

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING METRO) ORDINANCE NO. 87-229
CODE CHAPTER 3.02, AMENDING THE)
REGIONAL WASTE TREATMENT MANAGE-)
MENT PLAN, AND SUBMITTING)
IT FOR RECERTIFICATION)

WHEREAS, Metropolitan Service District Code Section 3.02.008(a) and (b) set forth criteria for the continuing planning process to implement the Regional Waste Treatment Management Plan (Regional Plan) and for amending support documents and maps; and

WHEREAS, The Water Resources Policy Alternatives Committee (WRPAC) met on August 4, 1987, and recommends Council adoption of amendments; and

WHEREAS, Amendments needed to update the Regional Plan are based on new information from Beaverton, Fairview, Gresham, Hillsboro, Milwaukie, Clackamas County, Multnomah County, Portland, Troutdale, Tigard, Tualatin, Washington Co./Unified Sewerage Agency, Lake Oswego, Wilsonville and Sherwood showing updated local plans, maps and service agreements, and conformance of local plans with the Regional Plan; and

WHEREAS, If the Regional Plan is amended by the Council of the Metropolitan Service District, the Regional Plan will be submitted to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, to the U. S. Environmental Protection Agency for recertification; and

WHEREAS, Metro Code Chapter 3.02 has not been amended since August 1986; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Chapter 3.02 of the Code of the Metropolitan Service District is amended to read as follows:

3.02.002 Adoption: The Regional Waste Treatment Management Plan, as amended, copies of which are on file at Metro offices, is adopted and shall be implemented as required by this chapter.

Section 2. The Regional Waste Treatment Management Plan Text and Maps (Collection System Service Areas Map, adopted August 28, 1986, and Transmission and Treatment Service Areas Map, adopted August 28, 1986), adopted by Metro's Code Section 3.02.002, are amended to read as shown in attached Exhibit A, which is hereby incorporated by reference and made a part of this Ordinance.

Section 3. The Council of the Metropolitan Service District hereby orders the Regional Plan, as amended, be submitted to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, to the U.S. Environmental Protection Agency for recertification.

ADOPTED by the Council of the Metropolitan Service District this 22nd day of October, 1987.



Richard Waker, Presiding Officer

ATTEST:


Clerk of the Council

MH/gl
6000C/471
10/26/87

I certify this ordinance was not vetoed by the Executive Officer.


Clerk of the Council

10/29/87
Date

CONSIDERATION OF ORDINANCE NO. 87-229 FOR THE
PURPOSE OF AMENDING METRO CODE CHAPTER 3.02,
AMENDING THE REGIONAL WASTE TREATMENT MANAGEMENT
PLAN, AND SUBMITTING IT FOR RECERTIFICATION

Date: October 8, 1987

Presented by: Mel Huie

FACTUAL BACKGROUND AND ANALYSIS

The Regional Waste Treatment Management Plan is required under the Clean Water Act of 1977 (P.L. 95-217), and was first adopted by the Metro Council in 1980. The plan was last amended in August of 1986.

An ongoing requirement of the Act is that the Plan be maintained as an accurate statement of the region's water quality management problems and the short- and long-term solutions to those problems. The Plan also delineates the region's water quality management service areas for collection, transmission and treatment. Local plans must be coordinated and comply with the regional plan prior to the allocation of federal funds for sewers, transmission lines and sewage treatment plants.

To assist in the maintenance of the plan, the Council maintains an advisory body on water quality management issues called the Water Resources Policy Alternatives Committee (WRPAC). The WRPAC is composed of individuals representing the region's cities, the three counties, sanitary districts, as well as soil and water conservation districts.

On August 4, 1987, WRPAC held its annual meeting to review the Regional Waste Treatment Plan (attached as Exhibit A). The following amendments were approved by WRPAC. The amendments are map changes which reflect updated local plans and service agreements or minor text changes. Maps highlighting the local changes will be available at the Council meetings.

Amendments to the Regional Waste Treatment Plan

1. Beaverton: Amend the collection system map to reflect newly annexed areas.
2. Fairview: Amend the collection and treatment systems maps to reflect annexations to Fairview. Wastewater is collected by Fairview and treated by Gresham.

