursuant to ORS 268.730, for approval or rejection by district voters at the November 3, 1992 general election.

1992 METRO CHARTER
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PREAMBLE

We, the people of the Portland area metropolitan service district, in order to establish an elected, visible and accountable regional government that is responsive to the citizens of the region and works cooperatively with our local governments; that undertakes, as its most important service, planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations; and that provides regional services needed and desired by the citizens in an efficient and effective manner, do ordain this charter for the Portland area metropolitan service district, to be known as Metro.

CHAPTER I
NAMES AND BOUNDARIES

Section 1. Title of Charter. The title of this charter is the 1992 Metro Charter.

Section 2. Name of Regional Government. The Portland area metropolitan service district, referred to in this charter as the "Metropolitan Service District", continues under this charter as a metropolitan service district with the name "Metro."

Section 3. Boundaries. The Metro area of governance includes all territory within the boundaries of the Metropolitan Service District on the effective date of this charter and any territory later annexed or subjected to Metro governance under state law. This charter refers to that area as the "Metro area". Changes of Metro boundaries are not effective unless approved by ordinance. No change of Metro boundaries requires approval by a local government boundary commission or any other state agency unless required by law. The custodian of Metro records shall keep an accurate description of Metro boundaries and make it available for public inspection.

CHAPTER II
FUNCTIONS AND POWERS

Section 4. Jurisdiction of Metro. Metro has jurisdiction over matters of metropolitan concern. Matters of metropolitan concern include the powers granted to and duties imposed on Metro by current and future state law and those matters the council by ordinance determines to be of metropolitan concern. The council shall specify by ordinance the extent to which Metro exercises jurisdiction over matters of metropolitan concern.

Section 5. Regional Planning Functions.

(1) Future Vision. *(a) Adoption.* The council shall adopt a Future Vision for the region between January 15, 1995 and July 1, 1995. The Future Vision is a conceptual statement that indicates population levels and settlement patterns that the region can accommodate within the carrying capacity of the land, water and air resources of the region, and its educational and economic resources, and that achieves a desired quality of life. The Future Vision is a long-term, visionary outlook for at least a 50-year period. As used in this section, "region" means the Metro area and adjacent areas.

(b) Matters addressed. The matters addressed by the Future Vision include but are not limited to: (1) use, restoration and preservation of regional land and natural resources for the benefit of present and future generations, (2) how and where to accommodate the population growth for the region while maintaining a desired quality of life for its residents, and (3) how to develop new communities and additions to the existing urban areas in well-planned ways.

(c) Development. The council shall appoint a commission to develop and recommend a proposed Future Vision by a date the council sets. The commission shall be broadly representative of both public and private sectors, including the academic community, in the region. At least one member must reside outside the Metro area. The commission has authority to seek any necessary information and shall consider all relevant information and public comment in developing the proposed Future Vision. The commission serves without compensation.

(d) Review and amendment. The Future Vision may be reviewed and amended as provided by ordinance. The Future Vision shall be completely reviewed and revised at least every fifteen years in the manner specified in subsection (1)(c) of this section.

(e) Effect. The Future Vision is not a regulatory document. It is the intent of this charter that the Future Vision have no effect that would allow court or agency review of it.

(2) Regional Framework Plan. *(a) Adoption.* The council shall adopt a regional framework plan by December 31, 1997 with the consultation and advice of the Metro Policy Advisory Committee (MPAC) created under section 27 of this charter. The council may adopt the regional framework plan in components.

(b) Matters addressed. The regional framework plan shall address: (1) regional transportation and mass transit systems, (2) management and amendment of the urban growth boundary, (3) protection of lands outside the urban growth boundary for natural resource, future urban or other uses, (4) housing densities, (5) urban design and settlement patterns, (6) parks, open spaces and recreational facilities, (7) water sources and storage, (8) coordination, to the extent feasible, of Metro growth management and land use planning policies with those of Clark County, Washington, and (9) planning responsibilities mandated by state law. The regional framework plan shall also address other growth management and land use planning matters which the council, with the consultation and advice of the MPAC, determines are of metropolitan concern and will benefit from regional planning. To encourage regional uniformity, the regional framework plan shall also contain model terminology, standards and

procedures for local land use decision making that may be adopted by local governments. As used in this section, "local" refers only to the cities and counties within the jurisdiction of Metro.

(c) Effect. The regional framework plan shall: (1) describe its relationship to the Future Vision, (2) comply with applicable statewide planning goals, (3) be subject to compliance acknowledgement by the Land Conservation and Development Commission or its successor, and (4) be the basis for coordination of local comprehensive plans and implementing regulations.

(d) Amendment. The council may amend the regional framework plan after seeking the consultation and advice of the MPAC.

(e) Implementation. To the maximum extent allowed by law, the council shall adopt ordinances: (1) requiring local comprehensive plans and implementing regulations to comply with the regional framework plan within three years after adoption of the entire regional framework plan. If the regional framework plan is subject to compliance acknowledgement, local plans and implementing regulations shall be required to comply with the regional framework plan within two years of compliance acknowledgement; (2) requiring the council to adjudicate and determine the consistency of local comprehensive plans with the regional framework plan; (3) requiring each city and county within the jurisdiction of Metro to make local land use decisions consistent with the regional framework plan until its comprehensive plan has been determined to be consistent with the regional framework plan. The obligation to apply the regional framework plan to local land use decisions shall not begin until one year after adoption and compliance acknowledgement of the regional framework plan; and (4) allowing the council to require changes in local land use standards and procedures if the council determines changes are necessary to remedy a pattern or practice of decision making inconsistent with the regional framework plan.

(3) Priority and funding of regional planning activities. The regional planning functions under this section are the primary functions of Metro. The council shall appropriate funds sufficient to assure timely completion of those functions.

Section 6. Other Assigned Functions. Metro is also authorized to exercise the following functions: (1) Acquisition, development, maintenance and operation of: (a) a metropolitan zoo, (b) public cultural, trade, convention, exhibition, sports, entertainment, and spectator facilities, (c) facilities for the disposal of solid and liquid wastes, and (d) a system of parks, open spaces and recreational facilities of metropolitan concern; (2) Disposal of solid and liquid wastes; (3) Metropolitan aspects of natural disaster planning and response coordination; (4) Development and marketing of data; and (5) Any other function required by state law or assigned to the Metropolitan Service District or Metro by the voters.

Section 7. Assumption of Additional Functions.

(1) Assumption ordinance. The council shall approve by ordinance the undertaking by Metro of any function not authorized by sections 5 and 6 of this charter. The ordinance shall contain a finding that the function is of metropolitan concern and the reasons it is appropriate for Metro to undertake it.

(2) Assumption of local government service function. (a) An ordinance authorizing provision or regulation by Metro of a local government service is not effective unless the ordinance is approved by the voters of Metro or a majority of the members of the MPAC. Voter approval may occur by approval of a referred measure (1) authorizing the function or (2) relating to finances and authorizing financing or identifying funds to be used for exercise of the function. As used in this section, "local government service" is a service provided to constituents by one or more cities, counties or special districts within the jurisdiction of Metro at the time a Metro ordinance on assumption of the service is first introduced.

(b) An ordinance submitted to the MPAC for approval is deemed approved unless disapproved within 60 days after submission.

(c) No approval under this subsection is required for the compensated provision of services by Metro to or on behalf of a local government under an agreement with that government.

(3) Assumption of other service functions. The council shall seek the advice of the MPAC before adopting an ordinance authorizing provision or regulation by Metro of a service which is not a local government service.

(4) Assumption of functions and operations of mass transit district. Notwithstanding subsection (2) of this section, Metro may at any time assume the duties, functions, powers and operations of a mass transit district by ordinance. Before adoption of this ordinance the council shall seek the advice of the Joint Policy Advisory Committee on Transportation or its successor. After assuming the functions and operations of a mass transit district, the council shall establish a mass transit commission of not fewer than seven members and determine its duties in administering mass transit functions for Metro. The members of the governing body of the mass transit district at the time of its assumption by Metro are members of the initial Metro mass transit commission for the remainder of their respective terms of office.

(5) Boundary commission functions. The council shall undertake and complete a study of the Portland Metropolitan Area Local Government Boundary Commission, with advice of the MPAC, by September 1, 1995. The council shall implement the results of the study and shall seek any legislative action needed for implementation.

Section 8. Preservation of Authority to Contract. All Metro officers shall preserve, to the greatest extent possible, the ability of Metro to contract for all services with persons or entities who are not Metro employees.

Section 9. General Grant of Powers to Carry Out Functions; Construction of Specified Powers. When carrying out the functions authorized or assumed under this charter: (1) Metro has all powers that the laws of the United States and this state now or in the future could allow Metro just as if this charter specifically set out each of those powers, (2) the powers specified in this charter are not exclusive, (3) any specification of power in this charter is not intended to limit authority, and (4) the powers specified in this charter shall be construed liberally.

CHAPTER III
FINANCE

Section 10. General Authority. Except as prohibited by law or restricted by this charter, Metro may impose, levy and collect taxes and may issue revenue bonds, general and special obligation bonds, certificates of participation and other obligations. The authority provided under this section supplements any authority otherwise granted by law.

Section 11. Voter Approval of Certain Taxes. Any ordinance of the council imposing broadly based taxes of general applicability on the personal income, business income, payroll, property, or sales of goods or services of all, or a number of classes of, persons or entities in the region requires approval of the voters of Metro before taking effect. This approval is not required (1) to continue property taxes imposed by the Metropolitan Service District, (2) for the rate or amount of any payroll tax imposed by a mass transit district as of June 1, 1992, if the functions of that district are assumed by Metro, or (3) for additional payroll tax revenues for mass transit imposed to replace revenues lost by withdrawal of any locality from the service area of the mass transit district after June 1, 1992. For purposes of sections 11, 13 and 14 of this charter, "taxes" do not include any user charge, service fee, franchise fee, charge for the issuance of any franchise, license, permit or approval, or any benefit assessment against property.

Section 12. Voter Approval of General Obligation Bonds. Issuance of general obligation bonds payable from ad valorem property taxes requires the approval of the voters of Metro.

Section 13. Prior Consultation for Tax Imposition. Before imposing any new tax for which voter approval is not required, the council shall establish and seek the advice of a tax study committee that includes members appointed from the general population, and from among businesses and the governments of cities, counties, special districts and school districts, of the Metro area.

Section 14. Limitations on Expenditures of Certain Tax Revenues.

(1) Generally. Except as provided in this section, for the first fiscal year after this charter takes effect Metro may make no more than $12,500,000 in expenditures on a cash basis from taxes imposed and received by Metro and interest and other earnings on those taxes. This expenditure limitation increases in each subsequent fiscal year by a percentage equal to (a) the rate of increase in the Consumer Price Index, All Items, for Portland-Vancouver (All Urban Consumers) as determined by the appropriate federal agency or (b) the most nearly equivalent index as determined by the council if the index described in (a) is discontinued.

(2) Exclusions from limitation. This section does not apply to (a) taxes approved by the voters of Metro or the Metropolitan Service District and interest and other earnings on those taxes, (b) payroll taxes specified in section 11 of this charter, and (c) tax increment financing charges on property.

Section 15. Limitations on Amount of User Charges. Except to the extent receipts in excess of costs from food and beverage sales, parking and other concessions are dedicated to reducing charges for the provision of goods or services to which the concession directly relates, charges for the provision of goods or services by Metro may not exceed the costs of providing the goods or services. These costs include, but are not limited to, costs of personal services, materials, capital outlay, debt service, operating expenses, overhead expenses, and capital and operational reserves attributable to the good or service.

CHAPTER IV
FORM OF GOVERNMENT

Section 16. Metro Council.

(1) Creation and Powers. The Metro council is created as the governing body of Metro. Except as this charter provides otherwise, and except for initiative and referendum powers reserved to the voters of Metro, all Metro powers are vested in the council.

(2) Composition. Beginning January 2, 1995, the council consists of seven councilors, each nominated and elected from a single district within the Metro area. Until that date the council consists of the 13 members of the governing body of the Metropolitan Service District whose terms begin or continue in January 1993 and whose districts continue until replaced as provided in this section. The terms of those members expire January 2, 1995.

(3) Apportionment of council districts. *(a) Creation and appointment of apportionment commission*. A Metro apportionment commission of seven commissioners is created. To appoint the commission the council shall divide itself into five pairs of councilors and one group of three councilors. Each pair and group of councilors shall be from contiguous districts and appoints one commissioner. The presiding officer appoints one commissioner and the commission chair. At least two commissioners must be appointed from each of the three counties within the Metro area, and each commissioner appointed by a pair or group of councilors shall reside in one of the districts from which the councilors making the appointment are elected or appointed. All appointments to the commission shall be made by February 1, 1993.

(b) Appointment by executive officer. If all appointments to the commission are not made by February 1, 1993, the executive officer shall appoint all commissioners and designate its chair by March 1, 1993. The executive officer shall appoint at least two commissioners from each of the three counties within the Metro area and may not appoint more than one commissioner from a single council district.

(c) Disqualifications from commission membership. No commissioner, or his or her spouse, children, or stepchildren may (1) be a Metro councilor, executive officer or employee, (2) be an elected officer or employee of any city, county or special district, (3) have an economic interest which is distinct from that of the general public in any policy or legislation adopted by Metro or the Metropolitan Service District within the previous two years or which is being considered for adoption, or (4) be engaged, directly or indirectly, in any business with Metro which is inconsistent with the conscientious performance of the duties of commissioner. No commissioner may be a candidate for the office of councilor or executive officer in the first primary and general elections after adoption of this charter. Any challenge of the qualifications of a commissioner shall be made by May 1, 1993.

(d) Commission vacancies. A vacancy on the commission is filled by action of the authority that appointed the commissioner whose position is vacant.

(e) Filing of apportionment plan. Not later than July 1, 1993, the commission shall adopt and file with the council an apportionment plan dividing the Metro area into seven council districts. Councilors from those districts are first elected in the first statewide primary and general elections after adoption of this charter for a term of office beginning January 2, 1995. The affirmative vote of four commissioners is required to adopt the apportionment plan.

(f) Appointment of apportionment referee. If the commission fails to file an apportionment plan by July 1, 1993, the council shall appoint an apportionment referee by July 15, 1993. The provisions of subsection (3)(c) of this section apply to appointment of the

referee. The referee shall prepare and file with the council an apportionment plan within 60 days after his or her appointment.

(g) Effective date of apportionment plan. An apportionment plan filed under this subsection becomes effective on the 30th day after filing unless a voter of Metro petitions for judicial review of the plan as provided by law.

(h) Criteria for districts. As nearly as practicable, all council districts shall be of equal population and each shall be contiguous and geographically compact. The council may by ordinance prescribe additional criteria for districts that are consistent with the requirements of this subsection.

(i) Appropriation of funds. The council shall appropriate sufficient funds to enable the commission and referee to perform their duties under this section.

(j) Abolition of commission. The commission is abolished upon filing the apportionment plan required by this section or on July 2, 1993, whichever is earlier.

(k) Repeal of subsection. Subsection (3) of this section is repealed January 1, 1994. Upon repeal its provisions shall be stricken from this charter and the other subsections of this section renumbered.

(4) Initial terms of office. The terms of office of the four councilors receiving the highest number of votes among the seven councilors elected in 1994 end January 4, 1999. The terms of office of the other three councilors end January 6, 1997. Thereafter the term of office of councilor is four years.

(5) Council presiding officer. At its first meeting each year the council shall elect a presiding officer from its councilors.

(6) Council meetings. The council shall meet regularly in the Metro area at times and places it designates. The council shall prescribe by ordinance the rules to govern conduct of its meetings. Except as this charter provides otherwise, the agreement of a majority of councilors present and constituting a quorum is necessary to decide affirmatively a question before the council.

