

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING)	ORDINANCE NO. 91-413
AN INCREASE IN THE TRANSFER RATE)	
FOR THE FOREST GROVE TRANSFER)	Introduced by Rena Cusma,
STATION)	Executive Officer

WHEREAS, A. C. Trucking dba the Forest Grove Transfer Station, Solid Waste Franchise No. 4, has requested an increase in the maximum transfer rate presently authorized under its franchise agreement with Metro; and

WHEREAS, The present Forest Grove Transfer Station maximum transfer rate is \$19.25 per ton under a franchise amendment adopted by the Council on September 22, 1988; and

WHEREAS, A. C. Trucking's current request is for an amendment to its franchise to permit a maximum transfer rate of up to \$22.75 per ton; and

WHEREAS, The Rate Review Committee met and considered the rate increase request from A. C. Trucking; and

WHEREAS, The Rate Review Committee considers the request to increase the transfer rate cap for the Forest Grove Transfer Station to be reasonable, having taken into consideration the criteria under Metro Code Section 5.01.080 and financial information provided by the applicant; and

WHEREAS, Delay in implementing an increase in the transfer and transport fees would exacerbate the financial losses incurred by the applicant; and

WHEREAS, Senate Bill No. 299 and Metro Code Section 2.01.080(i) would result in a rate adjustment date significantly

later than the rate change occurring at Metro facilities on July 1, 1991 in the absence of declaring an emergency; and

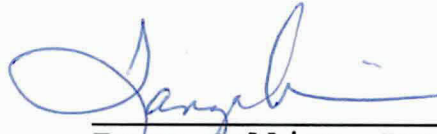
WHEREAS, The losses to be incurred and the later rate adjustment date are appropriate grounds for declaration of an emergency; now, therefore,

The Council of the Metropolitan Service District Hereby
Ordains,

1. That the increase in the transfer rate to \$22.75 per ton for the Forest Grove Transfer Station operated by A. C. Trucking is hereby approved.
2. That the A.C. Trucking franchise agreement shall be amended as shown in Exhibit A attached to this Ordinance.
3. That pursuant to Metro Code Section 2.01.080(i), an emergency is declared to allow immediate implementation of the amended rates in order to allow the applicant to avoid additional financial losses and to allow the rate change to more closely parallel Metro facility rate changes and this Ordinance shall be in force and effect from its date of adoption.

4. That the new transfer rate cap shall be effective as of
July __, 1991.

ADOPTED by the Council of the Metropolitan Service District
this 25th day of July, 1991.



Tanya Collier, Presiding Officer

ATTEST:


Paulette Allen
Clerk of the Council

EXHIBIT A

SCHEDULE E

TRANSFER RATES

- SE-1 The Franchise Holder shall collect a Transfer Fee, a Disposal Fee and a Metro Fee on each ton of waste delivered to the facility by commercial haulers for transfer. All wastes delivered shall be charged the same rates. The Franchise Holder shall maintain accounts on wastes received and amounts billed to each commercial hauler as required by Metro Code Section 5.01.130.
- SE-2 In the event that the scales for weighing incoming waste cannot be used, tonnage rates are to be converted to yardage rates on the assumption that compacted waste as a density of 600 pounds per cubic yard and that non-compacted waste has a density of 250 pounds per cubic yard.
- SE-3 Fees for disposal (including any fees assessed by local jurisdictions in which the disposal facility is located) and Metro Fees shall be collected by the Franchise Holder on all waste received and shall be paid to the disposal site or Metro as required. In calculating the total charges to be paid on each load or each account, the amount of the charge which is passed through to Metro or to the disposal site shall be itemized. Any changes in the amount of fees for disposal or in Metro Fees to be collected shall result in appropriate adjustments to the total charges collected.
- SE-4 As set forth in SB-3, required User Fee and Regional Transfer Charges shall be paid to Metro. As allowed by Metro Code Section 5.02.050(d), the Franchise Holder may be exempted from collecting and paying the Regional Transfer Charge when a written authorization to do so has been issued by the Solid Waste Director.
- SE-5 As of September 22, 1988, the Franchisee is authorized to charge a transfer fee of ~~\$19.25~~ \$22.75 per ton for mixed solid waste received from commercial haulers.
- SE-6 [~~As of September 22, 1988,~~] The Franchise Holder is authorized to charge a minimum Transfer Fee of \$15.00 per load [~~(up to three (3) cubic yards)~~] for public self-haulers, provided however that if a self-hauler shall bring in one-half ($\frac{1}{2}$) cubic yard of recyclable material [~~that the remaining portion of the load shall be charged at a rate not to exceed \$5.00 per cubic yard (\$5.00 minimum, \$12.50 maximum for three (3) cubic yards).~~ Any incremental cubic yards of mixed solid waste over three (3) cubic yards shall be charged at an incremental rate of ~~\$2.00 per cubic yard.~~] (as defined in ORS 459.005) they shall receive a \$3.00 credit toward their disposal charge.
- SE-7 [~~Any uncovered loads delivered to the facility shall be charged double rates.~~] A surcharge shall be levied against a person who

disposes of waste at the transfer station, if when entering the facility any portion of the waste is visible to facility scalehouse personnel, unless the waste is only visible through a secure covering. The surcharge shall be \$100.00 for a load delivered by a vehicle greater than three-quarter ton capacity, and \$25.00 for a load delivered by a vehicle of three-quarter ton capacity or less, and shall be collected in the same manner as other disposal fees are collected at the facility.

- SE-8 Included in the fees referred to in SE-3 shall be a Community Enhancement Fee not to exceed \$.50 per ton (less a set-off for real estate taxes paid to the City of Forest Grove) to be paid to the City of Forest Grove per an agreement to be established between Metro and the City of Forest Grove. The Franchisee shall receive thirty (30) days' notice of the effective date upon which to commence collecting this fee and paying it as directed by Metro.
- SE- 9 The transfer fee shall not increase the amount set forth in SE-5 without a detailed rate request from the Franchisee and the approval of the Metro Council.
- SE-10 The transfer fee may be adjusted so long as it remains below the amount set forth in SE-5 or the rate currently approved. The Franchisee must notify, in writing, the Solid Waste Director of his intent to adjust the transfer rate at least ten (10) days before he implements plans to adjust the rate. The adjusted transfer rate shall take effect if the Solid Waste Director has not notified, in writing, the Franchisee of his/her disapproval of the proposed adjustment prior to its scheduled effective date. Adjustments in the transfer fee shall not be requested more frequently than once every ninety (90) days. Customers of the Forest Grove Transfer Station shall be provided with sixty (60) days notice prior to any increases in the transfer fee. The purpose in allowing for an administrative adjustment in the approved rate is to allow the operator an opportunity to respond to market conditions and attract needed waste in a timely manner.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 91-413 FOR THE PURPOSE OF
APPROVING AN INCREASE IN THE TRANSFER RATE FOR THE FOREST
GROVE TRANSFER STATION

June 24, 1991

Presented by: Roosevelt Carter
Phil North

FACTUAL BACKGROUND AND ANALYSIS

Ambrose Calcagno, dba A. C. Trucking, filed a request for an increase in the transfer fee rate cap for the Forest Grove Transfer Station (FGTS). The present cap is \$19.25 per ton. The requested cap is \$22.75. The present cap was approved by a franchise amendment adopted by the Council on September 22, 1988.

