

Council
11/23/93
#4.1

MINUTES OF THE METRO COUNCIL

November 10, 1993

Council Chamber

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

Councilors Absent: Mike Gates

Also Present: Executive Officer Rena Cusma

Presiding Officer Wyers called the regular meeting to order at 4:01 p.m. Presiding Officer Wyers announced Councilor Gates was unable to attend this meeting due to illness, but noted that Councilor Van Bergen had asked that when Councilors were unable to attend meetings for any reason, simply be listed as "absent," rather than "excused" in the future.

Presiding Officer Wyers announced this meeting was being held on a Wednesday rather than the usual Thursday to accommodate the Veteran's Day holiday on November 11. Presiding Officer Wyers announced also that the Council meeting normally scheduled for November 25 had been moved to Tuesday, November 23, at 4:00 p.m. to accommodate the Thanksgiving Day holiday.

Presiding Officer Wyers announced that the Governmental Affairs Committee had requested a presentation of the "Metro Slide Show" before the full Council and said that would be done as the first item under Agenda Item No. 8, "Councilor Communications and Committee Reports."

1. INTRODUCTIONS

None.

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

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

3.1 Update on Oregon Department of Transportation Six-Year Program Process, Schedule and Criteria

Executive Officer Cusma noted Andy Cotugno, Director of Planning, would give the update on the Oregon Department of Transportation (ODOT) Six-Year Program, process, schedule and criteria. Mr. Cotugno gave the report. The Council and Mr. Cotugno discussed the issues.

4. CONSENT AGENDA

4.1 Minutes of October 28, 1993

REFERRED FROM THE SOLID WASTE COMMITTEE

4.2 Resolution No. 93-1867, For the Purpose of Revising the Initial Term Commencement Dates for Members of the Solid Waste Rate Review Committee to Allow for a More Orderly Transition Between Terms

Motion: Councilor Devlin moved, seconded by Councilor Gardner, for adoption of the Consent Agenda.

Vote: Councilors Buchanan, Devlin, Gardner, Hansen, Kvistad, McFarland, McLain, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Gates and Monroe were absent. The vote was 11/0 and the Consent Agenda was adopted.

5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 93-515, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule to Sustain Membership in the Oregon Tourism Alliance; and Declaring an Emergency

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

Presiding Officer Wyers announced that Ordinance No. 93-515 had been referred to the Regional Facilities Committee and the Finance Committee for consideration.

5.2 Ordinance No. 93-521, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding an Intergovernmental Agreement with the City of Portland for a Predicate Study; and Declaring an Emergency

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

Presiding Officer Wyers announced that Ordinance No. 93-521 had been referred to the Governmental Affairs Committee and the Finance Committee for consideration.

5.3 Ordinance No. 93-523, For the Purpose of Approving the Revision of the Metro Code Chapter 2.02, Personnel Rules

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

Presiding Officer Wyers announced that Ordinance No. 93-523 had been referred to the Governmental Affairs Committee for consideration.

6. ORDINANCES, SECOND READINGS

6.1 Ordinance No. 93-506A, For the Purpose of Amending the Regional Urban Growth Boundary for Columbia South Shore, Policy 26 Area

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

Presiding Officer Wyers announced Ordinance No. 93-506 was first read on September 9, 1993, and referred to the Planning Committee for consideration. The Planning Committee considered the ordinance on October 26, held a public hearing, and recommended Ordinance No. 93-506A to the full Council for adoption. She announced the Council would hear testimony at this meeting and consider Ordinance No. 93-506A as a legislative amendment to the Urban Growth Boundary (UGB).

Motion: Councilor Kvistad moved, seconded by Councilor Devlin, for adoption of Ordinance No. 93-506A.

Councilor Kvistad gave the Planning Committee's report and recommendations. He said the ordinance would amend the UGB in the Columbia South Shore area. He said the UGB had to be amended to clarify a portion of the shore line in the Policy 26 area where several houseboat moorages were located. He said the existing UGB line was currently interpreted to be at the ordinary high water line, but said the mapped depictions of the boundary(s) appeared 300 feet wide on the maps. He said that led to inexact interpretations of the UGB line which required correction. He said several moorages had been annexed to both the City of Portland and the City of Gresham, but said the current interpretation of the existing UGB line was that it was at the end of the

shore line and not at the end of the houseboat moorages. He noted information received from Planning Department staff and letters from residents in the area (documentation filed in the ordinance file).