(7) Quorum. A majority of councilors in office is a quorum for council business, but fewer councilors may compel absent councilors to attend.

(8) Record of proceedings. The council shall keep and authenticate a record of council proceedings.

Section 17. Metro Executive Officer.

(1) Creation. The office of Metro executive officer is created. The executive officer is elected from the Metro area at large for a term of four years. The executive officer serves

full time and may not be employed by any other person or entity while serving as executive officer.

(2) Duties. The primary duty of the executive officer is to enforce Metro ordinances and otherwise to execute the policies of the council. The executive officer shall also: (a) administer Metro except for the council and the auditor, (b) make appointments to Metro offices, boards, commissions and committees when required to do so by this charter or by ordinance, (c) propose for council adoption measures deemed necessary to enforce or carry out powers and duties of Metro, (d) prepare and submit a recommended annual Metro budget to the council for approval, and (e) keep the council fully advised about Metro operations.

(3) Transition from Metropolitan Service District. The Metropolitan Service District executive officer in office when this charter takes effect is the Metro executive officer until January 2, 1995 when his or her term expires. The Metro executive officer is elected in the first statewide primary or general election after adoption of this charter for a term beginning January 2, 1995.

(4) Veto. (a) Except as provided in this subsection, the executive officer may veto the following legislative acts of the council within five business days after enactment: (1) any annual or supplemental Metro budget, (2) any ordinance imposing, or providing an exception from, a tax, and (3) any ordinance imposing a charge for provision of goods, services or property by Metro, franchise fees or any assessment. (b) The council, not later than 30 days after a veto, may override a veto by the affirmative vote of (1) nine councilors while the council consists of 13 positions and (2) five councilors after the council consists of sever positions as provided by section 16(2) of this charter. (c) A legislative act referred to the voters of Metro by the council is not subject to veto.

Section 18. Metro Auditor.

(1) Creation. The office of Metro auditor is created. The auditor is elected from the Metro area at large for a term of four years. The auditor serves full time and may not be employed by any other person or entity while serving as auditor.

(2) First election; disqualification for other Metro elected offices. The auditor is first elected in the first statewide primary or general election after adoption of this charter for a term beginning January 2, 1995. During the term for which elected, and for four years thereafter, the auditor is ineligible to hold the offices of Metro executive officer or Metro councilor.

(3) Duties. The auditor shall: (a) make continuous investigations of the operations of Metro including financial and performance auditing and review of financial transactions, personnel, equipment, facilities, and all other aspects of those operations, and (b) make reports to the Metro council and executive officer of the results of any investigation with any

recommendations for remedial action. Except as provided in this section, the auditor may not be given responsibility to perform any executive function.

Section 19. Term of Office. The term of office of an officer elected at a primary or general election begins the first Monday of the year following election and continues until a successor assumes the office.

CHAPTER V
OFFICERS, COMMISSIONS AND EMPLOYEES

Section 20. Qualifications of Elected Officers.

(1) Councilor. A councilor shall be a qualified elector under the constitution of this state when his or her term of office begins and shall have resided during the preceding 12 months in the district from which elected or appointed. When the boundaries of that district have been apportioned or reapportioned during that period, residency in that district for purposes of this subsection includes residency in any former district with area in the district from which the councilor is elected or appointed if residency is established in the apportioned or reapportioned district within 60 days after the apportionment or reapportionment is effective.

(2) Executive officer and auditor. The executive officer and auditor shall each be a qualified elector under the constitution of this state when his or her term of office begins and shall have resided during the preceding 12 months within the boundaries of Metro as they exist when the term of office begins. At the time of election or appointment the auditor shall also hold the designation of certified public accountant or certified internal auditor.

(3) Multiple elected offices. A Metro elected officer may not be an elected officer of the state, or a city, county or special district during his or her term of office. As used in this charter, special district does not include school districts.

(4) Judging elections and qualifications. The council is the judge of the election and qualification of its members.

Section 21. Compensation of Elected Officers.

(1) Council. The salary of the council presiding officer is two-thirds the salary of a district court judge of this state. The salary of every other councilor is one-third the salary of a district court judge of this state. A councilor may waive a salary.

(2) Executive officer. The salary of the executive officer is the salary of a district court judge of this state.

(3) Auditor. The salary of the auditor is eighty percent of the salary of a district court judge of this state.

(4) Reimbursements. The council may authorize reimbursement of Metro elected and other officers for necessary meals, travel and other expenses incurred in serving Metro.

Section 22. Oath. Before assuming office a Metro elected officer shall take an oath or affirm that he or she will faithfully perform the duties of the office and support the constitutions and laws of the United States and this state and the charter and laws of Metro.

Section 23. Vacancies in Office.

(1) Councilor. The office of councilor becomes vacant upon the incumbent's: (a) death, (b) adjudicated incompetency, (c) recall from office, (d) failure following election or appointment to qualify for the office within 10 days after the time for his or her term of office to begin, (e) absence from all meetings of the council within a 60 day period without the council's consent, (f) ceasing to reside in the district from which elected or appointed, except when district boundaries are reapportioned and a councilor is assigned to a district where the councilor does not reside and the councilor becomes a resident of the reapportioned district within 60 days after the reapportionment is effective, (g) ceasing to be a qualified elector under state law, (h) conviction of a felony or conviction of a federal or state offense punishable by loss of liberty and pertaining to his or her office, (i) resignation from office, or (j) becoming an elected officer of the state or a city, county or special district.

(2) Executive officer and auditor. The offices of executive officer or auditor become vacant in the circumstances described in subsection (1)(a)-(d) and (g)-(j) of this section, or if the executive officer or auditor ceases to reside in the Metro area. The office of auditor also becomes vacant if the incumbent ceases to hold the designation of certified public accountant or certified internal auditor.

(3) Vacancy after reapportionment. If a councilor vacancy occurs after the councilor has been assigned to a reapportioned district under section 32 of this charter, the vacancy is in the district to which that councilor was assigned.

(4) Determination of vacancy. The council is the final judge of the existence of a vacancy.

Section 24. Filling Vacancies. A majority of councilors holding office shall fill a vacancy by appointment within 90 days after it occurs. The term of office of the appointee runs from the time he or she qualifies for the office after appointment until a successor is duly elected and qualifies for the office. If the vacancy occurs more than 20 days before the first general election after the beginning of the term for that office, the term of office of the appointee runs only until the first council meeting in the year immediately after that election. A person shall be elected for the remainder of the term at the first primary or general election after the beginning of the term.

Section 25. Limitations of Terms of Office. No person may be elected councilor for more than three consecutive full terms. No person may be elected executive officer for more than two consecutive full terms. The limitations of this section apply only to terms of office beginning on or after January 2, 1995.

Section 26. Appointive Offices and Commissions.

(1) Appointments and confirmation. The executive officer appoints all employees in the office of the executive officer, all department directors, and all other positions this charter or ordinance requires the executive officer to appoint. Appointments of department directors are subject to council confirmation. The council by ordinance may require confirmation of other positions.

(2) Removal. Employees in the office of the executive officer and department directors serve at the pleasure of the executive officer. Staff employed by the council serve at the pleasure of the council. The executive officer may remove his or her other appointees as provided by ordinance.

Section 27. Metro Policy Advisory Committee.

(1) Creation and composition. The Metro Policy Advisory Committee (MPAC) is created. The initial members of the MPAC are:

(a) One member of each of the governing bodies of Washington, Clackamas and Multnomah Counties appointed by the body from which the member is chosen;

(b) Two members of the governing body of the City of Portland appointed by that governing body;

(c) One member of the governing body of the second largest city in population in Multnomah County appointed by that governing body;

(d) One member of the governing body of the largest city in population in Washington County appointed by that governing body;

(e) One member of the governing body of the largest city in population in Clackamas County appointed by that governing body;

(f) One member of a governing body of a city with territory in the Metro area in Multnomah County other than either the City of Portland or the second largest city in population in Multnomah County, appointed jointly by the governing bodies of cities with territory in the Metro area in Multnomah County other than the City of Portland or the second largest city in population in Multnomah County;

(g) One member of a governing body of a city with territory in the Metro area in Washington County other than the city in Washington County with the largest population, appointed jointly by the governing bodies of cities with territory in the Metro area in Washington County other than the city in Washington County with the largest population;

(h) One member of a governing body of a city with territory in the Metro area in Clackamas County other than the city in Clackamas County with the largest population, appointed jointly by the governing bodies of cities with territory in the Metro area in Clackamas County other than the city in Clackamas County with the largest population;

(i) One member from the governing body of a special district with territory in the Metro area in Multnomah County appointed jointly by the governing bodies of special districts with territory in the Metro area in Multnomah County;

(j) One member from the governing body of a special district with territory in the Metro area in Washington County appointed jointly by the governing bodies of special districts with territory in the Metro area in Washington County;

(k) One member from the governing body of a special district with territory in the Metro area in Clackamas County appointed jointly by the governing bodies of special districts with territory in the Metro area in Clackamas County;

(l) One member of the governing body of Tri-County Metropolitan Transportation District of Oregon appointed by the governing body of that district; and,

(m) Three persons appointed by the executive officer and confirmed by the council. No person appointed under this part of subsection (1) may be an elected officer of or employed by Metro, the state, or a city, county or special district. Each person appointed under this part of subsection (1) shall reside in the Metro area during the person's tenure on the MPAC.

(2) Change of composition. A vote of both a majority of the MPAC members and a majority of all councilors may change the composition of the MPAC at any time.

(3) Duties. The MPAC shall perform the duties assigned to it by this charter and any other duties the council prescribes.

(4) Bylaws. The MPAC shall adopt bylaws governing the conduct and record of its meetings and the terms of its members.

Section 28. Metro Office of Citizen Involvement.

(1) Creation and purpose. The Metro office of citizen involvement is created to develop and maintain programs and procedures to aid communication between citizens and the council and executive officer.

(2) Citizens' committee in office of citizen involvement. The council shall establish by ordinance (a) a citizens' committee in the office of citizen involvement and (b) a citizen involvement process. The council shall appropriate sufficient funds to operate the office and committee.

CHAPTER VI
ELECTIONS AND REAPPORTIONMENT

Section 29. State Law. Except as this charter or a Metro ordinance provides otherwise, a Metro election shall conform to state law applicable to the election.

Section 30. Elections of Metro Officers.

(1) Generally. Except for certain elections to fill a vacancy in office, the first vote for councilor, executive officer or auditor occurs at an election held at the same time and places in the Metro area as the statewide primary election that year. If one candidate for a Metro office receives a majority of the votes cast at the primary election for all candidates for that office, that candidate is elected. If no candidate receives a majority of the votes cast at the primary election, the candidates receiving the two largest numbers of votes cast for the office are the only names to appear on the general election ballot that year as candidates for that office. The candidate who receives the largest number of votes cast at the general election for that office is elected.

(2) Nonpartisan offices. All elections of Metro officers are nonpartisan. Election ballots shall list the names of candidates for Metro offices without political party designations.

Section 31. Multiple Candidacies. No person may be a candidate at a single election for more than one Metro elected office.

Section 32. Reapportionment of Council Districts After Census.

(1) General requirements. Within three months after an official census indicates that the boundaries of council districts deny equal protection of the law, the council shall change the boundaries to accord equal protection of the law and shall assign councilors to the reapportioned districts. As nearly as practicable, all council districts shall be of equal population and each shall be contiguous and geographically compact. The council may by ordinance specify additional criteria for districts that are consistent with this section.

(2) Failure to reapportion. If the council fails to establish council district boundaries as provided by this section, the executive officer shall establish the boundaries within 60 days.

Section 33. Recall.

(1) Generally. An elected officer of Metro may be recalled in the manner and with the effect described by the constitution and laws of this state.

(2) Effect of reapportionment. Upon the effective date of a council reapportionment under section 32 of this charter, a councilor is subject to recall by the voters of the district to which the councilor is assigned and not by the voters of the district of that councilor existing before the reapportionment.

Section 34. Initiative and Referendum. The voters of Metro reserve to themselves the powers of initiative and referendum. The council may provide for the exercise of those powers in a manner consistent with law.

Section 35. Amendment and Revision of Charter. The council may refer, and voters of Metro may initiate, amendments to this charter. A proposed charter amendment may embrace only one subject and matters properly connected with it. The council shall provide by ordinance for a procedure to revise this charter.

CHAPTER VII
ORDINANCES

Section 36. Ordaining Clause. The ordaining clause of an ordinance adopted by the council is: "The Metro Council ordains as follows:". The ordaining clause of an initiated or referred ordinance is: "The People of Metro ordain as follows:".

Section 37. Adoption by Council.

(1) General requirements. The council shall adopt all legislation of Metro by ordinance. Except as this charter otherwise provides, the council may not adopt any ordinance at a meeting unless: (a) the ordinance is introduced at a previous meeting of the council, (b) the title of the ordinance is included in a written agenda of the meeting at which the ordinance is adopted, (c) the agenda of that meeting is publicized not less than three business days nor more than ten days before the meeting, and (d) copies of the ordinance are available for public inspection at least three business days before that meeting. The text of an ordinance may be amended, but not substantially revised, at the meeting at which it is adopted.

(2) Immediate adoption. The provisions of this section do not apply to an ordinance adopted by unanimous consent of the council and containing findings on the need for immediate adoption.

(3) Vote required. Adoption of an ordinance requires the affirmative votes of (a) seven councilors while the council consists of 13 positions, and (b) four councilors after the council consists of seven positions as provided by section 16(2) of this charter.

Section 38. Endorsement. The person presiding over the council when an ordinance is adopted shall endorse the ordinance unless the council prescribes a different procedure by general ordinance.

Section 39. Effective Date of Ordinances.

(1) Generally. An ordinance takes effect 90 days after its adoption unless the ordinance states a different effective date. An ordinance may state an earlier effective date if (a) an earlier date is necessary for the health, safety or welfare of the Metro area, (b) the reasons why this is so are stated in an emergency clause of the ordinance, and (c) the ordinance is approved by the affirmative vote of two-thirds of all councilors. An ordinance imposing or changing a tax or charge, changing the boundaries of Metro, or assuming a function may not contain an emergency clause.

(2) Vetoed and referred ordinances. If the executive officer vetoes an ordinance and the council overrides the veto, the date of adoption is the date on which the veto is overridden. If the council refers an ordinance to the voters of Metro, the ordinance effective date is the 30th day after its approval by a majority of the voters voting on the measure unless the ordinance specifies a later date. If a referendum petition is filed with the filing officer not later than the 90th day after adoption of an ordinance, the ordinance effective date is suspended. An ordinance is not subject to the referendum after it is effective. An ordinance referred by a referendum petition (a) does not take effect if a majority of the voters voting on the measure reject it and

(b) takes effect, unless the ordinance specifies a later date, on the date the results of the election are certified if a majority of the voters voting on the measure approve it.

Section 40. Content of Ordinances. Each ordinance may embrace only one subject and all matters properly connected with it. The council shall plainly word each ordinance and avoid technical terms as far as practicable.

Section 41. Public Improvements and Special Assessments. General ordinances govern the procedures for making, altering, vacating or abandoning a public improvement and for fixing, levying and collecting special assessments against real property for public improvements or services. State law governs these procedures to the extent not governed by general ordinances.

CHAPTER VIII
MISCELLANEOUS PROVISIONS

Section 42. Transition Provisions. All legislation, orders, rules and regulations of the Metropolitan Service District in force when this charter takes effect remain in force after that time to the extent consistent with this charter and until amended or repealed by the council. All rights, claims, causes of action, duties, contracts, and legal and administrative proceedings of the Metropolitan Service District that exist when this charter takes effect continue and are unimpaired by the charter. Each is in the charge of the officer or agency designated by this charter or by its authority to have charge of it. The unexpired terms of elected officers of the Metropolitan Service District continue as provided by this charter. Upon the effective date of this charter, the assets and liabilities of the Metropolitan Service District are the assets and liabilities of Metro.