The rate review committee met to consider the rate request under the provisions of Metro Code Section 5.01.180. The principal rationale for the rate increase request is: 1) revenues have not been adequate to provide a satisfactory rate of return on investment; 2) operating expenses balanced against revenues have resulted in a 1990 loss before taxes; 3) non-franchise profits are not deemed as significant as franchise revenues and expenses; and 4) use of the facility is market-based and haulers are free to use other disposal facilities if they so choose.

The components of the applicant's total tip fee at the facility are expected to be as follows:

FGTS - Transfer and transportation	\$22.75
Riverbend Landfill*	20.82
Yamhill County Surcharge	4.80
Metro User Fee	13.00
DEQ fees	.75
City of Forest Grove Community Enhancement Fee	.50
Metro Excise Tax	<u>3.04</u>
TOTAL	\$65.66

* Estimated

This total is contrasted with the tip fees at Metro Central Station, Metro South Station and the Metro-Riedel Compost Facility which will be \$68.00 as of July 1, 1991.

The application, Mr. Calcagno presentation and accompanying written materials (See Attachment 1) note that the transfer and transport rate approval given in September of 1988 was only charged at the maximum \$19.25 between the months of the January and June 1988. Competitive pressures held the rate below the authorized maximum.

The applicant has stated that the requested rate adjustment will result in a more equitable rate of return on investment. The expected rate of return on investment at a transfer and transport rate of \$22.75 will be 5.4 percent.

Presentations to the rate review committee were made by Ambrose Calcagno Jr. and his representatives. Staff recommended approval of the transfer fee increase. The committee members present unanimously concurred in the recommendation that the new transfer fee rate cap be approved, based upon the financial representations and testimony of the applicant. Further, no haulers would be restrained from using alternative disposal sites if they can obtain a more competitive transfer and disposal charge.

In rate revision applications, the Metro Code provides that a public hearing shall be held before final approval of such rate by the Council. At the hearing, the applicant will be available to address such other issues and concerns that the Council may have as to the requested rate amendment.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1472.

**ATER WYNNE
HEWITT
DODSON
& SKERRITT**

ATTORNEYS AT LAW

ATTACHMENT 1

Suite 1800
222 S.W. Columbia
Portland, Oregon 97201-6618
(503) 226-1191
Fax (503) 226-0079

April 22, 1991

Phil North
Metropolitan Service District
Portland, Oregon 97201

Re -- **FOREST GROVE TRANSFER STATION
TRANSFER AND TRANSPORTATION FEES**

Dear Mr. North:

Ambrose Calcagno, Jr. respectfully requests that the Metropolitan Service District authorize an increase in the transfer and transportation component of fees charged to commercial haulers by the Forest Grove Transfer Station, which facility is owned and operated by Mr. Calcagno dba AC Trucking.

In late 1988 METRO approved Mr. Calcagno's request for a \$19.25 per ton transfer and transportation fee. Since then Mr. Calcagno has charged that fee for only the six months between January and June 1989. At all other times competitive pressures have held the fee to lower levels. Mr. Calcagno anticipates that, on July 1, 1991, increases pending at other transfer stations and disposal sites will allow increases to the fee charged by the Forest Grove Transfer Station. He requests that the maximum transfer and transportation fee be increased from \$19.25 to \$22.75 a ton effective that date.

The suggested rate would allow the transfer station to earn a 22.5 percent pre-tax operating return on assets. During 1990, when transfer and transportation fees averaged only \$18.09 a ton, the transfer station earned an annualized pre-tax operating return of only eight percent. With that return on assets, the firm was unable to cover its interest expense and lost \$50,059.

Revenue in 1990 was \$3,413,000, nearly \$210,000 less than the \$3,621,000 required to generate a 20 percent operating return on assets. (See column 2 of the attached Schedule 1.) In 1991, revenue requirements will increase an additional \$95,000,

RECEIVED

CRM\crm10631.doc

APR 24 1991

Portland, Oregon
(503) 226-1191
Fax (503) 226-0079

Seattle, Washington
(206) 623-4711
Fax (206) 467-8406

San Francisco, California
(415) 984-5858
Fax (415) 984-5800

Affiliated offices in
Anchorage, Fairbanks
and Juneau, Alaska

**FILE CODE:
METRO SOLID WASTE DEPT.**

ATER WYNNE

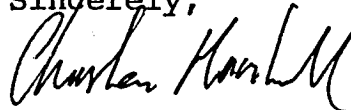
Phil North
April 22, 1991
Page 2

of which \$52,000 will cover increased expenses¹ and \$43,000 will enable the firm to earn an extra 2.5 percentage points on its investment. (See column 3 of Schedule 1.) The resulting 22.5 percent return will help the firm make up for the shortfall suffered during the last 2.5 years.

A \$22.75 rate passes both cost and market tests. It will yield a modest 5.4 percent pre-tax return on revenue. It will leave total disposal costs (transfer plus transport plus landfill) at Forest Grove in line with those elsewhere in the Metropolitan Service District. We urge its approval.

Thank you.

Sincerely,



Charles Marshall for
Ambrose Calcagno, Jr.

cc Ambrose Calcagno, Jr.

¹For analytical and presentation purposes, we have assumed that disposal rates and fees will not increase. Accurate or not, the effect on transfer and transportation fees is negligible.