3. Gresham: Amend the treatment system map to include recently annexed land to Fairview. Gresham treats Fairview's wastewater. This is established by intergovernmental agreement.
- Amend the treatment system map to reflect treatment by Portland of the area bounded by S. E. 175th Avenue., 187th Avenue, Brooklyn, S. E. 182nd Avenue, S. E. Tibbets and S. E. Haig. Collection still provided by Gresham. Treatment by Portland.
- Amend the collection and treatment service systems maps to reflect collection and treatment by Portland of the area bounded by N. E. Glisan, N. E. Hoyt, 162nd Avenue, S. E. Stark, and 144/146th Avenues.
- Text change: add the two following documents to the text Section 3. Policies and Procedures, Item E, (pages II-4 to II-6 of the plan): (22) The City of Gresham Wastewater Treatment Plant Facilities Plan, Brown and Caldwell, February 1985, Amended January 1986 by Black & Veatch; and (23) City of Gresham Mid-County Interceptor Sewers Facilities Plan, Brown and Caldwell, May 1987.
4. Hillsboro: Amend the collection system map to reflect recent annexations to Hillsboro.
5. Milwaukie/Clackamas Co.: Establish a collection system study area for the geographic area east of Milwaukie which is currently unsewered. The City of Milwaukie and Clackamas County Service District No. 1 will work with Metro and other governmental agencies and commissions to develop a plan to service the area.
- The city of Milwaukie has received approval from the Portland Metropolitan Area Local Government Boundary Commission for extraterritorial extensions to serve the areas designated on the Milwaukie/Clackamas County map. The map will be available at the Council meetings. The city is in the process of forming local improvement districts to serve portions of the area.
6. Multnomah Co.: Text changes: page II-20, Central Multnomah County Service District No. 3 no longer has its own treatment facilities (service provided by Portland); and Highlands Service District should be West Hills Service District No. 2 which is already listed.

7. Portland: Amend the treatment system map to reflect treatment by Portland of the area bounded by S. E. 175th Avenue., 187th Avenue, Brooklyn, S. E. 182nd Avenue, S. E. Tibbets and S. E. Haig. Collection still provided by Gresham. Treatment by Portland.
- Amend the collection and treatment systems maps to reflect collection and treatment by Portland of the area bounded by N. E. Glisan, N. E. Hoyt, 162nd Avenue, S. E. Stark, and 144/146th Avenues.
- Text change: Page II-20, delete Central Multnomah County Service District No. 3 (Inverness) as a management agency. Service is now provided by Portland.
- Text change: page II-4(E)(1) add "as amended by amendments one through eight." Should now read, "Volume 1 -- Proposed Plan as amended by amendments one through eight."
8. Troutdale: Amend collection and treatment systems maps to reflect recent annexations to Troutdale and Fairview. Land previously in the Troutdale service area which was annexed to Fairview now will have its sewage collected by Fairview and treated by Gresham.
9. Tigard: Amend collection system map to reflect recent annexations to Tigard.
10. Tualatin: Amend collection system map to reflect recent annexations to Tualatin and to reflect areas actually served by Tualatin.
11. Washington Co./Unified Sewer-
age Agency
(USA): Amend collection system map to reflect recently annexed lands to cities which will now collect the sewage. Amend collection system and transmission and treatment system maps to reflect areas actually served by USA.
12. Lake Oswego: Amend collection system map to reflect areas actually served by Lake Oswego. Amend transmission and treatment system map to reflect areas actually served by Lake Oswego/Portland Tryon Creek.
13. Wilsonville: Add a footnote to collection and treatment systems maps that Wilsonville currently provides service to the I-5 Baldock Rest Area, which is outside the city limits and Urban Growth Boundary (UGB).

The area has been serviced since 1971 by agreement with the Oregon Department of Transportation (ODOT).

14. Sherwood: Amend collection system map to reflect newly annexed lands.
15. Metro: Metro Code:
3.02.002 Adoption: delete "June 1986" and replace with "as amended."

WRPAC recommends to the Metro Council that the package of amendments be approved, and that the amended plan be forwarded to the Oregon Environmental Quality Commission and Department of Environmental Quality and, in turn, the Federal Environmental Protection Agency for recertification.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the Council adopt Ordinance No. 87-229.

MH/gl
6000C/471-4
09/28/87

Councilor Collier pointed out new Council procedures were needed that took into account the Executive Officer's veto. The Presiding Officer asked Mr. Cooper to recommend changes to the Council's procedures for future consideration. Councilor Ragsdale further suggested parliamentary procedures other than Roberts Rules of Order be adopted for Council use.

There were no questions of Councilors concerning Ordinance No. 87-233.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Ragsdale, to adopt Ordinance No. 87-232.

Presiding Officer Waker opened the public hearing. There was no testimony and the hearing was closed. He announced the second reading of the ordinance was scheduled for November 12, 1987.

7.3 Consideration of Ordinance No. 87-229, for the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Waste Treatment Management Plan, and Submitting it for Recertification (Second Reading)

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

Presiding Officer Waker announced that a first reading and public hearing had been conducted on October 8 and at that meeting, Councilor DeJardin and Kirkpatrick had moved for adoption of the ordinance.

There was no discussion.

Vote: A roll call vote on the motion to adopt the ordinance (made by Councilors DeJardin and Kirkpatrick on October 8, 1987) resulted in all twelve Councilors voting aye.

The motion carried and Ordinance No. 87-229 was unanimously adopted.

7.4 Consideration of Ordinance No. 87-230, for the Purpose of Amending Metro Code Chapter 2.04 Relating to Contract Procedures and Creating an Exemption for Computer Software Purchases (First Reading and Public Hearing)

The Clerk read the ordinance a first time by title only. Presiding Officer Waker announced the ordinance would be considered by the Council in their capacity as the Metro Contract Review Board.

Ray Phelps, Finance & Administration Manager, reported Metro's Code already granted exemptions for computer hardware. By adoption of

Vote: A vote on the motion resulted in all eleven Councilors present voting aye.