Section 43. Effective Date. This charter takes effect January 1, 1993.

Section 44. Severability. The terms of this charter are severable. If a part of this charter is held invalid, that invalidity does not affect any other part of this charter unless required by the logical relation between the parts.

Section 45. State Legislation. By adopting this charter the voters of Metro direct the council to seek, and request the Legislative Assembly of this state to enact, any legislation needed to make all parts of this charter operative.

CHRONOLICAL CALENDAR
1992 METRO CHARTER

January 1, 1993:	Appointment of Future Vision Commission[1]
February 1, 1993:	Appointment of Apportionment Commission by Council
March 1, 1993:	Appointment of Apportionment Commission by Executive Office if Council fails to appoint
May 1, 1993:	Challenge deadline for disqualification of Apportionment Commission membership
July 1, 1993:	Filing deadline of Apportionment Plan with Council by Apportionment Commission; Commission abolished no later than July 2, 1993
July 15, 1993:	Appointment of Apportionment Referee, if Apportionment Commission fails to meet deadline
September 15, 1993:	Filing deadline of Apportionment Plan with Council by Referee, if Apportionment Commission fails to meet deadline
October 15, 1993:	Effective date of Apportionment Plan
January 1, 1994:	Repeal of Section 16 (3) of Charter (initial apportionment of Council provisions)
May, 1994:	Primary election of Councilors, Executive Officer and Auditor
November, 1994:	General election of Councilors, Executive Officer and Auditor candidates not having received over 50% in primary election
January 2, 1995:	Elected officers of Metro take office
January 1 - July 1, 1995:	Council adoption of Future Vision
September 1, 1995:	Completion of Boundary Commission study
December 31, 1997:	Adoption of Regional Framework Plan
December 31, 1999:	Completion of local compliance process with Regional Framework Plan, assuming Plan not required to procedurally comply with Department of Land Conservation and Development
December 31, 2000:	Application of Regional Framework Plan to local land use decisions, assuming Plan not required to procedurally comply with Department of Land Conservation and Development
December 31, 2000:	Completion of local compliance process with Regional Framework Plan, if Plan is required to comply with Department of Land Conservation and Development
December 31, 2001:	Application of Regional Framework Plan to local land use decisions, assuming Plan is in compliance with Department of Land Conservation and Development

[1]No specific point in time referenced. To be appointed between this date and July 1, 1995.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR COUNCIL DISTRICT APPORTIONMENT, AND DECLARING AN EMERGENCY	)))))	ORDINANCE NO. 93-477A INTRODUCED BY THE GOVERNMENTAL AFFAIRS COMMITTEE

WHEREAS, The voters of Metro approved the 1992 Metro Charter at the November 3, 1992 General Election; and

WHEREAS, Section 16 of the Metro Charter prescribes that beginning January 2, 1995, the governing body of Metro is to be a seven-member council with each Councilor elected from a single district within the Metro area; and

WHEREAS, Section 16(3) of the Metro Charter creates a Metro apportionment commission, for the purpose of creating an apportionment plan which establishes the seven Council districts; and,

WHEREAS, Section 16(3)(h) of the Metro Charter establishes the minimum criteria for Council districts, requiring them to be as nearly as practicable of equal population and "contiguous and geographically compact;" and,

WHEREAS, Section 16(3)(h) of the Metro Charter further provides that "the council may by ordinance prescribe additional criteria for districts that are consistent with the requirements of this subsection;" NOW, THEREFORE,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. In addition to the criteria for Council district apportionment contained in Section 16(3)(h) of the Metro Charter, which require that "all council districts shall be of equal population and each shall be contiguous and geographically

compact," the Metro apportionment commission shall also meet the following requirements in developing an apportionment plan:

1. The apportionment shall comply with applicable federal law pertaining to the voting rights of minority populations.

2. No district shall vary in population more than 5.0% from the average population of a district. "Average population" shall be that amount equal to one-seventh the total Metro area population. For the purpose of this subsection, all population figures shall be based upon 1990 census data. This maximum variance of 5.0% shall be construed to mean that no district may be more than 5.0% larger nor more than 5.0% smaller in population than the average population.

3. While observing the maximum 5.0% population variance based on the 1990 census data stipulated in #2, above, the commission shall make every effort to create districts with population variances of 0% (zero percent) based upon the most recent and reliable population estimates prepared by Metro's Data Resource Center.

4. To the maximum extent possible after meeting all other applicable criteria, each of the three counties with territory in the Metro area shall have at least one district wholly within that county.

5. The commission shall give consideration to existent precincts and, to the maximum extent possible after meeting all other applicable criteria, maintain communities of interest. Communities of interest are represented in counties, cities under

15,000 population, established neighborhood associations, neighborhood planning organizations, community planning/participation organizations, or other similar groups as specifically defined by the commission.

6. The apportionment commission shall hold at least one public hearing in the Metro area not more than thirty days following appointment of the commission's seven members. This hearing shall be for the purpose of gathering information from interested parties and the general public regarding district apportionment and the apportionment process.

The apportionment commission shall hold at least one public hearing in each of the seven districts proposed in its draft apportionment plan, following completion of the draft plan. These hearings shall be for the purpose of hearing from interested parties and the general public regarding the content of the draft plan. These hearings shall be held on dates which will allow time for the commission to consider the testimony received and, if necessary, to amend the draft apportionment plan prior to the July 1, 1993 filing deadline.

7. The apportionment commission shall complete a draft plan by May 15, 1993, in order to provide sufficient time for public hearing and review.

Section 2. This ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the work of the apportionment commission must proceed without delay as stipulated

in the Metro Charter, an emergency is declared to exist and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 28th day of January, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

METRO COUNCIL APPORTIONMENT PLAN

The following is a description of the Metro Council districts as adopted by this Apportionment Plan. The boundary of each district is described individually. The phrase, "outer boundary of the District" refers to the boundary of Metro as a whole. Unless specified otherwise, references to city streets indicate the centerline of the street, and references to rivers indicate the centerline of the river channel. References to grid lines indicate the logical hundred block lines on the City of Portland address grid. References to city, county, park, cemetery, golf course, voter precinct, or other political boundaries indicate the boundaries as they existed as of the date of the adoption of this plan. The description of the district boundaries contained herein is intended to control in the event of a discrepancy with the information contained in the tables or in maps utilized to illustrate the boundaries.

DISTRICT 1:

In Multnomah County, Beginning at a point where the centerline of the South Channel of the Columbia River as it flows past Government Island intersects with a line drawn northward along the logical extension of grid 14200; south from such point along grid 14200 to its intersection with NE Sandy Blvd.; east on NE Sandy Blvd. to its intersection with the logical extension of the 14600 grid; south along the 14600 grid to its intersection with the south boundary line of tax lot R942252480; east along the south boundary line of tax lots R942252480 and R942250390 to its intersection with NE 148th Ave; south along NE 148th Ave to its intersection with NE San Rafael St; west along NE San Rafael St to its intersection with NE 132nd Ave; south on NE 132nd Ave to its intersection with NE Halsey St; west on NE Halsey St to its intersection with NE 102nd Ave; south on NE/SE 102nd Ave to its intersection with SE Cherry Blossom Dr; southeast on SE Cherry Blossom Dr to its intersection with SE 112th Ave; south on SE 112th Ave to its intersection with SE Holgate Blvd.; west on SE Holgate Blvd. to its intersection with SE 111th Ave;

south on SE 111th Ave to its intersection with SE Foster Rd; south on SE 111th Dr. to its intersection with SE 112th Ave; south on SE 112th Ave to its intersection with SE Mt. Scott Blvd.; southeast on SE Mt. Scott Blvd. to its intersection with the Multnomah/Clackamas county boundary; east along the Multnomah/Clackamas county boundary to its intersection with the outer boundary of the District (near Orient Dr. and E 307th Ave); north and then west along the outer boundary of the District to its intersection with the centerline of the south channel of the Columbia River; west along the centerline of the south channel of the Columbia River back to the point of beginning.

DISTRICT 2:

Beginning at a point on the Washington/Clackamas county boundary at the intersection of the Washington/Clackamas county boundary and the City of Lake Oswego boundary (near SW Pamela St); east and then north following the City of Lake Oswego boundary to its first intersection with the Multnomah/Clackamas county boundary then generally east along the common boundary of the City of Lake Oswego and the City of Portland to SW Boones Ferry Rd; south on SW Boones Ferry Rd to its intersection with the Multnomah/Clackamas county boundary; east along the Multnomah/Clackamas county boundary to its intersection with SW Terwilliger Blvd.; south on SW Terwilliger Blvd. to its intersection with SW Riverside Dr.; southwest on SW Riverside Dr. to its intersection with the City of Lake Oswego boundary; east along the City of Lake Oswego boundary to the Willamette River; continue east along the logical extension of the City of Lake Oswego boundary to the centerline of the Willamette River; north along the centerline of the Willamette River to a point where it coincides with the Multnomah/Clackamas county boundary and the southern boundary of the City of Milwaukie; east along the southern boundary of the City of Milwaukie to its intersection with Kellogg Creek; south following Kellogg Creek to its intersection with SE Kuehn Rd; east and south and then north following the southern and eastern boundary of Clackamas county precinct 475 to its intersection with State

Highway 213 (SE 82nd Ave); south on State Highway 213 to its intersection with State Highway 224; east on State Highway 224 to its intersection with Interstate 205; north on Interstate 205 to its intersection with the logical westerly extension of the northern boundary of Gethsemane Cemetery; east along the northern boundary of said Cemetery to its intersection with the western boundary of the Top O' Scott Golf Course; north and then east along the western and northern boundary of said Golf Course to its intersection with the City of Happy Valley boundary; north and east along the western and northern boundary of the City of Happy Valley to its intersection with SE Mt. Scott Blvd.; north on SE Mt. Scott Blvd. to its intersection with the Multnomah/Clackamas county boundary; east along the Multnomah/Clackamas county boundary to its intersection with the outer boundary of the District (near Orient Dr. and E 307th Ave); south and then west along the outer boundary of the District to its intersection with the Washington/Clackamas county boundary; north along the Washington/Clackamas county boundary to its intersection with the City of Tualatin boundary; east and north along the southern and eastern boundary of the City of Tualatin to its intersection with the southern boundary of the City of Rivergrove at the Tualatin River; west along the Tualatin River to the intersection of the Tualatin River with the westernmost boundary of the City of Rivergrove; north and east along the western and northern boundary of the City of Rivergrove to the Washington/Clackamas county boundary; north along the Washington/Clackamas county boundary to its intersection with the common boundary of the City of Tualatin and the City of Lake Oswego (near SW Dawn St); west along the common boundary of the City of Tualatin and the City of Lake Oswego to where it coincides with the former Southern Pacific Railroad tracks; north and west along the common boundary of the City of Tualatin and the City of Lake Oswego along said Railroad tracks to the second intersection of said boundary with the Washington/Clackamas county line (located north of SW Rosewood St); north along the Washington/Clackamas county line to the point of beginning.

DISTRICT 3:

Beginning at the intersection of the outer boundary of the District with SW 209th Ave at SW Vermont St; south on SW 209th Ave to its intersection with SW Farmington Rd; east on SW Farmington Rd to its intersection with SW 160th Ave; north on SW 160th Ave to its intersection with State Highway 8 (Tualatin Valley Highway); east on Highway 8 to its intersection with SW Murray Blvd.; north on SW Murray Blvd. to its intersection with SW Millikan Way; east on SW Millikan Way to its intersection with SW Karl Braun Dr at SW Hocken Ave; north along the City of Beaverton boundary to its intersection with SW Walker Rd; east on SW Walker Rd to its intersection with State Highway 8 (SW Canyon Rd); east on Highway 8 to its intersection with the logical northward extension of SW 78th Ave; south on the northward extension of SW 78th Ave to its intersection with SW 78th Ave; south on SW 78th Ave to its intersection with SW Northshire St; east on SW Northshire to its intersection with SW 75th Ave; south on SW 75th Ave; continue south on the southward extension of SW 75th Ave to its intersection with State Highway 10 (Beaverton-Hillsdale Highway); east on Highway 10 to its intersection with SW Oleson Rd; south on SW Oleson Rd to its intersection with SW Vermont St; east on SW Vermont St to its intersection with the Washington/Multnomah county boundary; south along the eastern boundary of Washington County to its intersection with a point at the common boundary of the City of Tualatin and the City of Lake Oswego coinciding with the former Southern Pacific Railroad tracks (located north of SW Rosewood St); east and south along said common boundary to the second intersection with the Washington/Clackamas county boundary (near SW Dawn St); south along the Washington/Clackamas county boundary to its intersection with the northern boundary of the City of Rivergrove; west then south along the northern and western boundary of the City of Rivergrove to its intersection with the Tualatin River where it coincides with the City of Tualatin boundary; east along the Tualatin River to its intersection with the eastern boundary of the City of Tualatin; south and west along the eastern and southern boundary of the City of Tualatin to its intersection with the

Washington/Clackamas county boundary; south along the Washington/Clackamas county boundary to its intersection with the outer boundary of the District; south, west, and north along the outer boundary of the District to the point of beginning.

DISTRICT 4:

Beginning at a point on the outer boundary of the District at the intersection of the east line of sec. 23, T.1 N., R. 4 W. and the Bonneville Power Administration right-of-way; follow the outer boundary of the District east to the intersection of NW Springville Rd and the Washington/Multnomah county boundary; continue south and east following the Washington/Multnomah county boundary to its intersection with US Highway 26; west on US Highway 26 to its intersection with a point due north of the extension of the western boundary of tax lot 1S102DD03300; continue south along the western boundary of said tax lot; then south along the western boundary of tax lot 1S111AA04900; then east and south along the northern and eastern boundary of tax lot 1S111AA04600 to its intersection with the northward extension of SW 87th Ave; follow south on said extension to SW 87th Ave; continue south on SW 87th Ave to its intersection with SW Canyon Ln; southwest on SW Canyon Ln to its intersection with State Highway 8 (SW Canyon Rd); southwest on Highway 8 to its intersection with SW Walker Rd; northwest on SW Walker Rd to its intersection with the City of Beaverton boundary which is west of SW Cedar Hills Blvd.; south following the City of Beaverton boundary to its intersection with SW Millikan Way; west on SW Millikan Way to its intersection with SW Murray Blvd.; south on SW Murray Blvd. to its intersection with State Highway 8 (Tualatin Valley Highway); west on Highway 8 to its intersection with SW 160th Ave; south on SW 160th Ave to its intersection with SW Farmington Rd; west on SW Farmington Rd to its intersection with SW 209th Ave; north on SW 209th Ave to its intersection with the outer boundary of the District at SW Vermont St; north and west following the outer boundary of the District back to the point of beginning.