SCHEDULE 1

AC TRUCKING

OPERATING AND FINANCIAL DATA
1990 & 1991

	1990 ACTUAL	1990 PRO FORMA	1991 PRO FORMA
	-----	-----	-----
TONS RECEIVED	64,880	64,880	64,880
ASSETS EMPLOYED	\$1,730,706	\$1,730,706	\$1,730,706
REVENUE	\$3,412,805	\$3,621,293	\$3,716,362
MSD & dump fees	\$2,209,439	\$2,209,439	\$2,209,439
Franchise fees (FG enhancement)	\$29,689	\$29,689	\$29,689
Other	\$1,036,024	\$1,036,024	\$1,087,825
OPERATING & ADMINISTRATIVE EXPENSES	\$3,275,152	\$3,275,152	\$3,326,953
INCOME FROM OPERATIONS	\$137,653	\$346,141	\$389,409
Misc income	\$2,930	\$2,930	\$2,930
Interest expense	(\$190,642)	(\$190,642)	(\$190,642)
INCOME (LOSS) BEFORE TAXES	(\$50,059)	\$158,429	\$201,697
	=====	=====	=====
OPERATING RETURN ON ASSETS	8.0%	20.0%	22.5%
OPERATING RETURN ON REVENUE	4.0%	9.6%	10.5%
PRE-TAX RETURN ON ASSETS	-2.9%	9.2%	11.7%
PRE-TAX RETURN ON REVENUE	-1.5%	4.4%	5.4%
TRANSFER & TRANSPORT RATE PER TON	\$18.09	\$21.30	\$22.77
OTHER DISPOSAL FEES PER TON	\$34.51	\$34.51	\$34.51
TOTAL DISPOSAL RATE PER TON	\$52.60	\$55.82	\$57.28



G O L D E N
M C R A E

April 19, 1991

Mr. Charles Marshall
222 S.W. Columbia, Suite 1800
Portland, OR 97201-6618

Dear Charles:

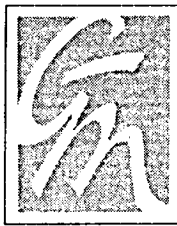
Enclosed are 1990 depreciation schedule and financial statements for AC Trucking. The financial statements include \$34,154 of engineering costs which is included in transfer station and improvements that is not included in the depreciation schedule. These costs are for the expansion and since it has not been done I did not depreciate them.

If you have any questions, please call me.

Very truly yours,

Laurie L. Golden

Asset Class	Asset Number	Asset Desc 1	Date Acquired	Salvage Value	Book Cost	Depr Meth	Bk Yr	Lf Mo	Book Depreciation Month	YTD	LTD	Net Book Value	Date Disposed
AMOR	23	PRE OPENING COSTS	08/01/85	0	7,205	1	5	0	0	841	7,085	120	
AMOR	24	LOAN FEES	03/24/87	0	16,603	1	5	0	277	3,321	12,453	4,150	
				0	23,808				277	4,162	19,538	4,270	
BUIL	13	CONST-SELCD	09/01/85	0	572,258	1	20	0	2,384	28,613	152,602	419,656	
BUIL	14	85 ENGINEERING COST	09/01/85	0	64,867	1	20	0	270	3,243	17,297	47,570	
BUIL	15	CONST & PROP TAX	09/01/85	0	47,066	1	20	0	196	2,353	12,550	34,516	
BUIL	16	KAMPS	09/01/85	0	834	1	20	0	4	42	223	611	
BUIL	17	ELECTRICAL OUTLETS	09/01/85	0	652	1	20	0	3	33	175	477	
BUIL	18	ENGINEERING PRE 85	09/01/85	0	38,214	1	20	0	159	1,911	10,191	28,023	
BUIL	19	TESTING & PERMITS	09/01/85	0	7,654	1	20	0	32	383	2,042	5,612	
BUIL	20	ROCK	09/01/85	0	68,320	1	20	0	285	3,416	18,219	50,101	
BUIL	21	ENGINEERING COSTS	01/01/87	0	28,910	1	18	0	134	1,606	6,424	22,486	
BUIL	22	BUILDING COSTS	01/01/87	0	941	1	18	0	4	52	208	733	
BUIL	8	GRAVEL & IVY	10/17/85	0	7,436	1	20	0	31	372	1,953	5,483	
				0	837,152				3,502	42,024	221,884	615,268	
L	12	REFUSE TRANSFER TRLR	11/20/87	0	45,265	1	7	0	539	6,466	20,476	24,789	
L	25	Crane	04/18/89	0	59,500	1	12	0	413	4,958	8,677	50,823	
L	28	2 STAR TRAILERS	07/25/89	0	105,000	1	10	0	875	10,500	15,750	89,250	
L	30	4 STORAGE BOXES	03/07/90	0	12,159	1	10	0	101	1,013	1,013	11,146	
L	32	2 STAR TRAILERS	01/01/90	0	85,224	1	10	0	710	8,522	8,522	76,702	
				0	307,148				2,638	31,459	54,438	252,710	
MACH	1	SCALE PRINTER	12/11/85	0	300	1	7	0	4	43	219	81	
MACH	2	CAMERA	04/16/85	0	354	1	7	0	4	51	293	61	
MACH	3	GATE WIRING	11/05/85	0	2,520	1	7	0	30	360	1,860	660	
MACH	6	GATES	12/31/86	0	1,665	1	5	0	28	333	1,621	44	
MACH	26	CRANE INSTALLATION	04/18/89	0	25,185	1	12	0	175	2,099	3,673	21,512	
MACH	31	2 RADIOS	04/05/90	0	3,900	1	5	0	65	585	585	3,315	
MACH	34	Cabinets	06/30/90	0	1,710	1	10	0	14	100	100	1,610	
				0	35,634				320	3,571	8,351	27,283	
V	4	TRACTOR	09/09/85	0	1,000	1	7	0	12	143	763	237	
V	5	57 MACK TRUCK	12/31/86	0	2,000	1	7	0	24	286	1,454	546	
V	7	TRACTOR	06/01/87	0	68,679	1	5	0	1,145	13,736	48,076	20,603	
V	9	STAR TRAILERS	03/14/85	0	101,389	1	10	0	845	10,139	59,144	42,245	
V	10	MACK TRAILERS	04/17/85	0	75,166	1	7	0	895	10,738	61,744	13,422	
V	11	84 TRACTOR/BACKHOE	07/10/85	0	43,260	1	7	0	515	6,180	32,960	10,300	
V	27	1989 MACK TRUCK	03/13/89	0	79,240	1	8	0	825	9,905	18,159	61,081	
V	29	3 STAR TRAILERS	08/17/90	0	185,022	1	10	0	1,542	7,709	7,709	177,313	
V	33	1990 MACK TRUCK	04/20/90	0	84,200	1	10	0	702	6,315	6,315	77,885	
				0	639,956				6,505	65,151	236,324	403,632	
GRAND TOTALS:				0	1,843,698				13,242	146,367	540,535	1,303,163	
LESS: DISPOSITIONS				0	0				0	0	0	0	
NET TOTALS:				0	1,843,698				13,242	146,367	540,535	1,303,163	