Presiding Officer Wyers opened the public hearing.

Sharon Bjorn, Pride Services, Inc., 1315 E. Second St., Newberg, said she represented property owners in the Policy 26 area. She said it was necessary for the UGB to be adopted immediately so that the area could be annexed by the City of Gresham to receive necessary services, especially because of a high crime rate in the area. She said if the area was not annexed, the Department of Environmental Quality (DEQ) would force property owners to install sewer lines anyway. She said the annexation application to the City of Gresham demonstrated necessary services were economically and technically feasible. She said the annexation request would include all of the properties in the Policy 26 area which were located in unincorporated county property. She said City law did not permit annexation of lands outside the UGB line and asked that the 90 day waiting period be waived. She said the City was amenable to the application. She said the marina in the Policy 26 area needed upgrading and said seven agencies were involved in the permit process. She said immediate adoption was necessary to permit upgrading before or during the winter of 1994.

Councilor Washington asked for further clarification of crime in the area as cited by Ms. Bjorn. Ms. Bjorn said the parking area was detached from the living area and said it and the marina were often vandalized. Councilor Buchanan said he saw police patrols in the area often. Ms. Bjorn said it took several hours to get police response from Multnomah County.

George Donnerberg, citizen, 10411 SW 14th Drive, Portland, said he had worked three and one-half years to secure the necessary permits to improve the property. He said during that process, it was discovered the UGB did not extend out into the water, and said most of the permits were dependent on the UGB adjustment. He explained the permitting process and time lines further. He said if the ordinance was not adopted immediately, improvements would likely be delayed by at least one year. He said there was confusion about what police force would respond to calls because three jurisdictions were involved, the City of Gresham, the City of Portland, and Multnomah County.

Alice Blatt, citizen, 1523 NE Holladay St., Portland, said she belonged to several groups with concerns about environmental impact on the Columbia River. She said the South Channel had been designated a recreational channel by the U.S. Army Corps of Engineers. She said draft guidelines allowed a 15 percent intrusion into the Channel and said the marina and houseboats extended at least 40 percent into the Channel. She said recreational boaters said the Channel was dangerous especially during summer low water months and heavy usage. She said water problems had to be handled by the Multnomah County Sheriff's River Patrol, who were unable to get to the area in the summer because whoever was the responsible party to do so, no longer dredged the Channel. She said the Sheriff's Patrol had to go around Government Island to respond to calls. She said community groups would have appealed the decision to allow multiple use of the channel, primarily because of noise abatement reasons, but did not do so because of various problems. She said it was difficult to reconcile houseboat and recreational use. She said citizen's groups talked to the river master, but were told recreational boaters could go to the north and use the commercial channel. She asked if it was necessary for the UGB to extend to the middle of a channel simply because of a city requirement for annexation. She said there were marine and scenic problems, but said her concerns centered on citizen safety and the conflict between residential needs and recreational boating, and the failure of the jurisdictions involved to solve those problems.

Councilor Kvistad said he understood that not only construction considerations required the amendment, but also because houseboats were dumping raw sewage into the river, and needed sewer services as soon as possible.

Councilor Gardner said the City could not approve the annexation application until the UGB amendment was made. Ms. Blatt and the Council discussed technical considerations further. Ms. Blatt said citizens understood the environmental impact of no sewer services being available, but had hoped the other environmental issues could be addressed. Councilor Monroe asked Ms. Blatt what her current recommendation to do was. Ms. Blatt said she was happy that municipal services would be provided, but hoped the issues she had raised could be resolved before the ordinance was adopted. She said she did not know what solutions

there were. Councilor Monroe said when the UGB was amended, Mr. Donnerberg could take care of immediate problems in the area, and said that further solutions could be arrived at in the future by the participating jurisdictions. Ms. Blatt said she had hoped the UGB amendment would follow the existing shore line only, but said she did not wish to impede Mr. Donnerberg's plans.

Councilor McLain said she did not plan to vote for the emergency clause originally, but said if it went forward, service problems would be resolved and hopefully involved jurisdictions would begin to solve the other problems raised at this meeting.

Councilor Moore asked staff how far the UGB could extend into the river.