DISTRICT 5:

Beginning at a point where the outer boundary of the District intersects with the intersection of NW Springville Rd and the Washington/Multnomah county boundary; south and east along said county boundary to its intersection with US Highway 26; east on US Highway 26 to its intersection with the western boundary of Multnomah County precinct 1156 at precinct 1143; north, east and south along the boundary of precinct 1156 to its point of common intersection with precincts 1155 and 1160 at SW Cardinell Dr (near SW 10th Ave); north along the common boundary of precincts 1155 and 1160 to its intersection with Interstate 405; south on Interstate 405 to its intersection with Interstate 5; north on Interstate 5 to its intersection with the center of the Willamette River; north along the centerline of the river to its intersection with the logical westward extension of Interstate Highway 84 (Banfield Freeway); east on Interstate 84 to its intersection with NE Sandy Blvd.; northeast on NE Sandy Blvd. to its intersection with NE Thompson St; west on NE Thompson St to its intersection with NE 45th Ave; north on NE 45th Ave to its intersection with NE Wistaria Dr; east on NE Wistaria Dr to its intersection with NE Wiberg Ln; north on NE Wiberg Ln to its intersection with NE Alameda St; west on NE Alameda St to its intersection with NE 45th Ave; north on NE 45th Ave to its intersection with NE Fremont St; east on NE Fremont St to its intersection with NE 57th Ave; north on NE 57th Ave to its intersection with NE Cully Blvd.; northeast on NE Cully Blvd. to its intersection with NE 60th Ave; north on NE 60th Ave to its intersection with NE Emerson St; east on NE Emerson St to its intersection with NE 72nd Ave; north on NE 72nd Ave to its intersection with NE Killingsworth St; west on NE Killingsworth St to its intersection with NE Portland Highway; northwest on NE Portland Highway to its intersection with NE Cully Blvd.; northeast on NE Cully Blvd. to its intersection with NE Columbia Blvd.; east on NE Columbia Blvd. to its intersection with NE Alderwood Rd; north on NE Alderwood Rd to its intersection with NE 82nd Ave; north on NE 82nd Ave to its intersection with NE Airport Way; southeast on NE Airport Way to its intersection with NE Lombard

St; north on NE Lombard St and the logical northward extension of NE Lombard St to its intersection with the Portland City limits; northwest along said city limits to the outer boundary of the District (Washington/Oregon state line); west and south along the outer boundary of the District back to the point of beginning.

DISTRICT 6:

Beginning at a point where the intersection of the South Channel of the Columbia River as it flows past Government Island intersects with a line drawn northward along the logical extension of grid 14200; south from such point along grid 14200 to its intersection with NE Sandy Blvd.; east on NE Sandy Blvd. to its intersection with the logical extension of the 14600 grid; south along the 14600 grid to its intersection with the south line of tax lot R942252480; east along the south line of tax lots R942252480 and R942250390 to its intersection with NE 148th Ave; south along NE 148th Ave to its intersection with NE San Rafael St; west along NE San Rafael St to its intersection with NE 132nd Ave; south on NE 132nd Ave to its intersection with NE Halsey St; west on NE Halsey St to its intersection with NE 102nd Ave; south on NE/SE 102nd Ave to its intersection with SE Cherry Blossom Dr.; southeast on SE Cherry Blossom Dr. to its intersection with SE 112th Ave; south on SE 112th Ave to its intersection with SE Holgate Blvd.; west on SE Holgate Blvd. to its intersection with SE 111th Ave; south on SE 111th Ave to its intersection with SE Foster Rd; south on SE 111th Dr to its intersection with SE 112th Ave; south on SE 112th Ave to its intersection with SE Mt. Scott Blvd.; southeast on SE Mt. Scott Blvd. to its intersection with the Happy Valley City limits; west and south along the northern and western boundary of the City of Happy Valley to its intersection with the northern boundary of Top O' Scott Golf Course; west along the northern boundary and south along the western boundary of said golf course to its intersection with the northern boundary of the Gethsemane Cemetery; west on the northern boundary of said cemetery; continuing west along the logical westerly extension of the Gethsemane Cemetery to its intersection with Interstate 205; south on Interstate 205 to its intersection with State Highway 224;

west on Highway 224 to its intersection with State Highway 213 (SE 82nd Ave); north on Highway 213 to its intersection with SE Harmony Rd; west on SE Harmony Rd to its first intersection with the City of Milwaukie boundary; north along the eastern boundary of the City of Milwaukie to its intersection with SE Linwood Ave; north on SE Linwood Ave to its intersection with SE Flavel Dr which is at the intersection with SE Johnson Creek Blvd.; north on SE Flavel Dr to its intersection with the Multnomah/Clackamas county boundary; west on said county boundary to its intersection with the Portland city limits; south and west along the Portland City limits to the point of intersection with the logical extension of SE 39th Ave; north along the logical extension of SE 39th Ave to its intersection with SE 39th Ave; north on SE 39th Ave to its intersection with SE Holgate Blvd.; east on SE Holgate Blvd. to its intersection with SE 52nd Ave; north on SE 52nd Ave to its intersection with SE Division St; west on SE Division St to its intersection with SE 50th Ave; north on SE 50th Ave to its intersection with SE Hawthorne Blvd.; west on SE Hawthorne Blvd. to its intersection with SE 49th Ave; north on SE 49th Ave to its intersection with SE Belmont St; west on SE Belmont St to its intersection with SE 48th Ave; north on SE 48th Ave to its intersection with SE Stark St; west on SE Stark St to its intersection with SE 32nd Ave; north on SE/NE 32nd Ave to its intersection with NE 33rd Ave at NE Oregon St; north on NE 33rd Ave to its intersection with US Highway 84 (Banfield Freeway); east on Interstate 84 to its intersection with NE Sandy Blvd.; northeast on NE Sandy Blvd. to its intersection with NE Thompson St; west on NE Thompson St to its intersection with NE 45th Ave; north on NE 45th Ave to its intersection with NE Wistaria Dr; east on NE Wistaria Dr to its intersection with NE Wiberg Ln; north on NE Wiberg Ln to its intersection with NE Alameda St; west on NE Alameda St to its intersection with NE 45th Ave; north on NE 45th Ave to its intersection with NE Fremont St; east on Fremont St to its intersection with NE 57th Ave; north on NE 57th Ave to its intersection with NE Cully Blvd.; northeast on NE Cully Blvd. to its intersection with NE 60th Ave; north on NE 60th Ave to its intersection with NE Emerson St; east on NE Emerson St to its intersection with NE 72nd Ave; north on NE 72nd Ave to its intersection with NE

Killingsworth St; west on NE Killingsworth St to its intersection with NE Portland Highway; northwest on NE Portland Highway to its intersection with NE Cully Blvd.; northeast on NE Cully Blvd. to its intersection with NE Columbia Blvd.; east on NE Columbia Blvd. to its intersection with NE Alderwood Rd; north on NE Alderwood Rd to its intersection with NE 82nd Ave; north on NE 82nd Ave to its intersection with NE Airport Way; southeast on NE Airport Way to its intersection with NE Lombard St; north on NE Lombard St and the logical northward extension of NE Lombard St to its intersection with the Portland City boundary; northwest along said city limits to the outer boundary of the District (Washington/Oregon state line); east along the outer boundary of the District to a point midway between River Miles 118 and 119 (as identified on the U.S.G.S. Camas Quadrangle); from this point west along the center of the South Channel of the Columbia River as it flows past Government Island back to the point of beginning.

DISTRICT 7:

Beginning at a point at the intersection of US Highway 26 with the logical northerly extension of the western boundary of tax lot 1S102DD03300; continue south along the western boundary of said tax lot; then south along the western boundary of tax lot 1S111AA04900; then east and south along the northern and eastern boundary of tax lot 1S111AA04600 to its intersection with the northward extension of SW 87th Ave; follow south on said extension to SW 87th Ave; continue south on SW 87th Ave to its intersection with SW Canyon Ln; southwest on SW Canyon Ln to its intersection with State Highway 8 (SW Canyon Rd); east on Highway 8 to its intersection with the logical northward extension of SW 78th Ave; south on the northward extension of SW 78th Ave to its intersection with SW 78th Ave; south on SW 78th Ave to its intersection with SW Northshire St; east on SW Northshire to its intersection with SW 75th Ave; south on SW 75th Ave; continue south on the southward extension of SW 75th Ave to its intersection with State Highway 10 (Beaverton-Hillsdale Highway); east on Highway 10 to its

intersection with SW Oleson Rd; south on SW Oleson Rd to its intersection with SW Vermont St; east on SW Vermont St to its intersection with the Washington/Multnomah county boundary; south along the eastern boundary of Washington County to its intersection with a point on the Washington/Clackamas county boundary at the intersection of the Washington/Clackamas county boundary and the City of Lake Oswego boundary (near SW Pamela St); east and then north following the City of Lake Oswego boundary to its first intersection with the Multnomah/Clackamas county boundary then generally east along the common boundary of the City of Lake Oswego and the City of Portland to SW Boones Ferry Rd; south on SW Boones Ferry Rd to its intersection with the Multnomah/Clackamas county boundary; east along the Multnomah/Clackamas county boundary to its intersection with SW Terwilliger Blvd.; south on SW Terwilliger Blvd. to its intersection with SW Riverside Dr.; southwest on SW Riverside Dr. to its intersection with the City of Lake Oswego boundary; east along the City of Lake Oswego boundary to the Willamette River; continue east along the logical extension of the City of Lake Oswego boundary to the centerline of the Willamette River; north along the centerline of the Willamette River to a point where it coincides with the Multnomah/Clackamas county boundary and the southern boundary of the City of Milwaukie; east along the southern boundary of the City of Milwaukie to its intersection with Kellogg Creek; south following Kellogg Creek to its intersection with SE Kuehn Rd; east and south and then north following the southern and eastern boundary of Clackamas county precinct 475 to its intersection with SE Harmony Rd; west on SE Harmony Rd to its first intersection with the City of Milwaukie boundary; north along the eastern boundary of the City of Milwaukie to its intersection with SE Linwood Ave; north on SE Linwood Ave to its intersection with SE Flavel Dr which is at the intersection with SE Johnson Creek Blvd.; north on SE Flavel Dr to its intersection with the Multnomah/Clackamas county boundary; west on said county boundary to its intersection with the Portland city limits; south and west along the Portland City limits to the point of intersection with the logical extension of SE 39th Ave; north along the logical extension of SE 39th Ave to its intersection with SE 39th

Ave; north on SE 39th Ave to its intersection with SE Holgate Blvd.; east on SE Holgate Blvd. to its intersection with SE 52nd Ave; north on SE 52nd Ave to its intersection with SE Division St; west on SE Division St to its intersection with SE 50th Ave; north on SE 50th Ave to its intersection with SE Hawthorne Blvd.; west on SE Hawthorne Blvd. to its intersection with SE 49th Ave; north on SE 49th Ave to its intersection with SE Belmont St; west on SE Belmont St to its intersection with SE 48th Ave; north on SE 48th Ave to its intersection with SE Stark St; west on SE Stark St to its intersection with SE 32nd Ave; north on SE/NE 32nd Ave to its intersection with NE 33rd Ave at NE Oregon St; north on NE 33rd Ave to its intersection with US Highway 84 (Banfield Freeway); west on Interstate 84 continuing along its logical westward extension to its intersection with the centerline of the Willamette River; south along the centerline of the Willamette River to its intersection with Interstate 5; south on Interstate 5 to its intersection with Interstate 405; north on Interstate 405 to its intersection with the common boundary of Multnomah County precincts 1155 and 1160; south along the common boundary of precincts 1155 and 1160 to its intersection with the eastern boundary of precinct 1156 at SW Cardinell Dr (near SW 10th Ave); north, west, and south along the boundary of precinct 1156 to its intersection with the common boundary of precinct 1143 and US Highway 26; west along US Highway 26 back to the point of beginning.

APPENDIX D

TABLE 1

POPULATION BY DISTRICT

DISTRICT	POP 1990	POP 1992	% DEV-90	%DEV-92
1	153467	161109	+1.00%	-1.00%
2	155215	167361	+2.04%	+3.18%
3	145456	164084	-4.37%	+1.16%
4	146287	163217	-3.83%	+0.62%
5	153121	157184	+0.67%	-3.09%
6	156102	160902	+2.63%	-0.80%
7	155097	161571	+1.97%	-0.39%

TABLE 2

PERSONS BY RACE 1990

Persons by race 1990(%)

District	White	Black	Amer.Indian Eskimo,Aleut.	Asian,Pacific Islander	Other	Total
1	93.5%	1.1%	0.9%	3.1%	1.2%	100%
2	96.3%	0.4%	0.6%	2.0%	0.6%	100%
3	92.8%	0.8%	0.6%	4.8%	1.0%	100%
4	90.5%	0.6%	0.6%	4.6%	3.8%	100%
5	74.5%	18.4%	1.5%	3.9%	1.6%	100%
6	89.9%	2.0%	1.1%	6.1%	1.0%	100%
7	91.5%	1.8%	0.9%	4.9%	0.8%	100%

M E M O R A N D U M

METRO

Council
7/22/93
6.1

DATE: July 22, 1993

TO: Don Carlson, Council Administrator

FROM: Jennifer Sims, Director of Finance and Management Information

RE: Ordinance No. 93-504

Attached is an amendment to Ordinance No. 93-504 that is on tonight's Council agenda for second reading. The staff report presented to the Finance Committee and included in this agenda packet reflects the corrected Ordinance. The staff report's intent was to allow Metro to charge a finance charge 15 days earlier than it is presently being charged. This amendment makes the Ordinance agree with that intent.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE SECTION 5.02.060 RELATING TO THE CREDIT POLICY AT METRO SOLID WASTE FACILITIES	))))	ORDINANCE NO. 93-504A Introduced by Rena Cusma, Executive Officer

Whereas, Code Section 5.02.060 is the basis for credit policy at Metro solid waste disposal facilities; and

Whereas, Current Metro credit policy allows payments to be made substantially past due without penalty; and

Whereas, Current Metro credit policy allows companies to routinely pay charges late, thus obtaining from Metro an interest free loan; and

Whereas, Because many of Metro's credit accounts are quite large, it is important to discourage routine late payments and decrease Metro's exposure to loss due to eventual nonpayment of charges due; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Metro Code Section 5.02.060 is repealed, and the following section is adopted in lieu thereof:

"5.02.060 Credit Policy at Metro Solid Waste Disposal Facilities:

(a) Disposal charges, including all fees and taxes, may be paid at the time of disposal in cash, by credit card, or by guaranteed check, or may be paid under Metro's credit policy. No credit shall be granted to any Person prior to approval of a credit application in a form or forms provided by Metro.

(b) The Executive Officer shall establish and maintain appropriate credit requirements for new and existing accounts, designed to diminish Metro's risk of loss due to nonpayment. Existing account holders may be required to make new application for credit or provide additional guarantees, as deemed necessary or prudent by the Executive Officer.

(c) Account charges shall accrue on a monthly basis. Statements will be mailed on or about the tenth day of the month, for disposal services rendered in the prior month. A statement must be paid no later than the last business day of the month in which it is mailed, and is considered past due thereafter. A payment shall under no circumstances be considered

received by Metro unless it is delivered personally to the Metro Department of Finance and Management Information during business hours or, if delivered by mail, is received in Metro's mail room.

(d) ~~Interest~~ A finance charge of one and one-half percent ~~per month (18 percent per annum)~~ shall ~~begin to accrue~~ be assessed on all past due charges on the fifteenth day of the month following the month in which a statement is mailed, and on the fifteenth day of each month thereafter. ~~Interest~~ Finance charges will ~~accrue~~ be assessed only on unpaid past due balances, and not on previously ~~accrued interest~~ assessed finance charges. Finance charges will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due.

(e) An account that is fifteen days past due may be placed on a cash only basis, until all past due disposal and finance charges ~~and interest~~ are paid. Facility access may be denied to a Person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the Director of the Department of Finance and Management Information.

(f) A credit customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved, must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.

(g) The Department of Finance and Management Information may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over $500 shall be reported to the Council in writing on a monthly basis, and adjustments over $10,000 shall require Council approval.

(h) The Executive Officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such action shall be reported to the Council in writing on a monthly basis when the amount exceeds $500, and amounts over $10,000 shall require Council approval."

ADOPTED by the Metro Council this _____ day of _____, 1993.