G O L D E N
M C R A E

Ambrose Calcagno, Jr.
AC Trucking

We have compiled the accompanying balance sheet of AC Trucking as of December 31, 1990 and 1989 and the related statements of operations and owner's deficiency and cash flows for the years then ended, in accordance with standards established by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Golden & McRae

March 23, 1991

AC TRUCKING
FINANCIAL STATEMENTS
YEARS ENDED DECEMBER 31, 1990 AND 1989

CONTENTS

	<u>Page</u>
Accountants' Compilation Report	1
Financial Statements	
Balance Sheet	2-3
Statement of Operations and Owner's Deficiency	4
Statement of Cash Flows	5
Notes to Financial Statements	6-9

AC TRUCKING

BALANCE SHEET

DECEMBER 31, 1990 AND 1989

ASSETS

	<u>1990</u>	<u>1989</u>
Current assets:		
Cash	\$ 16,995	\$ 33,775
Accounts receivable, trade	354,893	220,295
Other receivables	<u>21,500</u>	<u>27,700</u>
Total current assets	<u>393,388</u>	<u>281,770</u>
Property and equipment: (Notes 2 & 3)		
Transfer station and improvements	871,306	872,337
Machinery and equipment	675,590	155,758
Equipment under capital leases	<u>307,148</u>	<u>429,580</u>
	1,854,044	1,457,675
Less accumulated depreciation and amortization	<u>520,997</u>	<u>378,791</u>
Net property and equipment	<u>1,333,047</u>	<u>1,078,884</u>
Other assets:		
Loan fees and opening costs net of accumulated amortization of \$19,538 in 1990 and \$15,376 in 1989	4,271	8,433
Deposits	<u>-</u>	<u>12,359</u>
Total other assets	<u>4,721</u>	<u>20,792</u>
Total assets	<u>\$1,730,706</u> =====	<u>\$1,381,446</u> =====

See Accountants' report and notes to financial statements.

AC TRUCKING

BALANCE SHEET

DECEMBER 31, 1990 AND 1989

LIABILITIES AND OWNER'S DEFICIENCY

	<u>1990</u>	<u>1989</u>
Current liabilities:		
Current portion of long-term debt (Note 2)	\$ 80,331	\$ 29,899
Current portion of obligations under capital leases (Note 3)	52,134	82,373
Accrued expenses	-	10,436
Due to affiliated companies (Note 5)	<u>430,103</u>	<u>238,092</u>
Total current liabilities	<u>562,568</u>	<u>360,800</u>
Long-term debt, less current portion (Note 2)	<u>1,229,121</u>	<u>1,060,065</u>
Obligations under capital leases, less current portion (Note 3)	<u>181,639</u>	<u>153,144</u>
Owner's deficiency	<u>(242,622)</u>	<u>(192,563)</u>
Total liabilities and owner's deficiency	<u>\$ 1,730,706</u> =====	<u>\$ 1,381,446</u> =====

See Accountants' report and notes to financial statements.

AC TRUCKING

STATEMENT OF OPERATIONS AND OWNER'S DEFICIENCY

YEARS ENDED DECEMBER 31, 1990 AND 1989

	<u>1990</u>	<u>1989</u>
Transfer station revenue	\$ <u>3,412,805</u>	\$ <u>2,347,415</u>
Operating expenses		
Salaries	188,846	190,920
Payroll taxes and benefits	77,788	54,620
MSD and Dump fees	2,209,439	1,226,230
Enhancement fees	29,689	-
Truck repair, gas and expense	115,624	135,179
Other operating expenses	<u>57,933</u>	<u>57,140</u>
Total operating expense	<u>2,679,319</u>	<u>1,664,089</u>
Administrative expenses		
Salaries	179,597	63,244
Payroll taxes and benefits	74,441	19,765
Data processing	12,033	18,173
Rent	51,700	78,217
Consulting	12,703	14,872
Depreciation and amortization	146,367	114,058
Office supplies	5,564	9,537
Insurance	30,993	31,735
Legal and accounting	26,482	15,297
Telephone and utilities	14,877	7,330
Taxes and licenses	13,661	16,156
Other administrative expense	<u>27,415</u>	<u>48,384</u>
Total administrative expense	<u>595,833</u>	<u>436,768</u>
Income from operations	<u>137,653</u>	<u>246,558</u>
Other income (expense)		
Miscellaneous income	2,930	13,845
Interest expense	<u>(190,642)</u>	<u>(204,207)</u>
Total other income (expense)	<u>(187,712)</u>	<u>(190,362)</u>
Net income (loss)	(50,059)	56,196
Owner's (deficiency), beginning of year	(192,563)	(144,287)
Owner's withdrawals	<u>-</u>	<u>(104,472)</u>
Owner's (deficiency), end of year	\$ (<u>242,622</u>)	\$ (<u>192,563</u>)
	=====	=====

See Accountants' report and notes to financial statements.

AC TRUCKING

STATEMENT OF CASH FLOWS

YEARS ENDED DECEMBER 31, 1990 AND 1989

	<u>1990</u>	<u>1989</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Net income (loss)	\$ (50,059)	\$ 56,196
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation and amortization	146,367	114,058
(Increase) in trade accounts receivable	(134,598)	(121,260)
(Increase) decrease in other accounts receivable	6,200	(27,700)
Decrease in deposits	12,359	-
(Decrease) in trade accounts payable and accrued expense	<u>(10,436)</u>	<u>(130,681)</u>
Net cash (used) in operating activities	<u>(30,167)</u>	<u>(109,387)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of equipment and building improvements	<u>(29,763)</u>	<u>(109,113)</u>
Net cash (used) in investing activities	<u>(29,763)</u>	<u>(109,113)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Proceeds from long-term debt	-	79,240
Repayment of long-term debt	(49,734)	(47,770)
Repayment of obligations under capital leases	(99,127)	(63,955)
Increase in cash due to affiliated companies	192,011	378,814
Withdrawals by owner	<u>-</u>	<u>(104,472)</u>
Net cash provided by financing activities	<u>43,150</u>	<u>241,857</u>
Increase (decrease) in cash	(16,780)	23,357
Cash, beginning of year	<u>33,775</u>	<u>10,418</u>
Cash, end of year	\$ <u>16,995</u> =====	\$ <u>33,775</u> =====

See Accountants' report and notes to financial statements.