Stuart Todd, Assistant Regional Planner, explained that the UGB would extend 550 feet into the river. Councilor Moore said she had asked Mr. Todd at the Planning Committee meeting why the UGB could not extend 15 feet only into the river. Mr. Todd said different cities had different criteria/codes on how far to extend dependent on the UGB. He said some cities allowed annexation beyond the UGB, but said in this case it was not practical to allow the UGB boundary to extend only 15 percent because there were other existing annexation boundaries mid-channel and said there were potential service areas that would not be covered. He said in response to concerns expressed by Ms. Blatt, the Division of State Lands would step in to address such problems. He said that this houseboat moorage was likely one of the last ones to be placed on the river.

Presiding Officer Wyers asked if any other persons present wished to testify. No other persons appeared to testify and the public hearing was closed.

Councilor Devlin said the UGB was developed and established in the early 1980s. He said when it was set up, a process error was made with regard to this type of area. He said citizens had the expectation that this type of area should be within the UGB. He said the municipal and other services were the responsibility of other jurisdictions and the Council's only concern should be correction of the UGB at this time.

Councilor Kvistad said UGB expansions should meet common sense standards of what was reasonable and prudent. He said this case met such standards.

Vote: Councilors Buchanan, Devlin, Gardner, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Gates was absent. The vote was 12/0 and Ordinance No. 93-506A was adopted.

6.2 Ordinance No. 93-519, For the Purpose of Granting a Franchise to Energy Reclamation, Inc. For the Purpose of Operating a Solid Waste Processing Facility, and Declaring an Emergency

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

Presiding Officer Wyers announced that Ordinance No. 93-519 was first read on October 28, 1993, and was referred to the Solid Waste Committee for consideration. The Solid Waste Committee considered the ordinance on November 2 and recommended it to the full Council for adoption.

Motion: Councilor McFarland moved, seconded by Councilor Buchanan, for adoption of Ordinance No. 93-519.

Councilor McFarland gave the Solid Waste Committee's report and recommendations. She said the vendor took approximately two years to develop the application to Metro and to get consensus from community and business leaders. She said in doing so, the vendor had set an example in siting a facility which could have potentially had problems. She said the vendor was clear about siting and design for a facility that would run for five years. She urged the Council to adopt the ordinance although

initially Metro would suffer some loss in revenue because some solid waste would be diverted. She said at least 40 percent of the materials processed would be recycled.

Councilor Van Bergen asked if this contract would violate the contract with Oregon Waste Systems, Inc. Councilor McFarland said it would not.

Presiding Officer Wyers opened the public hearing.

No persons present appeared to testify and the public hearing was closed.

Councilor Moore asked how Metro would know when the vendor had reached the 45 percent limit. Councilor McFarland said inspection would take place at the gate and there would also be surprise inspections. Councilors Van Bergen and McFarland discussed monitoring enforcement.

Vote: Councilors Buchanan, Devlin, Hansen, Kvistad, McFarland, McLain, Monroe, Van Bergen, Washington and Wyers voted aye. Councilors Gardner and Gates were absent. The vote was 11/0 and Ordinance No. 93-519 was adopted.

7. RESOLUTIONS

7.1 Resolution No. 93-1851, For the Purpose of Funding Third-Year of Greenspaces Projects to Restore and Enhance Urban Wetlands, Streams and Riparian Corridors and Upland Sites

Motion: Councilor Devlin moved, seconded by Councilor Hansen, for adoption of Resolution No. 93-1851.

Councilor Devlin gave the Planning Committee's report and recommendations. He explained the resolution would approve 17 projects and said the program was financially funded by the U.S. Department of Fish and Wildlife. He said per Senator Mark Hatfield's office, an additional \$300,000 could be available next year. Councilor Devlin said those monies were linked to an Interior Committee report currently in conference committee. He said if those funds were released, \$220,000 would be available for the program itself and the remaining \$80,000 would go the U.S. Department of Fish and Wildlife for their overhead.

Vote: Councilors Buchanan, Devlin, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Gardner and Gates were absent. The vote was 11/0 and Resolution No. 93-1851 was adopted.

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

ADDITIONAL AGENDA ITEM

Public Affairs Department Presentation of Metro Slide Show

Vickie Rocker, Director of Public Affairs, explained/presented the "Metro Slide Show." The Council as a whole offered comments, suggestions and changes for the slide show.

8.1 Advisory Committee Reports

(a) Forest Grove Enhancement Committee

Councilor McLain noted her hand-out to the Councilors earlier listing enhancement projects funded by the Forest Grove Enhancement Committee. She said the Forest Grove City Council did not participate in selection of the projects, but merely

signed off on projects as recommended. She said she had provided the City Council with information on other Metro enhancement committees. She said the projects selected in the past had been of high quality. She said the enhancement funds were considered important, but said she would like them to tighten criteria and develop a brochure to provide interested persons with. She said interested persons were often unsure of how to write up proposals on enhancement funds.