_____
Judy Wyers, Presiding Officer

ATTEST:

_____
Clerk of the Council

ds 1116b

METRO COUNCIL
July 22, 1993
Agenda Item No. 7.5

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1827, FOR THE PURPOSE OF AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS FOR LABORATORY SERVICES FOR ST. JOHNS LANDFILL

Date: July 21, 1993 Presented by: Councilor McFarland

Committee Recommendation: At the July 20 meeting the Committee voted unanimously to recommend Council adoption of Resolution No. 93-1827. Voting in favor: Councilors Buchanan, McFarland, McLain, Washington and Wyers.

Committee Issues/Discussion: Jim Watkins, Solid Waste Engineering Manager, explained that the purpose of the resolution was to release an RFP for various water monitoring work at the St. Johns Landfill. He noted that this work is being required by DEQ as part of a larger effort to assess the impact of the landfill on adjacent environmentally sensitive areas. Watkins indicated that Metro has installed a total of 31 wells and nine piezometers at the landfill to facilitate the monitoring program.

Watkins indicated that the monitoring program would evaluate: 1) leacheate, 2) stormwater, 3) groundwater in the wells, 4) surface water, 5) sediment in the North Slough and 6) the impact on fish and other water-based animals. Watkins noted that the results of initial monitoring will be used to develop a future monitoring plan in conjunction with the DEQ.

The contract would be for 3 1/2 years. Watkins explained that this would allow the same contractor to provide these services for the remainder of the closure work. He indicated that this was important because it would allow for consistent testing throughout the length of the closure work.

Councilor Buchanan asked what types of materials the monitoring would be likely to find. Watkins responded that it is unclear what will be found and that one of the primary reasons for conducting the monitoring will be to identify what types of materials are present in the water. He indicated that they would specifically be looking for certain metals and chemicals.

Councilor McFarland asked if we will need to meet the DEQ monitoring requirements throughout the entire length of the closure period. Joanna Karl, Solid Waste Staff, responded that monitoring will likely continue for up to 30 years after closure work is completed.

M E M O R A N D U M

Council
7/22/93
#8(1)

METRO

Date: July 22, 1993

To: Metro Councilors and Council Staff

From: Donald E. Carlson, Council Administrator

Re: Fleet Car Assigned to Council Department

This is to inform you that the Presiding Officer has arranged for a fleet car to be assigned to the Council Department for use by Councilors and Council Staff on Metro related business. The vehicle is a red Dodge Shadow (License #RRJ-999) and will be parked with the rest of the fleet cars at the south end of the 1st Floor parking area.

Persons wanting to use the car should make reservations with Cheri Arthur in the Council Office. We will follow the same rules as the rest of the agency for the use of fleet cars. **Personal use of this vehicle is prohibited (see Exhibit A attached).** Councilors and Council Staff are not precluded from requesting use of vehicles from the general fleet, should this car be in use at the time of need.

We will conduct a six month experiment with the assignment of this car for Council Department use. At the end of six months, if use is not sufficient to warrant its assignment to the Department, the car will be returned to the fleet for general use.

cc: Dick Engstrom
Neil Saling

Council Car.memo

been secured, will deposit keys in the drop box provided in the elevator lobby.

PERSONAL USE OF METRO VEHICLES PROHIBITED

Metro fleet cars shall not be used for any personal business.

A. Metro cars shall not be reserved for the weekend or overnight to attend a meeting at Metro Regional Center or an outside meeting within a ten mile radius of Metro Regional Center which begins at 8:00 am or after.

B. Taking Metro automobiles home overnight will only be permitted for staff members who regularly use mass transit or alternative forms of transportation other than personal private automobiles to reach Metro Regional Center and who are participating at a Metro Regional Center meeting which begins before 8:00 am or lasts beyond 6:30 pm or an out of town meeting lasting through 4:30 pm.

C. The use of Metro cars for breakfast, lunch or dinner engagements with other Metro employees is prohibited. Exceptions are the use of automobiles for Metro staff meetings which are approved by the department head; the car reservation form must be signed by the department head.

D. Use of Metro cars to run errands for staff holiday events, e.g. birthdays, send offs, or to provide transportation to staff parties or luncheons, etc. is prohibited. Metro cars may be used for running errands to deliver or to acquire materials and supplies for Metro business meetings involving Metro advisors, councilors, consultants, etc.

E. Employees may not use fleet cars for personal business on overnight local and out of town Metro business trips, e.g. shopping, sightseeing, etc.

F. Overnight local retention of vehicles is discouraged and is not allowed if the vehicle can be returned by 5:00 pm.

Violators of Metro Fleet Car Practices may face suspension of Metro fleet car privileges.

REPORT ALL ACCIDENTS TO RISK MANAGEMENT

All incidents of damage to Metro fleet cars, other cars or property when driving Metro fleet cars must be reported immediately by the driver of the Metro fleet car involved in the accident to

Risk Management Division of Finance Management and Information Services Department.

M E M O R A N D U M

METRO

Council
7/22/93
#8

DATE: July 22, 1993

TO: Metro Councilors

FROM: Donald E. Carlson, Council Administrator
Casey Short, Council Analyst

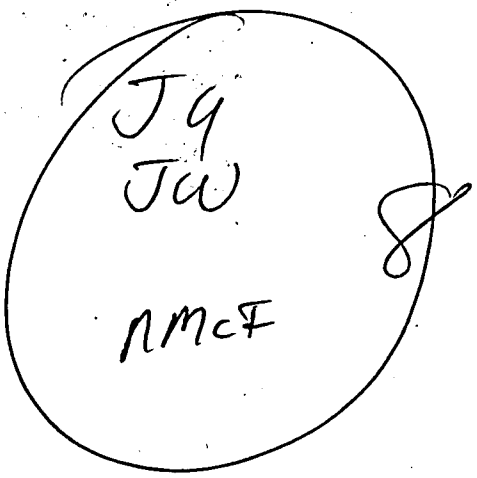
RE: Tour of Multnomah County Regional Parks Facilities

Multnomah County Parks staff has offered to provide a tour of their regional parks facilities for Metro Councilors, the Executive Officer, and members of their staffs. The purpose of this memo is to advise you of the particulars of the proposed tour with the aim of determining how many Councilors will plan to attend. We will discuss this with you at this evening's Council meeting.

The tour is scheduled for Thursday, August 5, beginning at noon and ending at Blue Lake Park at approximately 5:00. (The Governmental Affairs Committee will meet on Wednesday, August 4, following the Regional Facilities meeting.) A van - or vans, if there are enough participants - will pick people up here at Metro Regional Center. The tour will start at a nearby pioneer cemetery for a brief stop, then go to Bybee-Howell House on Sauvie Island. Other points of interest will be included on Sauvie Island, and the tour will then head toward Oxbow Park with a stop at the James M. Gleason Boat Ramp on NE Marine Drive. Following the tour of Oxbow Park, the tour will wind up at Blue Lake Park where a picnic ground is reserved for the party. A picnic dinner will be served, and you are all invited to stay for a concert by Curtis Salgado scheduled in the park for that evening.

Your families are invited to join you at Blue Lake Park for the picnic and concert; passes will be provided ahead of time for those who request them. (Regular admission fee to Blue Lake Park is $3 per car.) Transportation back to Metro Regional Center will be provided at the end of the tour for those who will not be staying for the picnic and concert; arrangements will be made to transport those who will need transportation following the concert.

Formal invitations will be mailed on Monday, but County staff wanted an early indication of how many people to expect so they can make appropriate plans. Please let one of us know whether you plan to attend the tour, and if so, whether you plan to stay for the end-of-tour events at Blue Lake Park. Thank you.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Council 7/22/93 #8

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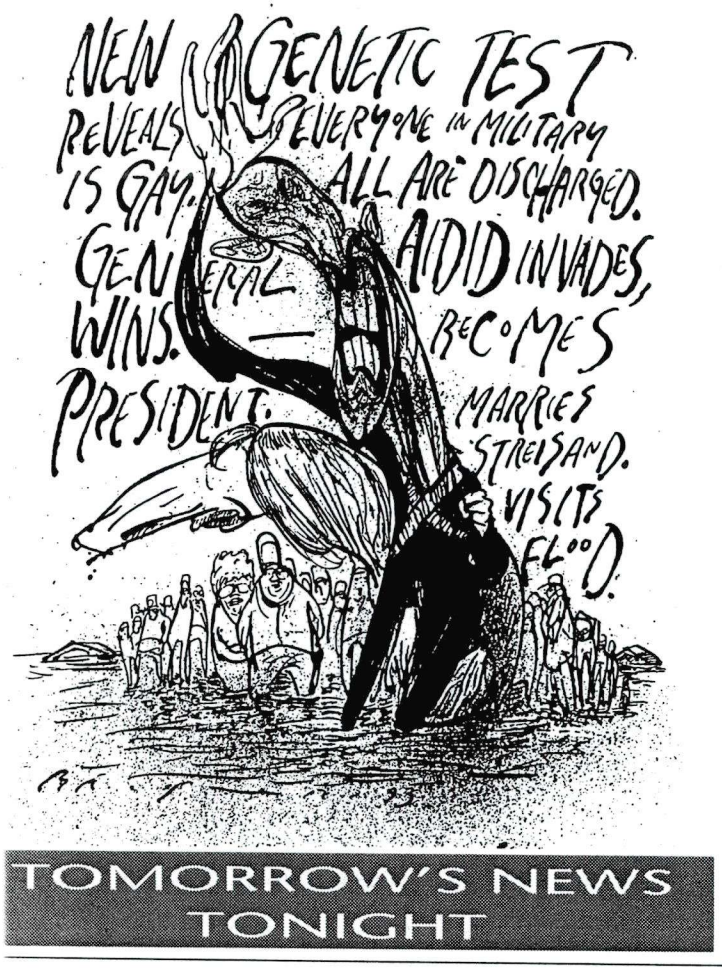


On Your Mark...

■ It's amazing how the prospect of a steady paycheck can stimulate a sense of civic duty. The 1994 primary election is 10 months away, but four candidates have already filed the paperwork needed to begin raising money for Metropolitan Service District races.

Thanks to voter-approved changes to Metro's charter, the once-volunteer 13-member **Metro Council** will be replaced next year by seven councilors paid **annual salaries of $23,200** each.

Don Morissette, a Lake Oswego developer, says he'll run for the District 2 seat now held by Mike Gates. Morissette's bid is sure to be controversial for two reasons. First, Metro plays a key role in regional land-use planning decisions that affect home builders. Second, Morissette starts with at least one skeleton in his political closet. This spring the Oregon Real Estate Commission busted several members of his staff for selling homes without valid licenses.

Morissette, who has yet to stake out positions on most key Metro issues, was a strong backer of Metro Councilor Jon Kvistad but has reportedly soured on the Washington County Republican. Morissette has hired political consultant Julie Williamson to conduct preliminary work for the campaign.

Sandy Hansen

Ed Washington

Metro's reconfigured larger districts will put several incumbent councilors in competition with colleagues. Two such incumbents, **Sandy Hansen** and **Ed Washington**, have filed with the Multnomah County Elections Division to run in the new District 5.

There also is talk that **Jerry Keene**, who last year lost a bid to unseat state Rep. Tom Mason, D-Southwest Portland, may challenge the Metro Council's presiding officer, Judy Wyers, in District 7. If so, he may have lots of company. Incumbents Jim Gardner and George Van Bergen also live in that district.

The fourth candidate to file for a Metro race is **Alexis Dow**, who is eying the new post of Metro auditor. Dow is said to have the backing of former county and city auditor Jewel Lansing. If that's true, her entry into the race will be a bit of a blow for **Hank Miggins**, acting chairman of the Multnomah County Board of Commissioners. Miggins once worked for Lansing at the county and had hoped she would support him for the auditor's post.

—Marc Zolton and John Schrag

M E M O R A N D U M

METRO

Council
7/22/93
#8

DATE: July 21, 1993

TO: Metro Councilors

FROM: Councilor Susan McLain Susan McLain

RE: Council Committee Reorganization

I'm sure most, if not all, of you are aware that informal discussions have been taking place regarding the potential reorganization of the Council's committee structure for 1994. I would like to make sure the process for discussing this issue is as open as possible, to give everyone the opportunity to discuss their views and raise everyone's comfort level.

In order to open up the process, I propose two alternatives for our consideration. The first is more formal, and the second a more informal process.

1. Direct staff to prepare a draft resolution for consideration at the Governmental Affairs Committee and eventual consideration by the full Council. Such a resolution would outline the committee structure for 1994, and establish the process by which that structure, including the selection of Committee chairs, would be implemented.

2. Hold a Council work session or retreat to enable all of us to discuss our views of the current committee structure and alternatives which we might want to pursue for next year. Such a session should be held no later than mid-September, with the results and conclusions of the session to be implemented in the manner we decide at that time for 1994.

I look forward to discussing this with all of you at Thursday's Council meeting, under Councilor Communications.

M E M O R A N D U M

METRO

Council
7/22/93
#8

DATE: July 21, 1993

TO: Mike Gates, Chair, Metro Governmental Affairs Commitee

FROM: Merrie Waylett, Office of Government Relations

RE: Sales Tax Update
Phone call at 5:20 p.m. from Noel Klein, Western Advocates

Can you please update the Council during Councilor communications of today's action.

SENATE REVENUE COMMITTEE ACTION ON SALES TAX

The Senate Revenue Committee exempted Government units from paying the sales tax.

Removed 10 percent distribution to cities and counties as ongoing distribution fromn sales tax. They are now purposing a one time distribution of $300 million which will go into a trust fund for local government distribution.

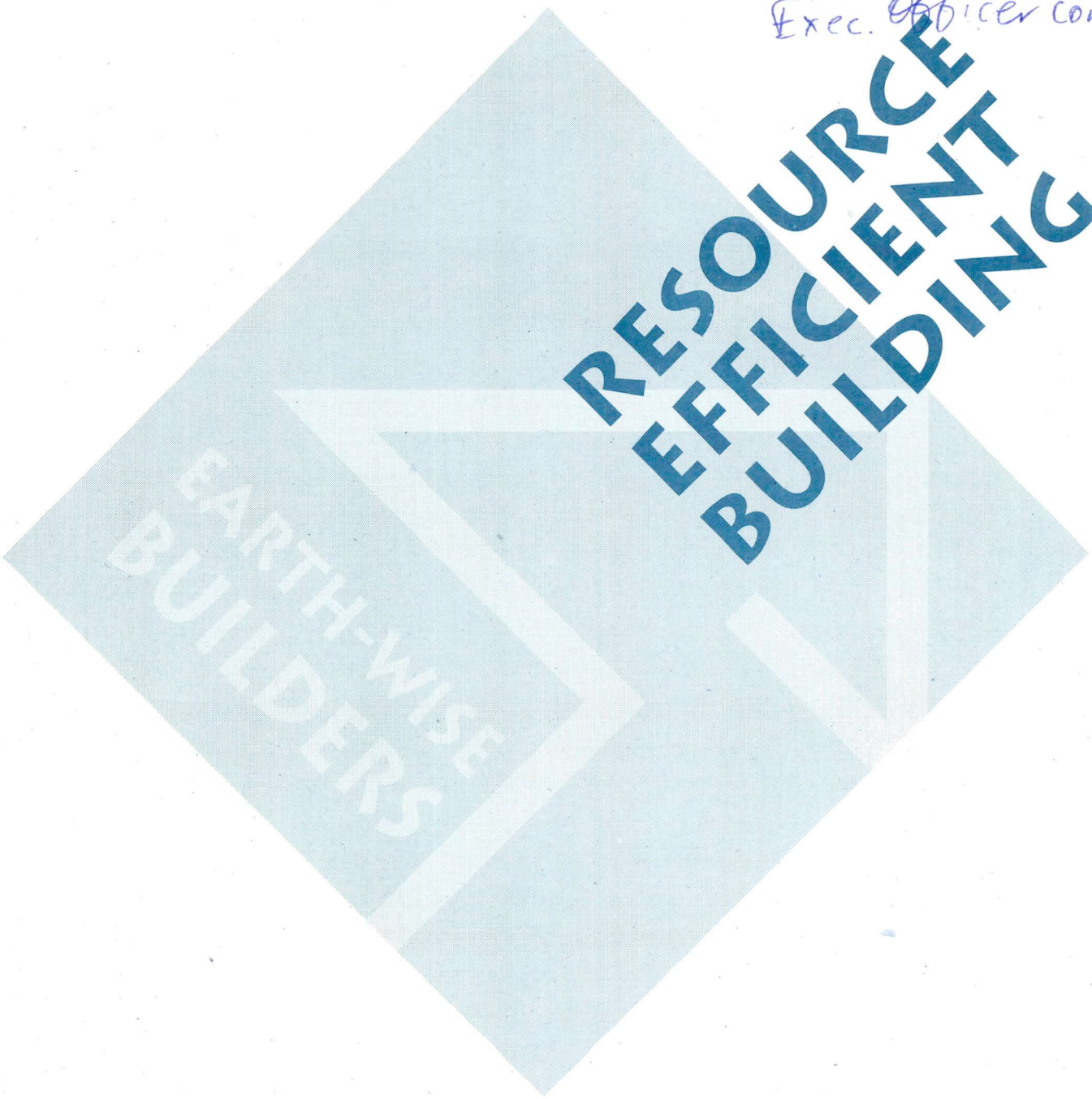
Broadened base of sales tax to include some services such as:
- Telephone services
- Admissions
- Hotel/motel
- Parking
- and several others

They are working to get this to the floor on Monday.