AC TRUCKING

NOTES TO FINANCIAL STATEMENTS

YEARS ENDED DECEMBER 31, 1990 AND 1989

1. Summary of significant accounting policies:

Property and equipment and depreciation and amortization:

Property and equipment are stated at cost. Depreciation and amortization are provided substantially on the straight-line method over the estimated useful lives of the related assets.

Loan fees and pre-opening costs:

Loan fees are being amortized using the straight-line method over the life of the loan. Pre-opening costs are being amortized using the straight-line method over five years.

2. Long-term debt:

	<u>1990</u>	<u>1989</u>
Collateralized by equipment:		
Note payable due in monthly installments of \$10,718 including interest at 4.5% over the monthly average yield of 6-month certificates of deposit (12.75% at December 31, 1990), due March, 1992	\$ 964,709	\$ 981,942
Note payable due in monthly installments of \$1,368 including interest at 12.5%, due September, 1992	26,570	38,816
Note payable due in monthly installments of \$1,783 including interest at 12.5% due February, 1994	55,709	69,206
Notes payable due in monthly installments of \$4,185 including interest at 12.7%, due September, 1995	178,287	-
Note payable due in monthly installments of \$1,909 including interest at 12.85%, due April, 1995	75,828	-
Lien payable due in semi-annual installments of \$1,044 plus interest at 10%, due November, 1994	8,349	-
	<u>1,309,452</u>	<u>1,089,964</u>
Current portion	<u>80,331</u>	<u>29,899</u>
	<u>\$1,229,121</u>	<u>\$1,060,065</u>
	=====	=====

See Accountants' Report

AC TRUCKING

NOTES TO FINANCIAL STATEMENTS

YEARS ENDED DECEMBER 31, 1990 AND 1989

2. Long-term debt (continued)

Principal payments due on long-term debt in each of the following years are as follows:

1990		\$ 29,899
1991	\$ 80,331	33,894
1992	1,039,848	1,003,057
1993	77,323	19,603
1994	68,774	3,511
1995	43,176	-
	<u>\$1,309,452</u>	<u>\$1,089,964</u>
	=====	=====

3. Capital leases:

The Company has capitalized financing leases by recording the related asset and lease obligation on the accompanying balance sheet.

Capital leases included in equipment are as follows:

	<u>1990</u>	<u>1989</u>
Equipment under capital leases	\$307,148	\$429,580
Less accumulated amortization	<u>54,438</u>	<u>149,770</u>
	<u>\$252,710</u>	<u>\$279,810</u>
	=====	=====

See Accountants' Report

AC TRUCKING

NOTES TO FINANCIAL STATEMENTS

YEARS ENDED DECEMBER 31, 1990 AND 1989

3. Capital leases (continued)

The Company is obligated for minimum rentals under capital leases of equipment expiring on various dates through 1995, as follows:

<u>Years ending December 31,</u>	<u>1990</u>	<u>1989</u>
1990		\$ 112,677
1991	\$ 90,901	58,804
1992	90,738	56,758
1993	84,228	46,528
1994	43,018	39,545
1995	<u>1,505</u>	<u>-</u>
	310,390	314,312
Less amount representing interest	<u>76,617</u>	<u>78,795</u>
Present value of net minimum lease payments	233,773	235,517
Less current portion	<u>52,134</u>	<u>82,373</u>
	\$ 181,639 =====	\$ 153,144 =====

The interest rate used for capitalizing leases varies from 12.6% to 18.35%.

4. Pension plan:

The Company's money-purchase pension plan covers regular full-time employees who meet prescribed service requirements. The Company accounts for pension expense by means of a formula based on employee compensation and makes annual contributions equal to the amount determined by the formula.

See Accountants' Report

AC TRUCKING

NOTES TO FINANCIAL STATEMENTS

YEARS ENDED DECEMBER 31, 1990 AND 1989

5. Related party transactions:

The Company rents its facilities on a month-to-month basis from the owner of the company and receives revenue from related companies.

The total revenues earned from related companies and rent paid to the owner for years ended December 31, 1990 and 1989 is as follows:

	<u>1990</u>	<u>1989</u>
Transfer station revenue	\$1,546,414	\$966,489
Facilities rent	\$ 50,861	\$ 78,171

The Company and six other companies are under the control of Ambrose Calcagno, Jr. Certain overhead expenses are shared among the companies and such transactions are accounted for using intercompany receivables and payables.

6. Supplemental disclosures of cash flow information:

The Company had noncash financing transactions relating to capital leases on new equipment of \$97,383 and purchases of new equipment of \$269,222 during the year ended December 31, 1990.

During 1990 interest paid is \$190,642.

See Accountants' Report

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 91-413, FOR THE PURPOSE OF APPROVING AN INCREASE IN THE TRANSFER RATE FOR THE FOREST GROVE TRANSFER STATION

Date: July 17, 1991

Presented by: Councilor Gardner

Committee Recommendation: At the July 16 meeting, the Committee voted unanimously to recommend Council adoption of Ordinance No. 91-413. Voting in favor: Councilors DeJardin, Gardner, McFarland, McLain and Wyers.

Committee Issues/Discussion: Roosevelt Carter, Budget and Finance Manager, Solid Waste Department, and Phil North, Senior Solid Waste Planner, reviewed the staff report and the history of department consideration of the rate increase request. The Forest Grove Transfer Station franchisee, Mr. Ambrose Calcagno, requested that the transfer fee rate cap be increased from \$19.25 to \$22.75. The current rate was set in 1988. The request was filed in late April 1991 and approved by the rate review committee in May.

Mr. Charles Marshall, representing the franchisee, noted that the request was made because transfer station operating revenues have not provided a satisfactory rate of return (the facility had a net loss of \$50,059 for 1990). He noted that, in practice, the franchisee generally has not been able to charge the maximum rate currently permitted because of competitive pressure from competing Metro-operated transfer facilities. (In 1990 a rate of \$18.09 was charged vs. the permissible maximum rate of \$19.25.)

The franchisee has maintained an overall rate that is less than the rate at Metro facilities to encourage haulers to use his facility. Mr. Marshall contended that recently enacted increases in rates at Metro facilities would permit the franchisee to charge the newly requested maximum rate and still remain competitive with Metro facilities. (The new overall rate at the Forest Grove facility would be \$65.66 vs. \$68.00 at Metro facilities.)