Councilor Hansen said Katie Dowdall, Community Enhancement Coordinator, provided interested persons with the services of a consultant to help write grant proposals.

Presiding Officer Wyers said 1% for Recycling Committee selection criteria had been revised several times and that those revisions had proven to be quite helpful.

(b) Composter Community Enhancement Committee

Councilor Buchanan said the Committee had been inactive for a year since the Riedel Composter Facility had closed and said there was little money with which to fund new projects and also maintain projects already funded and in progress in the area. He expressed concern about five projects that would require funds for maintenance, specifically the Disabled Transportation Program. He noted also that signs identifying the neighborhood had been vandalized. He said there was only \$2,400 in funding left. He hoped the Committee could be merged with another enhancement committee that had an ongoing funding source.

Councilor Hansen said per other enhancement committee bylaws, their boundaries were set and their funds could not fund projects outside their boundaries. She said the enhancement committees always built maintenance into proposals offered. She said usually proposers had other sources of revenue for maintenance. Councilor Buchanan said the Council should try to get monies for the enhancement committee to continue and maintain the few programs/projects it had.

(c) North/South Steering Committee

Councilor Monroe said the North/South Steering Committee held its first meeting on October 1 and set up the structure of the committee and advisory committees. He said because of gaps in membership from inner Northeast Portland and north of Vancouver, two citizens from the advisory committee were added. He said the Committee expressed concern about the old Traction Company right-of-way. He said the next meeting would be held December 2 and would address that issue. He said the citizens advisory group recommended adding a new route for consideration entirely east of the Willamette River, not to go into downtown Portland, but to go up around the Martin Luther King corridor. He said the Committee would meet on a quarterly basis and the citizens advisory group could meet more frequently than that. He said the committee's purpose was to narrow the scope until one alternative preferred route was selected.

Councilor Hansen said she had believed two citizens were on the committee from northeast Portland that could have covered the gap. She said citizens had told her they were amazed at the quality of information given them and that staffs from either agency were unbiased and supportive of citizen efforts. She noted the comments of one citizen, originally from New York City, who had told her Oregon's political process was the most open, participatory democracy he had ever seen. Councilor Monroe said one of the biggest problems for the Committee to resolve was how to get across the Willamette River. He said there had been one proposal for a tunnel but said there was an even more expensive option for cars and light rail which would make it part of the highway system and therefore, eligible for federal funding. He said a bridge seemed unfeasible because of boats and east winds.

Councilor Hansen said after the engineering analysis, a tunnel might not be feasible. Councilors Hansen and Monroe discussed tunnel feasibility issues further either.

(d) Greenspaces Update

Councilor Devlin said the Council had just addressed the third year restoration grants at this meeting and noted Councilor Hansen and he and many other persons had served on the selection committee. He said the selection process represented a great deal of work. He said discussed current work being done on enhancement proposals and announced the GreenCity Data Project had just received a sizable grant from a national science foundation. He noted Councilor Moore chaired the Trails Group and had tied Greenspaces transportation issues and discussed other items of interest further. He noted that Metro had committed that, when the Regional Policy Advisory Committee was created, when the various policy advisory committees (PACs) had completed their tasks they would go out of business and refer the rest of their business to the Metropolitan Policy Advisory Committee (MPAC). He said there was still a need for a Greenspaces Technical Advisory Committee and consensus by that committee that their structure should be reconfigured. Councilor Devlin noted and said the Council had adopted a resolution of intent for a bond measure in 1994. He said May, September or November were the likely dates for a bond measure at this point. He said Metro had received responses from almost every regional jurisdiction on how they would expend the funds they received from a successful bond measure. Councilor Devlin discussed the Greenspaces Options Program. He noted Metro staff, with Councilor Washington participating, had held a final meeting with Multnomah County on the intergovernmental agreement (IGA) on transferral of the County's parks to Metro. He said the IGA was almost in final form, and all the technical amendments Metro had wished to make had been addressed. Councilor Devlin said the Greenspaces Program had received a lot of recognition not only locally, but also on a national basis. He said Senator Hatfield's and former Representative Les AuCoin's support and assistance had been beneficial to the Greenspaces Program.