HOUSE COMMITTEE ACTION ON TRANSPORTATION PACKAGE

House did pass transportation package out of Committee by 6 to 5 and it will go the the floor in the next few days.

Council
7/22/93
Exec. Officer com.



RESOURCE EFFICIENT BUILDING

A HANDBOOK FOR BUILDING OWNERS, DESIGNERS AND PROJECT MANAGERS

JUNE 1993

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Resource Efficient Building

This handbook provides a framework for building owners, designers, and project managers to use in making decisions about applying resource efficient practices to a construction project. The term "resource efficiency" includes any aspect of a construction project that makes better use of resources than would occur with normal construction practices. The technical details of how to implement specific aspects of resource efficient practices are available in other documents referenced in the Appendix 1.

The first section of this handbook describes ways to integrate resource efficient items into a construction project. The next four sections focus on the following waste reduction techniques: reuse and salvage, construction site recycling, buying recycled-content construction materials, and designing for occupant recycling. Each section highlights several resource efficient building practices and an example is used to illustrate each point. Many of the examples are taken from a project that transformed a vacant 1929 era Sears department store into the central offices of Metro, the regional government responsible for solid waste, recycling, and disposal within the Portland metropolitan area. The *"Resourceful Renovation"* of Metro Regional Center is summarized in Appendix 2.

Project Approach

The construction industry is in a position to influence trends and resource use. It contributes significantly to the nation's economy. It employs five to seven percent of the work force and generates almost eight percent of the gross national product. The industry has a major environmental impact, generating at least 20 percent of the nation's solid waste, consuming more than 11 percent of U.S. energy and producing 30 percent of the country's greenhouse gases.

With this significant impact comes an obligation to operate as responsibly as possible. Building owners, designers, project managers and others in the industry can demonstrate an environmental ethic by adopting resource-efficient practices such as salvage, reuse and recycling. These can be as good for the bottom line as they are for the environment, reducing waste disposal costs and attracting clients who value environmental responsibility.

Resource Efficient Building requires a commitment by all members of a project team. It is important that resource efficiency is not treated as an afterthought or an extra burden. To ensure success, start early, recognize organizational goals and commitment, include goals in project documents and consider local conditions.

Start Early

Efficient use of resources must begin in the initial project planning stage. Although budgets and schedules drive projects, incorporating resource efficiency up front will ensure that opportunities are not missed.

Example

Goals for Portland's Columbia Boulevard Waste Water Treatment Expansion Project were developed during the project's planning stage to be included in all project documents. Goals related to resource efficiency were:

- ☐ Incorporate recycled-content materials in the building design, trails, and other features of the project.
- ☐ Source separate and recycle construction waste materials.
- ☐ Use recycled wastewater for irrigation and water garden features of the site design.
- ☐ Discourage landscape design that includes large expanses of lawn: conventional lawn irrigation consumes too much water.
- ☐ Provide information on comprehensive "resource management": how energy conservation, water reuse, construction practices to limit waste, etc. will be integrated into the headworks project.

Recognize Organizational Values and Commitment

A construction project can reflect the values of an organization. The person or group that originates a construction project has the opportunity to choose which aspects of resource efficiency match their values. An electric utility may emphasize energy conservation measures. A manufacturing facility may specify treatment of storm water through a wetland. A home builder can select healthy, less toxic materials. A local government may

require the use of locally produced or indigenous materials. One or many values may be appropriate for any given project. Develop clear goal statements that reflect these values and address the levels of financial and political commitment that are feasible.

Example

Metro's *Resourceful Renovation* of the Sears building:

GOALS:

- ☐ Emphasize salvage and reuse.
- ☐ Maximize recycling and recovery.
- ☐ Use recycled-content building materials.
- ☐ Incorporate an efficient office recycling system.
- ☐ Conserve energy.
- ☐ Reduce water use.

COMMITMENT:

An additional $35,000 was provided in the budget to support the goals, monitor progress and promote results.

Include Goals in Project Documents

State goals clearly in project documents, including initial project information. All project team members, including the owner, designer, procurement officer, and contractors, must understand and accept these goals. Successful projects have demonstrated that the goals should describe what resource efficient measures are to be included in the project, *but not how to execute them.* The project team needs to have the flexibility to determine the most effective means of meeting the goals.

Example

Dorothy Payton, a Portland building designer, includes the following goals in the general notes contained in each set of project drawings.

- ☐ Minimize waste of materials and landfill bulk.
- ☐ Salvage materials for reuse when possible.
- ☐ Sort demolition/construction waste for recycling (*i.e.*, clean wood/drywall/cardboard) contact Metro for recycling information at 234-3000.
- ☐ Dispose of hazardous waste properly at drop off centers (*i.e.*, any product with warning, caution, danger, poison, hazardous).
- ☐ Reduce soil erosion, confirm on-site location for excavated materials, soil and vegetation.
- ☐ Use least-toxic or non-toxic alternative products and healthful practices. Safety first!

Consider Local Conditions

The goals of a project must reflect local conditions that may limit the degree of resource efficiency that can be achieved. Markets for materials, availability of products and transportation may be constraints. Set flexible goals to accommodate local conditions. It is important to recognize that the intent of the goal can be met in a number of different ways.

Example

Steve Loken was determined to incorporate recycled-content materials into a resource efficient home he designed and built in Missoula, Montana. Local building material suppliers did not stock many of the materials that were included in the design. Steve had to ship several materials at a cost premium. The extra shipping charges for these products would be prohibitive on typical home construction projects in Missoula.

Reuse and Salvage

In the past, scavengers salvaged at the local dump for a profit. This practice ended with the development of large landfills. Increasing tipping fees, limited landfill space and the depletion of traditional building materials have increased interest in reuse and salvage. Key considerations are: reusing existing buildings, identifying salvage opportunities, developing salvage contracts, scheduling time for salvage and looking for additional salvage opportunities.

Reuse Existing Buildings

Consider existing buildings for their reuse potential and the resources embodied in their structures. Renovating structures saves a part of our heritage and conserves the energy that was originally used to manufacture, transport and assemble the materials in the building. Reuse of structures can lead to substantial savings. It also provides an opportunity to apply innovative design that matches available space with the occupant's needs.

Example

Approximately 80 percent of the old Sears building's mass was saved during the Resourceful Renovation. Reusing the building frame saved Metro $2 million dollars over demolition and new construction costs. The project design team from Thompson, Vaivoda and Associates Architects was able to develop an attractive and highly functional building within the limitations of the existing building configuration.

Identify Salvage Opportunities

Materials and components of an existing building that cannot be reused on that project may have salvage potential. Salvage opportunities are only as good as the markets for resale or reuse of materials. This makes it critical to survey the building with someone experienced in local salvage markets. In some areas, these people may be located by referring to the Yellow Pages under listings of "Demolition Contractors," "Salvage" or "Building Materials--Used." Placing a classified newspaper ad in the "building materials" section may attract other groups interested in salvaging. Portland area salvagers are listed in Metro's Construction Site Recycling Guide. This guide and additional reference materials are listed in Appendix 1.

Example

The Whole House Recycling Team submitted a bid to hand wreck a single family home in Portland. Their bid was about 30% lower than the companies that intended to utilize mechanical demolition techniques without salvage or recycling. Whole House Recycling disassembled the home in approximately two weeks while diverting 75 percent of the materials from the landfill. Fixtures and appliances were sold or donated for reuse, and approximately half of the wood from the building was salvaged for regrading and eventual reuse.

Develop Salvage Contracts

Salvage operations are different from other construction activities. Salvagers generally pay for salvaged items or provide labor to remove them in exchange for the items. A separate agreement may need to be developed with the salvagers. Include appropriate insurance and licensing requirements in these agreements.

Example

The agreement in Appendix 3 was executed between Metro and a Hippo Hardware, Inc. to remove sinks, light fixtures, doors, paneling and hardware from the Sears building. Metro received compensation for the materials and enjoyed a reduction in labor costs.

Schedule Time for Salvage

The prime opportunity to maximize salvage is before construction begins. Projects must allow time for salvage operations as early as possible. Control and ownership of the building may become an issue for salvage operations once the construction or demolition contract has been signed. Scheduling time for salvage becomes much more difficult after project permits have been issued.

Example

In 1983 a hotel in downtown Portland was scheduled for demolition to make room for a new shopping complex. Historic items were identified and removed from the hotel prior to its demolition, but many less obvious items were not salvaged. Substantial quantities of doors, wainscoting, flooring and other 1920s and '30s building fixtures, hardware, and finishes were demolished with the building.

Look for Additional Salvage Opportunities

As a project progresses, additional salvageable items may be discovered. It is critical to act quickly since resulting construction delays can easily overshadow the value of the salvaged materials. Contractors may need to adjust their work areas to accommodate

salvagers. In some cases, it may be most efficient for the general contractor to remove materials and set them aside for the salvager to pick up, reducing the contractor's liability.

Example

At the time Metro acquired the Sears building, asbestos flooring covered two floors. Once an abatement contractor removed the asbestos, hardwood floors were revealed. The floors were damaged during tile removal but were potentially salvageable. The general contractor contacted Rejuvenation, Inc., a salvage company with markets for used flooring. Rejuvenation supplied the labor to remove the flooring in exchange for the salvaged materials. The general contractor saved approximately $1,500 in labor and tipping fees at a wood recycling facility. The salvager obtained 18,000 square feet of usable flooring.

Construction Site Recycling

Once construction has begun, waste materials will be generated. Source-separation and recycling of construction and demolition materials that are not reusable provides an opportunity to reduce the amount of waste entering our landfills. It can also save on disposal costs. It is important to evaluate the potential of recycling construction waste for each specific project to determine if it makes economic sense. The key elements in making this determination and establishing recycling on a project include: identifying recyclable materials, determining the cost/savings of recycling, developing a waste management plan, including a waste management plan in contract documents, implementing a waste management plan, and monitoring and encouraging participation.

Identify Recyclable Materials

Many of the waste materials from construction and demolition projects can be recycled into new materials. Wood, drywall, metal, rubble and cardboard comprise the majority of recyclable construction and demolition wastes. Local recycling options vary greatly across the country. Consequently, it is important to identify which materials can be recycled in the vicinity of the project. The local solid waste authority may be able to advise project staff about recycling options. Other sources of information include: state environmental agencies, waste haulers and demolition contractors. Metro's Construction Site Recycling Guide lists all of the Portland area businesses accepting construction and demolition waste materials for recycling, as well as costs and separation requirements. Reference materials are listed in Appendix 1.

Example

The state of Texas wanted to include construction site recycling in state building projects. No published information existed about construction material recycling options within the state. Environmental consultant Debbie Palermini of Palermini & Associates was hired to determine what recycling businesses existed, what materials they accepted, and the requirements for acceptance of the materials. The state intends to include this information in state bid specifications.

Determine the Cost and/or Savings of Recycling

To determine if recycling is feasible on a construction project, the project team must compare the cost of normal construction waste disposal practices with the cost of recycling. Generally, recycling options offer a cost savings in the form of reduced tipping fees. This allows recycling facilities to attract recyclable materials. This savings can sometimes be offset by the extra labor it may take to prepare materials to meet the recycler's specifications or additional hauling expense to take the materials to the recycler. These factors need to be evaluated for each project since they will vary with the project size and location. The recycling economics worksheet in Appendix 4 can help you evaluate the most cost effective level of recycling.

Example

Drywall can be disposed at a recycling facility in the Portland area for $45 per ton or less. Disposal at a transfer station is $75 per ton. The drywall contractor is usually responsible for removing drywall scrap from the site. Labor to load the materials is the same for recycling or disposal. The hauling distance is dependent on the location of the project. Assume for this example that hauling costs $60 per hour and that a truck load of drywall scrap from a single family home weighs one ton. Recycling the scrap would be cost effective if the travel time to the recycling facility is less than 1/2 hour longer than travel to the disposal site.

Develop a Waste Management Plan

Once it has been determined that recycling is cost effective on the project, the project team needs to determine how it is to be included through a waste management plan. The following issues will need to be addressed:

- ☐ What material will be recycled on the project?
- ☐ Who will be responsible for implementing and monitoring waste disposal and recycling?
- ☐ How will recycling and disposal costs be included in contract documents?

The waste management plan needs to be communicated to everyone that will be working on the job site. This is particularly critical during the initial phases of the project. It takes only one person to contaminate a load of recyclable materials. An example waste management plan and specifications are included as Appendix 5.

Example

On the Metro project, the project team evaluated the waste materials that would be generated during demolition and construction. It was determined that wood, drywall, rubble, cardboard and metal would be recycled. Hoffman Construction's site superintendent developed and implemented the construction site recycling system. He insured that all subcontractors complied. The details of construction site recycling were developed and adjusted as the work progressed.

Include Waste Management Plans in Contract Documents

All contract documents should include a waste management plan. Waste management requirements should be clearly outlined in the bid package so that bidders understand what will be expected of them. Contractors and subcontractors may be asked to breakout waste disposal costs in their bids. This will help evaluate recycling costs and determine which waste management methods will be most efficient.

Example

The contract documents issued for Metro's Resourceful Renovation project included the following language:

> *"Subcontractor is aware this is a Metro project and shall make every effort to cooperate with the Metro recycling program. Subcontractor shall attend an orientation meeting with the on-site Metro recycling personnel when starting work at the job site. Subcontractor shall also submit an itemized weight breakdown of how many tons/cu yds of material are removed from the job site, how many of those tons/cu yds were recycled and where the materials were recycled. Subcontractor shall turn in a copy of the Metro recycling worksheet at the orientation meeting. A sample copy of the Metro worksheet has been enclosed with the Subcontract for your use."*

Implement the Waste Management Plan

Regardless of the waste management plan used, it is important that subcontractors understand how waste and recyclables will be managed on site before they begin work. The general contractor or the building owner will need to communicate the waste management program and all requirements to everyone on the job site.

