

MINUTES OF THE COUNCIL INTERGOVERNMENTAL RELATIONS COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

December 13, 1988

Committee members present: Councilors Jim Gardner (Chair), Tom DeJardin and Richard Waker

Committee members absent: Councilors Tanya Collier and David Knowles

Also present: Councilors Corky Kirkpatrick and Mike Ragsdale

Chair Gardner called the meeting to order at 5:45 p.m.

1. Consideration of Resolution No. 88-1020, for the Purpose of Amending the Transportation Improvement Program to Allocate Interstate Transfer Funds for the Johnson Creek Extension Project

Andy Cotugno, Transportation Director, said adopting the resolution would approve transferring \$600,000 of Interstate Transfer funds previously allocated for the Beavercreek Road project to the Johnson Creek Extension project. He said administrative procedures allow staff to make adjustments between projects if less than 50 percent of the project's assigned funding was being transferred. In this case, the amount exceeded 50 percent of the assigned funding. Mr. Cotugno said the Johnson Creek Extension project was underfunded and a higher priority for Clackamas County due to development in the area. He said after the transfer, sufficient funds would remain to complete an initial phase of the Beavercreek Road project; future phases of would be dependent on development in the area.

Motion: Councilor Waker moved to recommend the Council adopt Resolution No. 88-1020.

Vote: The three committee members present vote aye. Councilors Collier and Knowles were absent.

The motion carried unanimously.

2. Consideration of Ordinance No. 88-275, for the Purpose of Amending Metro Code Chapter 3.02, Amending the Regional Wastewater Treatment Management Plan and Submitting it for Recertification

Rich Carson, Director of Planning and Development and Mel Huie, Senior Regional Planner, presented the staff report. They noted the Regional Wastewater Treatment Management Plan (Plan) was required under the Clean Water Act of 1977 (Act), and an ongoing requirement of the Act was the Plan be maintained as an accurate

statement of the region's water quality management problems and their short- and long-term solutions.

Mr. Huie said the Plan and its amendments (which were either map or minor text changes) had been approved by the Water Resources Policy Advisory Committee (WRPAC). Mr. Huie introduced two WRPAC members supporting the Plan who were seated in the audience: Greg DiLorento, City Engineer, Gresham and Dave Abraham, Utilities Director, Clackamas County. He explained the update process had included review by Department of Environmental Quality (DEQ) staff and would also include Environmental Quality Commission (EQC) review and public hearing after which the Plan would be submitted to Region X Environmental Protection Agency (EPA) for approval and recertification of Metro as a water quality planning agency.

Chair Gardner opened the public hearing on Ordinance No. 88-275.

Mike Ragsdale, Metro Councilor, District 1, questioned whether the Plan complied with the law because short- and long-term solutions for water quality management for the Tualatin River and other areas in the region had not been addressed. He questioned whether submission of the Plan would be certifying solutions were in place, and thereby, be a violation of the Act.

Mr. Huie submitted for the record EPA's letter to Metro dated August, 1988, recertifying the 1987 Plan. The letter urged Metro to take a greater role in regional water quality planning during the 1989 Plan update including examining Tualatin River and Columbia Slough water quality problems. Mr. Huie said Department staff had been looking into potential roles for the Department in water quality planning. Mr. Carson said contacts with Washington County and EPA had been initiated; however, more staff and resources would be needed to address planning in this area. The Committee asked Mr. Carson to consult with General Counsel to determine whether it was necessary to propose solutions to water quality problems in order to comply with the Act and report to Council at the December 22, 1988, meeting.

Corky Kirkpatrick, Metro Councilor, District 4, urged Council to aggressively pursue State pass-through planning funds for water quality. She said section 205(j) of the Act specified planning funds should be passed through states to regional agencies for water quality planning. Councilor Kirkpatrick said the State did not feel obligated to pass through funds since it was spending a portion of the funds on the Tualatin River issue. Councilor Kirkpatrick also said the National Association of Regional Councils (NARC) had been compiling a list of states they believed were in violation of pass through provisions of the Act and would assist in efforts to secure the funds.

There was no other testimony, and the public hearing was closed.

Motion: Councilor Waker moved to amend Ordinance No. 88-275 by adding "ORS" before the two state statute numbers, (268.390(1)(b) and 268.390(2), cited in Metro Code section 3.02.001(a).

Vote: The three Committee members present voted aye. Councilors Collier and Knowles were absent.

The motion carried.

Motion: Councilor Waker moved to recommend Council adopt Ordinance No. 88-275 as amended.

Vote: The three Committee members present voted aye. Councilors Collier and Knowles were absent.

The motion carried unanimously.

3. Consideration of Resolution No. 88-1021, for the Purpose of Approving the Urban Growth Boundary Periodic Review Work Plan

Director of Planning and Development Rich Carson said the resolution requested Council adopt the schedule and approach to the Urban Growth Boundary (UGB) Periodic Review outlined in Exhibit A of Resolution No. 88-1021. Mr. Carson stated he had received correspondence from the Department of Land Conservation and Development indicating their approval of the direction of the work plan. Mr. Carson reviewed the elements of the work plan and responded to questions from the Committee.

Motion: Councilor DeJardin moved to recommend the Council adopt Resolution No. 88-1021.

Vote: The vote on the motion resulted in the three Committee members present voting aye. Councilors Collier and Knowles were absent.

The motion carried unanimously.

There was no other business, and the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Gwen Ware-Barrett

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Council Committee Clerk