Councilor Hansen noted she hosted a tour of available Greenspaces in North/Northeast Portland and said the tour participants were very enthusiastic about the amount of available urban Greenspaces that could be saved. She said there was foundation/grant money available to buy properties and that Councilor Moore's work on the trails was coming to fruition. She said if a bond measure passed, Metro would be able to maintain and continue current work and do a great deal more. She said stable funding could accomplish as much in two years as had been accomplished in the last 10 years.

Councilor Van Bergen asked for clarification about Councilor Devlin's earlier comment about folding PACs into MPAC. Councilor Devlin again explained that when PAC duties were discharged, the PACs would fold and leftover duties, if any, would be put under the auspices of MPAC. He said that plan should be rethought because it would be very difficult for MPAC to cover all issues comprehensively. Councilor Van Bergen said the issues should be reviewed again to see if PACs should be continued or not. Councilor Devlin concurred with Councilor Van Bergen said that citizens should be included in that discussion also.

Presiding Officer Wyers noted she had asked Lindsey Ray, Council Administrative Secretary, to compile a list of all of the advisory committees and had asked Councilor Gates to schedule a discussion of the same before the Governmental Affairs Committee.

Councilor Devlin said tackling all pertinent issues at the same time could be overwhelming. He noted that the Solid Waste Policy Advisory Committee had been restructured this year. The Council discussed PACs and related issues further. Presiding Officer Wyers said also to be decided whether or not a Councilor should be appointed in a liaison capacity to the Metro Committee for Citizen Involvement (MCCI). She suggested formation of a short-term Council task for to discuss MCCI's funding needs.

Councilor Moore noted she received a letter from Peggy Lynch, MPAC member, on design images as well as a letter from State Senator Bob Shoemaker about the Metro Tax Study Committee, as well as a letter received from another party on long-term federal funding. She said she wanted Public Affairs Department staff to work with MCCI to inform the public on those three issues. She wanted the dates of any meetings to be released to the media as soon as possible. Councilor Moore noted there had been concern about short public notice for Region 2040 Urban Design Workshops.

METRO COUNCIL

November 10, 1993

Page 8

Lisa Creel, Associate Public Affairs Specialist, discussed Public Affairs Department notification requirements and procedures. Regarding the Region 2040 Workshops, Ms. Creel noted Planning Department staff had acknowledged the public notification difficulties and that staff from both departments were working to resolve the problems at this time.

Councilor Moore asked about the status of the City Center Parking contract. Presiding Officer Wyers said the dispute over the award of Metro's parking bid would be decided in the courts and that Legal Counsel believed Metro's chances for winning were good.

Presiding Officer Wyers said the Council would hold the first of several public hearings at the November 23 Council meeting on the Tax Study Committee's recommendations.