Example

On the Resourceful Renovation, the general contractor required subcontractors to provide workers to clean the project site each week or as needed. They were provided with 60 gallon roller cans to collect and move waste to the recycling and disposal drop boxes. Box signs and regular monitoring ensured boxes were used properly. Not only did this cleanup strategy enhance construction site recycling, but it led to a cleaner and safer site. The general contractor saved approximately $35,000 through reduced disposal bills. Of the 8,289 tons of waste generated on the project, only 265 tons were disposed.

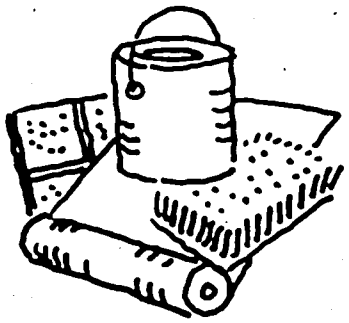
Monitor and Encourage Participation

If construction site recycling is new to a project area, construction crews may find it inconvenient or difficult to follow the waste management plan. It is important to monitor and reward participation. Inexpensive rewards such as hats, T-shirts or decals can provide incentives to make the plan work. Communicating that participation is required and not optional should be the responsibility of the construction manager, site superintendent or someone with appropriate authority.

Example

An 11 ton mixed waste drop box was removed from a construction project that included construction site recycling. The contractor paid $828.75 to tip the waste at the transfer station. An audit of the box contents revealed that all but 1-1/2 tons were recyclable. If proper on site separation had been performed, the disposal fee would have been $112.00. After this occurrence, the contractor diligently monitored the recycling system for the remainder of the project.

Recycled-Content Construction Materials



Waste construction materials and other materials may be recycled into new building materials. Many such materials have been used in the construction industry for years but haven't been marketed as "recycled." Many new and emerging cost effective recycled-content materials may be unfamiliar to the construction industry. It is important to specify recycled-content materials to help expand their markets. The important steps to utilizing recycled-content building materials on a project are: obtaining information about recycled materials, identifying appropriate materials, procuring recycled-content materials, and familiarizing crafts with recycled-content materials.

Obtain Information About Recycled Materials

Information about available recycled-content construction materials should be compiled early in a project. A list of recycled-content building material resource guides is included in Appendix 1 to help you make this determination. In the Portland area, refer to Metro's guide, "Recycled Products," for construction and industrial materials.

Example

The National Association of Home Builders designed and built the Resource Conservation House utilizing recycled-content building materials. Solicitations for recycled-content building materials and cash sponsorships were sent to trade groups, manufacturers and material producer associations. About three months were allotted to receive responses. As a result of their efforts, 80 percent of the materials selected for use on the NAHB house had some recycled-content.

Identify Appropriate Materials

After completing an inventory of recycled-content building materials, the design team should identify appropriate materials for the project. Material specifications, costs and availability for these materials should then be gathered before making final material selections. Each project has certain characteristics that make some materials suitable and others unusable. Since the designer or architect generally has control over material selection and material specifications, they should be involved in identifying and evaluating prospective recycled-content materials as early in a project as possible.

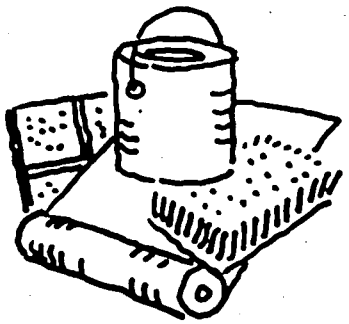
Example

After evaluating cost, utility, and aesthetics, the original list of 35 potential recycled-content materials for use in the Resourceful Renovation was pared down to the 12 recycled-content materials that were used in the new Metro building. These were:

- ☐ *Armstrong Second Look ceiling tiles,* 50% recycled-content with 25% post-consumer newspapers and phone books.
- ☐ *Domtar Gypsum wallboard,* (core) 20% recycled gypsum, (paper face) 100% recycled newspaper
- ☐ *Grimm's Fuel light weight soils,* 20% post-consumer recycled yard debris compost
- ☐ *Hammer's parking car stops,* 96% co-mingled recycled plastic
- ☐ *Prominence bathroom floor tiles,* 62% pre-consumer glass
- ☐ *Rasmussen Paint, primer only,* 100% post-consumer recycled paint from Metro's HHW site
- ☐ *RB Rubber gym/fitness flooring,* 100% post-consumer recycled tires
- ☐ *Santana locker room benches,* 45-90% recycled plastic
- ☐ *Santana bathroom partitions,* 10-65% recycled plastic
- ☐ *Thermafiber insulation,* 50% recovered steel slag.
- ☐ *US Gypsum wallboard,* (paper face) 100% recycled newspaper
- ☐ *Western Insulfoam insulation,* 15% post-consumer recycled plastic

Of these 12 recycled products, six were price equivalent to non-recycled products. Two had cost savings and four required price premiums. Four materials were manufactured locally. Metro asked each manufacturer to submit a certification form identifying the recycled-content of their product.

Procure Recycled Materials



Procuring recycled-content materials may be done through conventional bidding or the standard specification process. Any recycled-content product can simply be included in the drawings or specifications. If materials are to be competitively bid, using an alternate bidding procedure may be beneficial. This allows a standard material to be bid and the recycled-content material to be bid as an alternate. The list of alternate materials approved by the architect and/or owner should also be provided. Alternate bids are useful if a price preference is to be applied to recycled-content materials as is the policy in many government agencies.

Example

Hoffman Construction of Portland developed the following language for bid solicitations. The list of approved alternate recycled-content materials was also included in bid solicitations.

> *"All bidders are hereby advised that this project will require a proactive use of materials with recycled-content. Each Subcontractor shall be required to price alternates which utilize materials with recycled-content. If a Subcontractor does not bid an alternate, they agree to submit a formal written explanation why they cannot bid the alternate. All bidders are subject to participation in the recycling program."*

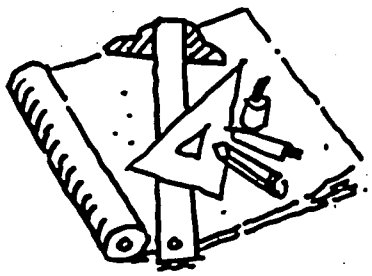
Familiarize Crafts With Recycled Materials

Many recycled-content building materials have been widely used throughout the construction industry for many years. New recycled-content products, like all new construction materials, require an acceptance period for crafts people to become familiar with them and to develop techniques to install them most efficiently. This may cause resistance to using new material. It is important that crafts people understand the benefits of using recycled-content materials and receive assistance in developing methods to install new products. Material suppliers should be relied upon for much of this information.

Example

A new underlayment produced from recycled gypsum and newspaper was specified for a new housing development in Portland. The installer had no idea what the material was made from or how to cut it. His initial reaction was that it was a substandard material specified as a cost cutting measure. In reality, it was a superior material that is more durable and moisture tolerant than conventional underlayments. These facts were not communicated nor was the necessity of using a special cutting blade. This information may have eliminated the initial negative impression of this new product.

Design for Occupant Recycling



The design and construction process can establish the ease with which building occupants may recycle waste materials. A poor design will make it difficult to recycle for the life of the building. Conversely, a well executed design will make recycling more convenient than disposal. Recognition of this by the design team can provide decades of efficient recycling. The important considerations are: determining tenant needs, determining design requirements and designing space for collection and storage of recyclables.

Determine Tenant Needs

The occupants of new or renovated buildings have varying requirements for recycling systems based on the type of work they perform. Offices generally create large volumes of paper. Restaurants may generate large quantities of food wastes. Commercial operations may produce mostly packaging. Other materials such as pop cans, glass bottles, tin, magazines, certain plastics, and scrap paper, are often generated in lunchrooms. Local haulers and recyclers should be consulted to determine which materials can be marketed locally. Consideration should be given to changes in the wastestream or potential changes in the use of the building by new occupants.

Example

On the Metro project office paper was the major constituent of the wastestream. A collection system was also needed on each floor for recovery of magazines, tin, aluminum, glass, cardboard, mixed waste paper, newspapers, and packing foam.

Develop Design Requirements

The method of handling recyclables and waste materials will require input from people outside the design team. The hauler who will remove the recyclables and waste can determine the access requirements to match their equipment and determine the volume of consolidated materials that is manageable. The fire marshal will then review the fire suppression requirement for all of the areas. This may limit suitable locations for recycling areas. The facilities manager can provide input about methods of collection within the building and estimated volumes of materials to be generated by occupants.

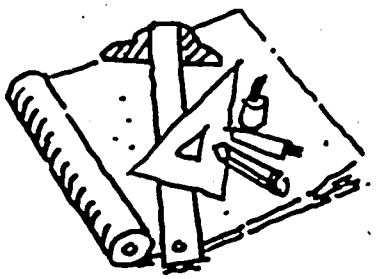
Example

Prior to the start of demolition at the Sears building, Metro, the architect, Fire Marshal, hauler and facility manager visited the proposed room for consolidating recyclables. Access to the loading dock, fire sprinkler requirements, and consolidation of materials were discussed to ensure that a workable design could be developed.

Design Space for Collection and Storage of Recyclables

Once the list of targeted materials and the design requirements have been established, space within the building should be allocated for managing waste and recyclables. Convenient consolidation points, collection areas, and storage spaces can be included in the design to allow employees to separate their own recyclables. These recycling areas should be designed for maximum convenience. Recycling must be ***at least*** as easy as ***not*** recycling waste materials. Existing company recycling containers such as desk side recycling collection bins, should also be considered when designing work areas.

Example



The four-story Sears building had an existing mechanical shaft that was to be abandoned. However, as a part of the design for recycling, it was determined that the shaft could be an important component of the recycling system. Three metal chutes were installed in the shaft to feed recyclable paper directly into roll out containers adjacent to the loading dock. Arrangements were made for employees to deposit paper directly into the chute and other materials in common areas on each floor. The janitorial crew collects materials except for paper and consolidates them at the loading dock for the hauler to pick up.

Appendices

Appendix 1
Other Sources of Information

American Recycling Market, Inc.
The Official Recycled Products Guide
PO Box 577
Ogensburg, NY 13669
1-800-267-0707, FAX (315) 471-3258

Architects for Social Responsibility
The Sourcebook for Sustainable Design
c/o Boston Society of Architects
52 Broad Street
Boston, MA 02109-4301

Bonneville Power Administration/Seattle City Light/Seattle Dept. of Parks & Recreation
Designing with Vision - Public Building Guidelines for the 21st Century
Scott Schreffler
2025 8th Avenue
Seattle, WA 98121
(206) 682-4042

Center for Resourceful Building Technology
Guide to Resource-Efficient Building Elements
PO Box 3866
Missoula, Montana 59806
(406) 549-7678

Clean Washington Center
Recycled Product Directory
Dept of Trade and Economics Development
2001 6th Avenue, Suite 2610
Seattle, WA 98121
(206) 464-6892, FAX (206) 464-6902

Federal Supply Service
Recycled Products Guide
U.S. General Services Administration
Centralized Mailing List Service
PO Box 6477-mailing code RCPG-0001
Fort Worth, TX 76115

Here Today House
Sustainable Building Collaborative
(503) 234-6931

Innovative Waste Management
Construction Materials Recycling Guidebook
A Guide to reducing and recycling construction and remodeling waste
(612) 432-7038

Integrated Solid Waste Management Office
Wood you Recycle?
A guide to wood waste recycling in Los Angeles.
A Resource Guide To Recycled Construction Material And Energy Efficiency.
City Hall, 200 N Spring St., Rm. 365
Los Angeles, CA 90014
(213) 237-1444

Learned Integrated Habitats
The Pacific Northwest Eco-Building Network Directory
PO Box 6465
Kent, WA 98064-6465
(206) 850-7456

McDonald's Corporation
McDonald's McRecycle USA Program
McDonald's Plaza, Oak Brook, IL 60521
(708) 575-3063, 1-800-453-1000

Metro
Construction and Industrial Recycled Products Directory 1993-94
Earth-Wise Builders Construction Site Recycling Brochure
Earth-Wise Builders Remodel, Reuse, Recycle Handbook
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1650

National Association of Home Builders
Information on the NAHB Research Home Park
400 Prince George Blvd
Upper Marlboro, MD 20772
(301) 249-4000

Stewart's Green Line
The Environmental Directory
189 East 28th Avenue
Vancouver, B.C., Canada V5V 3R1
(604) 872-5498; FAX (604) 872-0156
1-800-665-1506

Washington State Department of Ecology
Washington State Recycling Processors for CDL: Construction/Demolition/ Land Clearing Debris
Candy Stoddard
Publications Office
PO Box 47600
Olympia, WA 98504-7600
(206) 438-7472
Information: (206) 459-6000

Appendix 2
Metro Regional Center
A Resourceful Renovation

In 1992, Metro, the agency responsible for solid waste disposal and recycling in the Portland metropolitan area, began renovating a vacant Sears department store into earth-wise offices.

Quickly dubbed the "Resourceful Renovation, the project was an opportunity for Metro to practice what it preaches by "recycling" an existing building and pursuing a set of resourceful goals.

1. Emphasize salvage and reuse
2. Maximize recycling and recovery
3. Use recycled building materials
4. Incorporate an efficient office recycling system
5. Conserve energy
6. Reduce water use

Beyond creating offices of which Metro can be proud, Metro staff learned first hand how to apply innovative waste reduction and recycling practices to a major construction project. The Environmental Protection Agency awarded Metro a $30,000 grant to document the Resourceful Renovation and develop educational materials for architects, builders and contractors.

By the close of the project, 8,024 tons of material had been kept out of the landfill at an estimated savings of $35,000 in disposal costs. Material salvaged and recycled accounted for 77% of all waste on the $11.5 million construction project. Only 265 tons of waste was landfilled.

Salvage and Reuse

Before demolition work began, 159 tons of materials were salvaged by local nonprofit and salvage companies.

Wood	124 tons
Hardwood flooring	20 tons
Carpet	9 tons
Doors and bathroom fixtures	2 tons
Shrubs	4 tons

Rejuvenation, Inc., a local houseparts salvage company, removed 18,000 feet of the hardwood flooring for installation and refinishing in their new retail showroom. Metro's contractor saved $1,500 in removal and disposal costs, and Rejuvenation gained a beautiful old floor.

Preserved for reuse in the building were beautiful cast medallions, a two-story water tank that was transformed into a "think tank" meeting room and metal latticework. Metro retained 80 percent of the original building in the renovation.

Recycling and Recover

Thanks to participation from Hoffman construction, the general contractor and many subcontractors, 725 tons of materials were recycled.

Metal	406 tons recycled
Wood	203 tons recycled as boiler fuel
Sheet rock	111 tons recycled
Corrugated cardboard	5 tons recycled

More than 7,000 tons of brick, concrete, sand and dirt was kept out of the landfill. Some was used on site to fill elevator shafts and back fill around the building foundation. More than 5,000 tons were used as capping material for the closed St. Johns Landfill or as fill at other sites.

Metro staff and Hoffman worked with subcontractors to maximize recycling. Subcontractors were asked to complete waste management plans and source separate waste materials for recycling.

Recycled Products

Products made from recycled materials were used whenever possible. While some products were more expensive than non-recycled alternatives, many were comparable or less expensive.

Product	Location
Foam insulation (from polystyrene)	Throughout building
Steel insulation (from steel slag)	Throughout building
Ceiling tile (from newspapers)	Throughout building
Paint (from old latex)	Throughout building
Wallboard (from newspapers and gypsum)	Throughout building
Floor tiles (from waste glass)	Restrooms - levels 1, 2 & 3
Restroom partitions (from HDPE plastic)	Restrooms - levels 1, 2 & 3
Locker room benches (from HDPE plastic)	Locker room - level 1
Resilient flooring (from tires)	Fitness room - level 1
Wheel stops (from mixed plastics)	Parking - levels B & 1
Landscaping soil (from yard debris)	Landscaping

The paint, used as primer throughout the building, is reprocessed locally from household latex paint Metro collects at its household hazardous waste facility. And the wallboard is made locally with gypsum recycled from construction sites.