An amendment was proposed by the franchisee to attach an excise fee of \$.32 on to the new maximum rate for the period from August 1991 through June 1992. The purpose of the fee would have been to allow the franchisee to recoup lost revenue based on his assumption that the new rate would have become effective on July 1, 1991. The committee rejected the amendment based on concerns that the excise fee could affect the economic viability of the facility, that rates should not be adjusted due to delays in agency consideration of the rate increase request and the amendment had not been submitted in a timely manner to permit analysis by the rate review committee or council staff.

The committee discussed several issues related to the request. Several councilors questioned the intent and scope of the Metro Code criteria that must be addressed when considering a rate request, particularly the consideration of "nonfranchise profits." Councilor Wyers noted that the committee will be reviewing the rate review process during the coming months. The committee also discussed the need for the Forest Grove facility to generate a satisfactory rate of return for the franchisee while remaining economically competitive with other transfer facilities.

Councilor McLain asked whether the public and affected local governments had been involved in the decision to request a rate increase. Mr. Marshall advised that the affected local governments had been notified concerning the rate request.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

TO: Council Solid Waste Committee

FROM: Karla Forsythe, ^{KLF} Council Analyst

DATE: July 11, 1991

RE: Ordinance No. 91-413, For the Purpose of Approving an Increase in the Transfer Rate for the Forest Grove Transfer Station

At the upcoming Solid Waste Committee meeting, the Committee will consider a request from A. C. Trucking to increase the transfer rate at Forest Grove Transfer Station from \$19.25/ton to \$22.75/ton.

The Council is asked to declare an emergency so that the rates may be increased effective the date this ordinance is adopted. According to General Counsel Dan Cooper, the Council has broad discretion to determine when an emergency exists. The Solid Waste Department cites the applicant's continued financial losses and the need to parallel Metro facility rate changes as grounds to declare an emergency.

The Rate Review Committee unanimously endorsed the request, and the Executive Officer also recommends approval.

Factors the Committee must consider in reviewing the request

Under Metro Code Section 5.01.180, the Council shall give due consideration to the following factors in considering this request:

- (1) Operating and nonoperating revenue.
- (2) Direct and indirect operating and nonoperating expenses including franchise fees.
- (3) Nonfranchise profits.
- (4) Reasonable return on investment exclusive of any capital investment in the franchise or any sum paid for the value of the franchise or any other intangible value.

The Council may also consider other factors it deems relevant.

ORDINANCE NO. 91-413
Solid Waste Committee
Page Two

Comment

It would be helpful if the Solid Waste Department could explain whether, and if so, how, the increase will impact Metro's management of the regional solid waste system.

c: Roosevelt Carter
Phil North

EXHIBIT A

SCHEDULE E

TRANSFER RATES

- SE-1 The Franchise Holder shall collect a Transfer Fee, a Disposal Fee and a Metro Fee on each ton of waste delivered to the facility by commercial haulers for transfer. All wastes delivered shall be charged the same rates. The Franchise Holder shall maintain accounts on wastes received and amounts billed to each commercial hauler as required by Metro Code Section 5.01.130.
- SE-2 In the event that the scales for weighing incoming waste cannot be used, tonnage rates are to be converted to yardage rates on the assumption that compacted waste has a density of 600 pounds per cubic yard and that non-compacted waste has a density of 250 pounds per cubic yard.
- SE-3 Fees for disposal (including any fees assessed by local jurisdictions in which the disposal facility is located) and Metro Fees shall be collected by the Franchise Holder on all waste received and shall be paid to the disposal site or Metro as required. In calculating the total charges to be paid on each load or each account, the amount of the charge which is passed through to Metro or to the disposal site shall be itemized. Any changes in the amount of fees for disposal or in Metro Fees to be collected shall result in appropriate adjustments to the total charges collected.
- SE-4 As set forth in SB-3, required User Fee and Regional Transfer Charges shall be paid to Metro. As allowed by Metro Code Section 5.02.050(d), the Franchise Holder may be exempted from collecting and paying the Regional Transfer Charge when a written authorization to do so has been issued by the Solid Waste Director.
- SE-5 As of September 22, 1988, the Franchisee is authorized to charge a transfer fee of ~~\$19.25~~ \$22.75 per ton for mixed solid waste received from commercial haulers.
- SE-6 As of September 22, 1988, the Franchise Holder is authorized to charge a Transfer Fee of \$15.00 per load (up to three (3) cubic yards) for public self-haulers, provided however that if a self-hauler shall bring in one-half ($\frac{1}{2}$) cubic yard of recyclable material that the remaining portion of the load shall be charged at a rate not to exceed \$5.00 per cubic yard (\$5.00 minimum; \$12.50 maximum for three (3) cubic yards). Any incremental cubic yards of mixed solid waste over three (3) cubic yards shall be charged at an incremental rate of \$2.00 per cubic yard.
- SE-7 Any uncovered loads delivered to the facility shall be charged double rates.

- SE-8 Included in the fees referred to in SE-3 shall be a Community Enhancement Fee not to exceed \$.50 per ton (less a set-off for real estate taxes paid to the City of Forest Grove) to be paid to the City of Forest Grove per an agreement to be established between Metro and the City of Forest Grove. The Franchisee shall receive thirty (30) days' notice of the effective date upon which to commence collecting this fee and paying it as directed by Metro.
- SE- 9 The transfer fee shall not increase the amount set forth in SE-5 without a detailed rate request from the Franchisee and the approval of the Metro Council.
- SE-10 The transfer fee may be adjusted so long as it remains below the amount set forth in SE-5 or the rate currently approved. The Franchisee must notify, in writing, the Solid Waste Director of his intent to adjust the transfer rate at least ten (10) days before he implements plans to adjust the rate. The adjusted transfer rate shall take effect if the Solid Waste Director has not notified, in writing, the Franchisee of his/her disapproval of the proposed adjustment prior to its scheduled effective date. Adjustments in the transfer fee shall not be requested more frequently than once every ninety (90) days. Customers of the Forest Grove Transfer Station shall be provided with sixty (60) days notice prior to any increases in the transfer fee. The purpose in allowing for an administrative adjustment in the approved rate is to allow the operator an opportunity to respond to market conditions and attract needed waste in a timely manner.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 91-413 FOR THE PURPOSE OF
APPROVING AN INCREASE IN THE TRANSFER RATE FOR THE FOREST
GROVE TRANSFER STATION

June 24, 1991

Presented by: Roosevelt Carter
Phil North

FACTUAL BACKGROUND AND ANALYSIS

Ambrose Calcagno, dba A. C. Trucking, filed a request for an increase in the transfer fee rate cap for the Forest Grove Transfer Station (FGTS). The present cap is \$19.25 per ton. The requested cap is \$22.75. The present cap was approved by a franchise amendment adopted by the Council on September 22, 1988.