The motion carried unanimously and the minutes were approved.

7. ORDINANCES

7.1 Consideration of Ordinance No. 87-229, for the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Waste Treatment Management Plan, and Submitting the Plan for Recertification (First Reading and Public Hearing)

The Clerk read the Ordinance a first time by title only. Mel Huie, Local Government Coordinator, introduced members of the Water Resources Policy Alternatives Committee present at the meeting including: David Abraham, Director of the Clackamas County Utility Department; Gene Appel, City of Portland, Bureau of Environmental Services; Greg DiLoreto, City of Gresham Engineer; and Paul Haines, City of Lake Oswego Public Works Director.

Mr. Huie reviewed the process for annually updating the Regional Waste Treatment Management Plan and noted a copy of the Plan had been filed with the Council Clerk.

Motion: Councilor DeJardin moved, seconded by Councilor Kirkpatrick, to adopt Ordinance No. 87-229.

In response to Councilor DeJardin's question, Mr. Haines of Lake Oswego reported the city of Lake Oswego's Public Works Master Plan would soon be completed. He said interested citizens who had addressed the Metro Council last year about sewage services in Lake Oswego had been invited to participate in that Master Plan process.

Presiding Officer Waker opened the public hearing. There was no testimony and the hearing was closed. He announced a second reading of the ordinance would occur on October 22, 1987.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Ed Martiszus, 53215 Timber Road, Vernonia, Oregon 97064, an opponent of the proposed Bacona Road landfill site, testified about the types of special waste being disposed at the St. Johns Landfill. Mr. Martiszus said many of the chemicals had extremely high toxicity ratings. Although the chemicals were being disposed legally, he questioned the long-term effects of those chemicals on the environment. He was particularly concerned that a landfill liner at the Bacona Road site would not safely contain toxins due to the unstable nature of the soil and underground water movement. He urged the

Council to deal with the problem and expressed willingness to work together with Councilors toward a solution.

Councilor Gardner requested Mr. Martizsus indicate the quantities of special wastes disposed in his written communications to Councilors.

Patricia Jensen, Vernonia, Oregon, was concerned that a landfill liner would not be able to contain leachate and other hazardous materials disposed at the Bacona Road landfill site due to the unstable nature of the land. A landslide would result in water contamination, she said. Ms. Jensen also objected to building a mass incinerator in Columbia County. She proposed Metro encourage recycling and ship garbage to a drier climate for landfilling.

Presiding Officer Waker noted Metro was developing a request for bids document to operate a landfill in Eastern Oregon.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 87-812, for the Purposer of Granting a Processing Facility to K.B. Recycling, Inc.

The Presiding Officer announced the item was being removed from the agenda at the request of K.B. Recycling. The item would be continued to a future meeting.

8.2 Consideration of Resolution No. 87-811, for the Purpose of Promoting Bi-State Cooperation Toward Regional Solutions to Solid Waste Disposal Facilities and Solid Waste Management

Ray Barker, Council Assistant, reviewed staff's written report. Councilor Hansen added that information was already being shared and new areas of cooperation would soon occur, especially in marketing.

Motion: Councilor Hansen moved to adopt Resolution No. 87-811 and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye. Councilor Cooper was absent.

The motion carried unanimously and Resolution No. 87-811 was adopted.



METRO

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

October 29, 1987

~~Ms. Juanita Orr~~ *John Kauffman*
County Clerk
Clackamas County Courthouse
8th and Main
Oregon City, OR 97045

Dear ~~Ms. Orr~~:

Enclosed are true copies of the following Ordinances adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

Ordinance No. 87-225 Establishing A Metropolitan Exposition-Recreation Commission to Operate Regional Convention, Trade and Spectator Facilities.

Ordinance No. 87-229 For the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Waste Treatment Management Plan, and Submitting It for Recertification.

Sincerely,

A. Marie Nelson

A. Marie Nelson
Clerk of the Council

AMN:pea

Enclosures

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Mike Ragsdale
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma



METRO

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

October 29, 1987

Mr. Charles D. Cameron
County Administrator
Washington County Courthouse
150 North First Avenue
Hillsboro, OR 97123

Dear Mr. Cameron:

Enclosed are true copies of the following Ordinances adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

Ordinance No. 87-225 Establishing A Metropolitan Exposition-Recreation Commission to Operate Regional Convention, Trade and Spectator Facilities.
Ordinance No. 87-229 For the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Waste Treatment Management Plan, and Submitting It for Recertification.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:pea

Enclosures

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Mike Ragsdale
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma



METRO

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

October 29, 1987

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

Dear Jane:

Enclosed are true copies of the following Ordinances adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

Ordinance No. 87-225 Establishing A Metropolitan Exposition-Recreation Commission to Operate Regional Convention, Trade and Spectator Facilities.
Ordinance No. 87-229 For the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Waste Treatment Management Plan, and Submitting It for Recertification.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:pea

Enclosures

Metro Council

Richard Waker
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District 2

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Rena Cusma