Recycling System

To facilitate efficient office recycling in the completed building, a three-chute paper collection system was installed in an existing mechanical shaft. The chute carries white and colored paper and newspaper from each floor into central holding bins adjacent to the loading dock. The system eliminates the need to transfer loads of paper between floors and saves janitorial time. Collection areas for other recyclables, such as cans, glass and cardboard, were designed for each floor

Energy and Water Conservation

Metro projects a 35% energy savings, more than one million kilowatt hours per year, from the nine conservation measures it incorporated into the building. They include high efficiency lighting and occupancy sensors, a computerized energy management control system, high efficiency glazing and variable speed HVAC motors.

Water conservation elements include low-flow toilets and faucets, drip irrigation demonstration sites on the south plaza and, around the parking structure, and a drought-tolerant lawn of native grasses and wild flowers on the southwest corner of the building.

Earth-Wise Building Education

Metro is using the Resourceful Renovation as an opportunity to educate others. A handbook and a videotape, funded in part by the E PA grant, are being distributed to builders, architects and developers to help them incorporate salvage, recycling, recycled building materials and other resourceful elements into construction projects. Metro hopes the Resourceful Renovation will demonstrate that earth-wise building is not only good for the environment, but good for business, too.

Appendix 3
Memorandum of Understanding

The purpose of this Memorandum of Understanding is to define the limits and responsibilities of Metro and _____,. for the removal of salvageable building materials from the Metro headquarters building renovation project (formerly the Sears Building), located at 524 NE Grand Avenue, Portland, Oregon.

_____, RESPONSIBILITIES:

1. Show proof of Business License to perform the work.

2. Show proof of general liability insurance and workers comprehensive insurance.

3. Remove items to be salvaged (listed in Table 1) from their installed locations; remove them from the building. Any additions or deletions from the list must be approved in writing by Metro. No unlisted materials may be taken.

4. Transport the items from the site within 24 hours of removal.

5. Provide all labor, tools, equipment and consumable materials required to remove the listed items at no cost to Metro.

6. Coordinate with Metro the hours in which listed items will be removed, access to the building will be necessary, and any other requirements related to the salvage activities at least two days in advance.

7. Provide payment to Metro for the items removed, based on the prices shown in Table 1.

8. Leave all utilities, work areas and remaining items in a safe and secure condition.

9. Attempt to resell or otherwise promote reuse of the removed items by the building industry or public.

10. Purchase and maintain, at its own expense, general liability insurance for all periods relevant to the salvage performed at the site, for its employees and agents.

11. Comply with ORS 656.017 for all employees who work in the State of Oregon for more than 10 days. Provide Metro with certification of workers' compensation insurance including employer's liability.

12a. Ownership of all materials removed from the building by _____ shall pass to _____. upon removal from the site. All materials removed are accepted by _____ AS IS, WITH NO WARRANTIES.

12b. All work shall be completed within five (5) calendar days of execution of this Memorandum of Understanding.

13. Indemnification _____ agrees to indemnify, hold harmless and defend the Metropolitan Service District, its elected officials, officers, directors, agents, and employees from and against any and all liabilities, damages, actions, costs, losses, claims and expenses (including attorneys fees) on account of injury, death or damage to or loss of property or profits arising out of or resulting in whole or in part from any act, omission, negligence, fault or violation of law or ordinance by _____ or its employees, agents, or subcontractors, Such indemnification by _____ shall apply unless such damage or injury results from the sole negligence or willful misconduct of Metro.

METRO'S RESPONSIBILITIES:

1. Turn off potable water supply to the building.

2. Provide access to the building during the hours of work.

3. Verify the quantities of materials removed.

_____ METRO

_____ _____

Signature Signature

NAME: _____ _____

TITLE: _____ _____

DATE: _____ _____

Attachment 1
(Appendix 3)

Salvageable Materials List

	1st Floor	2nd Floor	3rd Floor	4th Floor	Penthouse	TTL QTY	Price/Unit	TTL Price
Urinals	5 (leave 1)		3 (leave 1)	2 (leave 1)		10		
Bathroom Sinks	10 (leave 1)		7 (leave 1)	5 (leave 1)		22		
Utility Sinks	2	1	1			4		
12" Light	11	11				22		
18" Light		7		2		8		
Solid Core Doors	15			15		30		
Wood Paneling	8' x 30' T&G	8' x 40' T&G	Small Door	3' x 60' paneling		Lump Sum		
Shelving		1 Unit				Lump Sum		
Fire Pull Boxes				1		1		
HVAC Grates					2	2		
Signage			Misc					
Spot Lights					Roof Spotlight	Lump Sum		
Total								

Determine the Costs and Savings

Recycling and disposal both have costs associated with them. Evaluating the cost difference between recycling and disposal is critical in determining whether or not construction site recycling should be included on the project. There are three cost components to recycling and disposal of waste: On-site separation labor, hauling charges and tipping fees. It is important to understand what is included in each of these costs in order to make a quick and accurate evaluation.

On-Site separation Labor

- Costs to collect the waste materials from the site and place them at collection points. Source separating recyclable materials properly may require more labor than disposal. This labor may be provided by general contractor, subcontractors, clean-up- personnel.

Hauling Charges

- The charge for the time required to move materials from the construction site to the recycling or disposal facility.

Tipping Fees

- The fee charged by the recycling or disposal facility to accept the materials.

The following example illustrates the use of the "Recycling Economics Worksheet" to determine the cost/savings of recycling wood on a project. The result was that the cost of recycling wood was $34.50/ton. The cost to dispose of wood mixed with waste was $85/ton.

Recycling Economics Worksheet

COST OF RECYCLING

On-Site Labor Cost

Time to separate 1 ton recyclables from waste		Labor rate to separate recyclables from waste		Labor cost to separate 1 ton of recyclables from waste
1 hr/ton separated[1]	X	$ 15 /hr labor[2]	=	$ 15 /ton separated

Hauling Charges

Travel time from job site to recycler		Cost to operate hauling vehicle per hour		Tons of recyclables hauled in a load		Hauling charge to move 1 ton recyclables from job site to recycler
1.5 hr. travel to recycler[3]	X	$70 /hr. hauling[4]	÷	6 tons/haul[5]	=	$17.5 /ton hauled to recycler

Tipping Fee

Charge to tip 1 ton of recyclables at the recycler		
	=	$ 2 /ton tipped[6]
Total Cost of Recycling		$ 34.5 */ton recycled*

COST OF DISPOSAL

On-Site Labor Cost

Time to prepare 1 ton of waste for disposal		Labor rate to prepare waste for disposal		Labor cost to prepare 1 ton of waste for disposal
Ø hr/ton separated[7]	X	$15 /hr labor[2]	=	$ Ø /ton disposed

Hauling Charges

Travel time from job site to disposal site		Cost to operate hauling vehicle per hour		Tons of waste hauled in a load		Hauling charge to move 1 ton of waste from job site to disposal site
1 hr travel to disposal[8]	X	$70 /hr hauling[4]	÷	7 tons/haul[9]	=	$ 10 /ton hauled to disposal site

Tipping Fee

Charge to tip 1 ton of waste at disposal site		
	=	$ 75 /ton tipped[10]
Total Cost of Disposal		$ 85 */ton disposed*

The following assumptions were made for the example:

[1] *1 hour/ton*	The extra time required to separate recyclables when compared to normal disposal time. This will vary with material and level of separation required by recycler
[2] *$15/hour labor*	Based on craft labor rates. This will vary with labor rates for project.
[3] *1.5 Hours*	Assume that the recycler is 15 miles from the project and requiring 1.5 hours per round-trip.
[4] *$70/hour hauling*	Assumed rate for truck and driver.
[5] *6 tons/haul*	Estimated weight of 40-yard drop box containing wood. (See estimated volume to weight conversions.)
[6] *$2/ton tipped*	Tipping fee at wood recycler for source-separated wood.
[7] *-0- hr/ton disposed*	Assume that disposal of waste is the standard practice and that no on-site labor aditional time is required.
[8] *1 hr. travel to disposal site*	Assume that disposal site is 10 miles from the project and requires 1-hour per round trip.
[9] *7 tons/haul*	Estimated weight of 40-yard drop box containing mixed waste. (See estimated volume to weight conversions.)
[10] *$75/ton tipped*	Tipping fee at transfer station for mixed waste.

Estimated Volume To Weight Conversions

Mixed Waste	350 lb/cu yd	5.7 yards/ton
Wood	300 lb/ cu yd	6.7 yards/ton
Cardboard	100 lb/ cu yd	20 yards/ton
Drywall	500 lb/cu yd	4 yards/ton
Rubble	1400lb/cu yd	1.4 yards/ton
Metal	Call local markets for conversions	

Volume to weight conversions are helpful for estimating the weight of waste materials in a disposal or recycling container. The actual conversions for construction waste are highly variable. They are dependent on the type of material within each category, material size, loading method and precipitation at the site. The conversions listed above should only be used as rough estimates for calculating recycling economics. Monitoring the actual weights of the materials disposed and recycled from your project will allow you to develop accurate conversion factors.

Recycling Economics Worksheet

COST OF RECYCLING

On-Site Labor Cost

Time to separate 1 ton recyclables from waste		Labor rate to separate recyclables from waste		Labor cost to separate 1 ton of recyclables from waste
____ hr/ton separated	X	$___ /hr labor	=	$_____ /ton separated

Hauling Charges

Travel time from job site to recycler		Cost to operate hauling vehicle per hour		Tons of recyclables hauled in a load		Hauling charge to move 1 ton recyclables from job site to recycler
____ hr. travel to recycler	X	$___ /hr. hauling	÷	___ tons/haul	=	$_____ /ton hauled to recycler

Tipping Fee

Charge to tip 1 ton of recyclables at the recycler		
	=	$_____ /ton tipped

Total Cost of Recycling $_____ */ton recycled*

COST OF DISPOSAL

On-Site Labor Cost

Time to prepare 1 ton of waste for disposal		Labor rate to prepare waste for disposal		Labor cost to prepare 1 ton of waste for disposal
____ hr/ton separated	X	$___ /hr labor	=	$_____ /ton disposed

Hauling Charges

Travel time from job site to disposal site		Cost to operate hauling vehicle per hour		Tons of waste hauled in a load		Hauling charge to move 1 ton of waste from job site to disposal site
____ hr travel to disposal	X	$___ /hr hauling	÷	___ tons/haul	=	$_____ /ton hauled to disposal site

Tipping Fee

Charge to tip 1 ton of waste at disposal site		
	=	$_____ /ton tipped

Total Cost of Disposal $_____ */ton disposed*

Appendix 5

Recycling Specification

Construction Facilities and Temporary Controls

Part 1 - General

1.01 Requirements Included

A. Waste management goals
B. Waste management plan
C. Recycling
D. Reuse
E. Sorting on site
F. List of recycling facilities processors and haulers

1.02 Related Requirements

A. Section 01010 - Summary of Work
B. Section 01500 - Construction Facility and Temporary Controls: Cleaning during construction
C. Section 02050 - Building Demolition

1.03 Waste Management Goals

A. The Owner requires that as many waste materials as possible produced as a result of this project be salvaged, reused or recycled in order to minimize the impact of construction waste on landfills and to minimize the expenditure of energy and cost in fabricating new materials. In many cases the costs of recycling are less than traditional waste disposal methods.

To this end, the Contractor shall develop with the assistance of the Owner and the Architect/Engineers a Waste Management Plan for work performed on this project. Outlined in Article 1.05 A. herein are examples of materials which can be recycled or reused as well as recommendations for waste sorting methods.

1.04 Waste Management Plan

A. Contractors are to attach to the bid packet a completed Waste Management Plan that outlines how any waste will be removed from the site. A copy of a Sample WMP is attached to this bid packet. The WMP shall include:

1. Information on:
   a. Types of waste materials produced as a result of work performed on site.
   b. Estimated quantities of waste produced.
   c. Indentification of materials with the potential to be recycled (based on the sample WMP).

d. Cost savings accrued by recycling rather than disposing of waste in landfills
e. On-site storage and separation requirements
f. Transportation methods
g. Destinations

1.05 Recycling

A. The following materials can be recycled in the Portland Metro area are:

Wood, Drywall, Glass, Land-clearing Debris, Corrugated Cardboard, Metal, Rubble, and Carpet,

1.06 Reuse

A. Contractors and subcontractors are encouraged to reuse as many waste materials as possible. Salvage should be investigated for materials not reusable on site.

1.07 On-site materials sorting and storage

A. The general contractor will provide separate containers for the following materials: (list dependent upon project and site conditions)

B. The general contractor will provide on-site locations for subcontractors supplied recycling containers to help facilitate recycling.

1.08 List of recycling facilities

Waste Management Plan for Contractors

Circle the materials that will be produced, estimate the quantity, list how the materials will be transported and circle where the materials will be taken.

MATERIAL	ESTIMATED QUANTITY	DISPOSAL METHOD	RECYCLING COMPANY OR DISPOSAL SITE (If self-haul)	
Salvage and used building materials	_____yds³ _____tons	self-haul or Hauler Name:_____	Architectural Salvage Hippo Hardware Pumilite Bldg. Products Reclamation Services	Rejuvenation Inc. Storie Steel & Wood Prod. The Wherehouse Project Other:_____
Wood	_____yds³ _____tons	self-haul or Hauler Name:_____	Architectural Salvage Bredl Saw Service Durham Wood & Dirt East County Recycling Grimm's Fuel Co. H&H Wood Recycling Hillsboro Landfill Lakeside Reclamation	McFarlane's Bark Smurfit Newsprint Storie Steel & Wood Prod. Taylormade Products Inc. Wastech Wood Exchange Other:_____
Drywall	_____yds³ _____tons	self-haul or Hauler Name:	Gypsum Wallboard Knez Bldg. Materials	United Pacific Recycling Other:_____
Glass	_____yds³ _____tons	self-haul or Hauler Name:	Potters Industries	Other:_____
Insulation	_____tons _____tons	self-haul or Hauler Name:	Western Insulation	Other:_____
Land-clearing debris	_____yds³ _____tons	self-haul or Hauler Name:_____	American Compost & Recycling Best Buy Durham Wood & Dirt East County Recycling Grimm's Fuel Co. H&H Wood Recycling	Hillsboro Landfill Hyponex Lakeside Reclamation McFarlane's Bark Wastech Other:
Corrugated cardboard	_____yds³ _____tons	self-haul or Hauler Name:_____	East County Recycling EZ Recycling Farwest Fibers Hillsboro Landfill KB Recycling	Oregon Paper.Fiber Sunflower Recycling Wastech Other:_____
Metals	_____yds³ _____tons	self-haul or Hauler Name:_____	Acme Trading and Supply Calbag Metals Co. East County Recycling Hillsboro Landfill KB Recycling Metro Metals	Mt. Hood Metals Oregon Pacific Steel Schnitzer Steel Products Storie Steel & Wood Prod. Sunflower Recycling Other:_____
Rubble	_____yds³ _____tons	self-haul or Hauler Name:_____	99W Fill Durham Wood & Dirt East County Recycling Hillsboro Landfill Karbon Rock Lakeside Reclamation	Porter Yett Portland Road & Driveway Portland Sand & Gravel The Wall Other:_____
Carpet	_____yds³ _____tons	self-haul or Hauler Name:	Hickory Springs Magic Carpet	Other:_____
Mixed Loads (i.e., trash, plastic, packaging, etc.)	_____yds³ _____tons	self-haul or Hauler Name:	Metro Central Station Metro South Station East County Recycling	Hillsboro Landfill Lakeside Reclamation Other:_____

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