The rate review committee met to consider the rate request under the provisions of Metro Code Section 5.01.180. The principal rationale for the rate increase request is: 1) revenues have not been adequate to provide a satisfactory rate of return on investment; 2) operating expenses balanced against revenues have resulted in a 1990 loss before taxes; 3) non-franchise profits are not deemed as significant as franchise revenues and expenses; and 4) use of the facility is market-based and haulers are free to use other disposal facilities if they so choose.

The components of the applicant's total tip fee at the facility are expected to be as follows:

FGTS - Transfer and transportation	\$22.75
Riverbend Landfill*	20.82
Yamhill County Surcharge	4.80
Metro User Fee	13.00
DEQ fees	.50
City of Forest Grove Community Enhancement Fee	<u>.50</u>
TOTAL	\$62.37

* Estimated

This total is contrasted with the tip fees at Metro Central Station, Metro South Station and the Metro-Riedel Compost Facility which will be \$68.00 as of July 1, 1991.

The application, Mr. Calcagno presentation and accompanying written materials (See Attachment 1) note that the transfer and transport rate approval given in September of 1988 was only charged at the maximum \$19.25 between the months of the January and June 1988. Competitive pressures held the rate below the authorized maximum.

The applicant has stated that the requested rate adjustment will result in a more equitable rate of return on investment. The

expected rate of return on investment at a transfer and transport rate of \$22.75 will be 5.4 percent.

Presentations to the rate review committee were made by Ambrose Calcagno Jr. and his representatives. Staff recommended approval of the transfer fee increase. The committee members present unanimously concurred in the recommendation that the new transfer fee, rate cap be approved, based upon the financial representations and testimony of the applicant. Further, no haulers would be restrained from using alternative disposal sites if they can obtain a more competitive transfer and disposal charge.

In rate revision applications, the Metro Code provides that a public hearing shall be held before final approval of such rate by the Council. At the hearing, the applicant will be available to address such other issues and concerns that the Council may have as to the requested rate amendment.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1472.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: July 26, 1991
TO: Rena Cusma, Executive Officer
FROM: Paulette Allen, Clerk of the Council *PA*
RE: TRANSMITTAL OF ORDINANCE NOS. 91-409, 91-413, AND 91-414

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on July 25, 1991.

If you wish to veto any of the above referenced ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, August 1, 1991. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

I, *Paulette Allen*, received this memo and true copies of Ordinance Nos. 91-409, 91-413 and 91-414 from the Clerk of the Council on July 26, 1991.

Date: *July 25, 1991*

ORD. MEM

July 26, 1991



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

91-413

August 16, 1991

Clerk of the Board
Multnomah County Courthouse
1021 S.W. Fourth Avenue
Portland, OR 97204

Dear Clerk of the Board:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

Executive Officer
Rena Cusma

Metro Council

Tanya Collier
Presiding Officer
District 9

Jim Gardner
Deputy Presiding
Officer
District 3

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Judy Wyers
District 8

Roger Buchanan
District 10

David Knowles
District 11

Sandi Hansen
District 12

1. Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations
2. Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo
3. Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property
4. Ordinance No. 91-386C, For the Purpose of Amending Metro Chapter Code 5.02, Establishing Solid Waste Disposal Rates for FY 1991-92
5. Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax
6. Ordinance No. 91-392, Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding the Charter Commission
7. Ordinance No. 91-396, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Insurance Fund
8. Ordinance No. 91-397, For the Purpose of Amending Metro Code Section 5.02.035 Litter Control by Establishing a Surcharge for Uncovered Loads
9. Ordinance No. 91-398, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Due Diligence Costs Related to the Metro Headquarters Relocation Project

METRO ORDINANCES

August 20, 1991

Page 2

10. Ordinance No. 91-399, An Ordinance Amending No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metro ERC Facilities
11. Ordinance No. 91-400A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increases in Zoo Operations
12. Ordinance No. 91-401, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Solid Waste Revenue Fund
14. Ordinance No. 91-402, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Council Department
15. Ordinance No. 91-403, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Business License Program
16. Ordinance No. 91-404, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Provide that All User Fees and Other Fees Submitted to Metro for Solid Waste Generated Within the District Shall be Calculated on a Tonnage Basis Using Certified Scale Weights
17. Ordinance No. 91-405A, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Amend Section 5.02.025(c) Regarding the Recyclable Material Credit
18. Ordinance No. 91-395A, An Ordinance Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 90-1: Wagner
19. Ordinance No. 91-410, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metropolitan Exposition-Recreation Facilities
20. Ordinance No. 91-390A, For the Purpose of Adopting the Annual Budget for Fiscal Year 1991-92, Making Appropriations and Levying Ad Valorem Taxes
21. Ordinance No. 91-408, For the Purpose of Amending the Planning Procedure for Designating Functional Planning Areas and Activities

METRO ORDINANCES
August 20, 1991
Page 3

22. Ordinance No. 91-407A, For the Purpose of Amending Metro Code Sections 2.01.070, 2.01.090, 2.01.120, 2.01.130 and 2.01.140 Relating to Conduct of Debate at Council Meetings, Receipt of Public Testimony at Council Meetings and Consideration of a Consent Agenda at Council Meetings and Standing Committees of the Council
23. Ordinance No. 91-414, An Ordinance Amending Ordinance No. 91-390A Revising the FY 1991-92 Budget and Appropriations Schedule for the Purpose of Funding Modifications for the STRAP Project
24. Ordinance No. 91-413, For the Purpose of Approving an Increase in the Transfer Rate for the Forest Grove Transfer Station
25. Ordinance No. 91-409, For the Purpose of Amending Chapter 2 of the Metro Code to Establish the Appointment Process, Qualifications, and Terms of Office for Members of the Portland Metropolitan Area Local Government Boundary Commission
26. Ordinance No. 91-417, An Ordinance for the Purpose of Amending and Renewing the Franchise Agreement with East County Recycling, Inc.; and Declaring an Emergency

Sincerely,



Paulette Allen
Clerk of the Council



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 16, 1991

Charles D. Cameron
County Administrator
150 N. First Avenue
Hillsboro, OR 97124

Dear Mr. Kauffman:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

Executive Officer
Rena Cusma

Metro Council
Tanya Collier
Presiding Officer
District 9

Jim Gardner
Deputy Presiding
Officer
District 3

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Judy Wyers
District 8

Roger Buchanan
District 10

David Knowles
District 11

Sandi Hansen
District 12

1. Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations
2. Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo
3. Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property
4. Ordinance No. 91-386C, For the Purpose of Amending Metro Chapter Code 5.02, Establishing Solid Waste Disposal Rates for FY 1991-92
5. Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax
6. Ordinance No. 91-392, Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding the Charter Commission
7. Ordinance No. 91-396, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Insurance Fund
8. Ordinance No. 91-397, For the Purpose of Amending Metro Code Section 5.02.035 Litter Control by Establishing a Surcharge for Uncovered Loads
9. Ordinance No. 91-398, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Due Diligence Costs Related to the Metro Headquarters Relocation Project

METRO ORDINANCES
August 20, 1991
Page 2

10. Ordinance No. 91-399, An Ordinance Amending No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metro ERC Facilities
11. Ordinance No. 91-400A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increases in Zoo Operations
12. Ordinance No. 91-401, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Solid Waste Revenue Fund
14. Ordinance No. 91-402, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Council Department
15. Ordinance No. 91-403, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Business License Program
16. Ordinance No. 91-404, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Provide that All User Fees and Other Fees Submitted to Metro for Solid Waste Generated Within the District Shall be Calculated on a Tonnage Basis Using Certified Scale Weights
17. Ordinance No. 91-405A, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Amend Section 5.02.025(c) Regarding the Recyclable Material Credit
18. Ordinance No. 91-395A, An Ordinance Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 90-1: Wagner
19. Ordinance No. 91-410, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metropolitan Exposition-Recreation Facilities
20. Ordinance No. 91-390A, For the Purpose of Adopting the Annual Budget for Fiscal Year 1991-92, Making Appropriations and Levying Ad Valorem Taxes
21. Ordinance No. 91-408, For the Purpose of Amending the Planning Procedure for Designating Functional Planning Areas and Activities

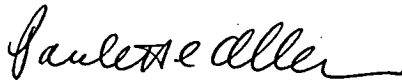
METRO ORDINANCES

August 20, 1991

Page 3

22. Ordinance No. 91-407A, For the Purpose of Amending Metro Code Sections 2.01.070, 2.01.090, 2.01.120, 2.01.130 and 2.01.140 Relating to Conduct of Debate at Council Meetings, Receipt of Public Testimony at Council Meetings and Consideration of a Consent Agenda at Council Meetings and Standing Committees of the Council
23. Ordinance No. 91-414, An Ordinance Amending Ordinance No. 91-390A Revising the FY 1991-92 Budget and Appropriations Schedule for the Purpose of Funding Modifications for the STRAP Project
24. Ordinance No. 91-413, For the Purpose of Approving an Increase in the Transfer Rate for the Forest Grove Transfer Station
25. Ordinance No. 91-409, For the Purpose of Amending Chapter 2 of the Metro Code to Establish the Appointment Process, Qualifications, and Terms of Office for Members of the Portland Metropolitan Area Local Government Boundary Commission
26. Ordinance No. 91-417, An Ordinance for the Purpose of Amending and Renewing the Franchise Agreement with East County Recycling, Inc.; and Declaring an Emergency

Sincerely,



Paulette Allen
Clerk of the Council



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 16, 1991

John Kauffman
County Clerk
Clackamas County Courthouse
807 Main Street
Oregon City, OR 97045

Dear Mr. Kauffman:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

1. Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations
2. Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo
3. Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property
4. Ordinance No. 91-386C, For the Purpose of Amending Metro Chapter Code 5.02, Establishing Solid Waste Disposal Rates for FY 1991-92
5. Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax
6. Ordinance No. 91-392, Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding the Charter Commission
7. Ordinance No. 91-396, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Insurance Fund
8. Ordinance No. 91-397, For the Purpose of Amending Metro Code Section 5.02.035 Litter Control by Establishing a Surcharge for Uncovered Loads
9. Ordinance No. 91-398, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Due Diligence Costs Related to the Metro Headquarters Relocation Project

Executive Officer
Rena Cusma

Metro Council

Tanya Collier
Presiding Officer
District 9

Jim Gardner
Deputy Presiding
Officer
District 3

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Judy Wyers
District 8

Roger Buchanan
District 10

David Knowles
District 11

Sandi Hansen
District 12

METRO ORDINANCES

August 20, 1991

Page 2

10. Ordinance No. 91-399, An Ordinance Amending No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metro ERC Facilities
11. Ordinance No. 91-400A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increases in Zoo Operations
12. Ordinance No. 91-401, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Solid Waste Revenue Fund
14. Ordinance No. 91-402, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Council Department
15. Ordinance No. 91-403, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Business License Program
16. Ordinance No. 91-404, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Provide that All User Fees and Other Fees Submitted to Metro for Solid Waste Generated Within the District Shall be Calculated on a Tonnage Basis Using Certified Scale Weights
17. Ordinance No. 91-405A, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Amend Section 5.02.025(c) Regarding the Recyclable Material Credit
18. Ordinance No. 91-395A, An Ordinance Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 90-1: Wagner
19. Ordinance No. 91-410, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metropolitan Exposition-Recreation Facilities
20. Ordinance No. 91-390A, For the Purpose of Adopting the Annual Budget for Fiscal Year 1991-92, Making Appropriations and Levying Ad Valorem Taxes
21. Ordinance No. 91-408, For the Purpose of Amending the Planning Procedure for Designating Functional Planning Areas and Activities

METRO ORDINANCES

August 20, 1991

Page 3

22. Ordinance No. 91-407A, For the Purpose of Amending Metro Code Sections 2.01.070, 2.01.090, 2.01.120, 2.01.130 and 2.01.140 Relating to Conduct of Debate at Council Meetings, Receipt of Public Testimony at Council Meetings and Consideration of a Consent Agenda at Council Meetings and Standing Committees of the Council
23. Ordinance No. 91-414, An Ordinance Amending Ordinance No. 91-390A Revising the FY 1991-92 Budget and Appropriations Schedule for the Purpose of Funding Modifications for the STRAP Project
24. Ordinance No. 91-413, For the Purpose of Approving an Increase in the Transfer Rate for the Forest Grove Transfer Station
25. Ordinance No. 91-409, For the Purpose of Amending Chapter 2 of the Metro Code to Establish the Appointment Process, Qualifications, and Terms of Office for Members of the Portland Metropolitan Area Local Government Boundary Commission
26. Ordinance No. 91-417, An Ordinance for the Purpose of Amending and Renewing the Franchise Agreement with East County Recycling, Inc.; and Declaring an Emergency

Sincerely,



Paulette Allen
Clerk of the Council