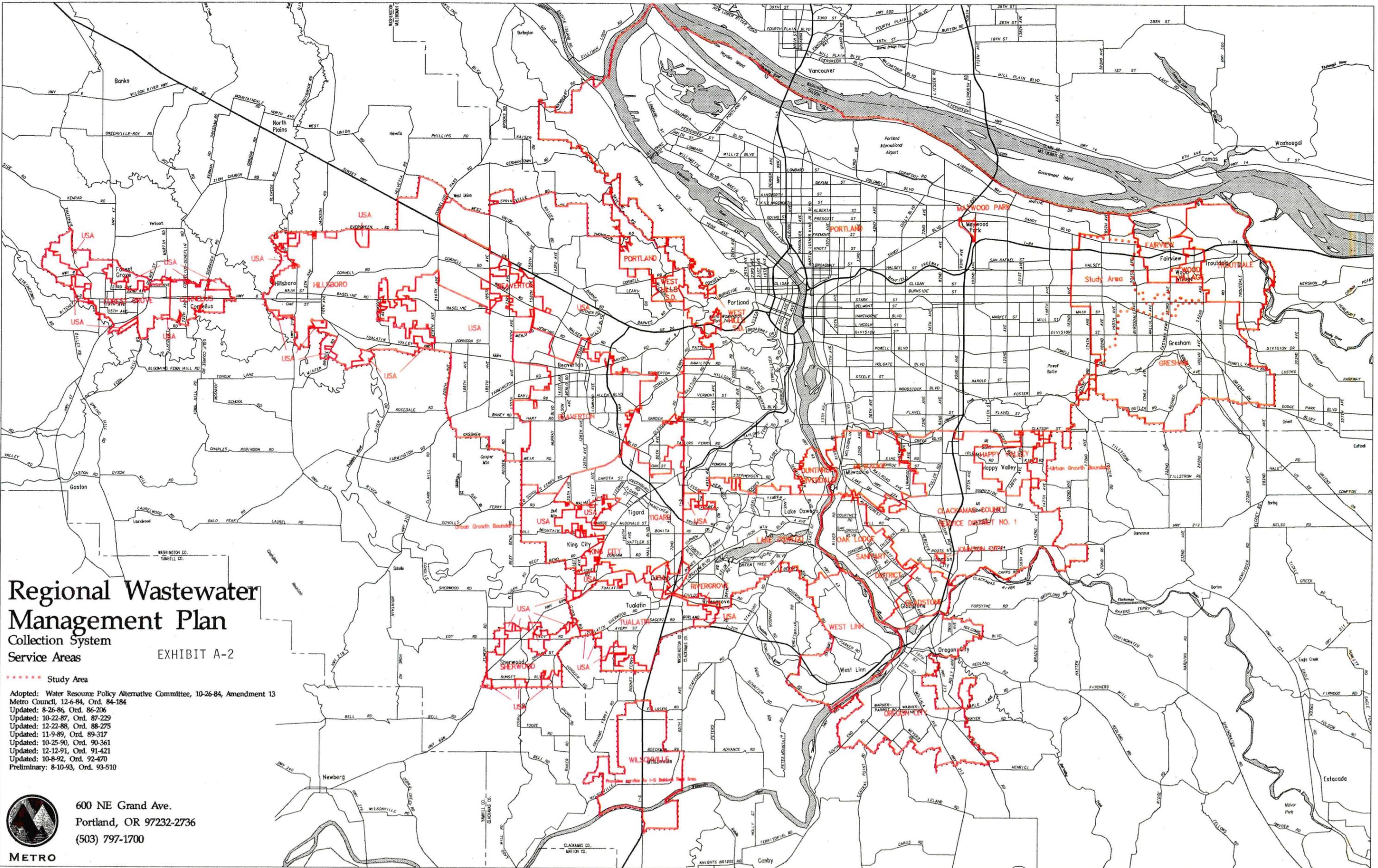
All business having been attended to, Presiding Officer Wyers adjourned the regular meeting at 6:36 p.m.

Respectfully submitted,

Paulette Allen

Clerk of the Council

MCMIN93.314



Regional Wastewater Management Plan

Collection System Service Areas

EXHIBIT A-2

..... Study Area

- Adopted: Water Resource Policy Alternative Committee, 10-26-84, Amendment 13
- Metro Council, 12-6-84, Ord. 84-184
- Updated: 8-26-86, Ord. 86-206
- Updated: 10-22-87, Ord. 87-229
- Updated: 12-22-88, Ord. 88-275
- Updated: 11-9-89, Ord. 89-317
- Updated: 10-25-90, Ord. 90-361
- Updated: 12-12-91, Ord. 91-421
- Updated: 10-8-92, Ord. 92-470
- Preliminary: 8-10-93, Ord. 93-510



600 NE Grand Ave.
 Portland, OR 97232-2736
 (503) 797-1700

**METRO****ATTACHMENT 1**

October 8, 1993

The Honorable Judy Wyers, Presiding Officer
and Metro Council
600 N.E. Grand Avenue
Portland, OR 97232-2736

Honorable Presiding Officer and Councilors:

Re: Staff Report to Ordinance No. 93-510

The accompanying Staff Report lists the 1993 technical changes to Metro's Regional Wastewater Management Plan recommended by the Water Resources Policy Advisory Committee at its meeting on July 28, 1993, and approved by the Metro Policy Advisory Committee on September 22, 1993. In addition to these technical changes to the Plan, there have been numerous important regional initiatives and Metro water resource projects addressing water quality issues in the region.

Metro's Region 2040 Project has been a major planning initiative during the past year. The Water Resources Policy Advisory Committee (WRPAC) has provided technical review and comment on the three Region 2040 growth concepts. WRPAC subcommittees representing the region's water providers and wastewater managers have met periodically with Region 2040 staff to evaluate the water resource implications of the urban forms and make recommendations for any refinements to the growth concepts. WRPAC members will continue to work with Metro staff and consultants in the coming year as the growth concepts are refined and infrastructure costs are calculated. Eventually, one concept will be selected by the Metro Council in July 1994.

Two water resource grants were awarded to Metro from the Oregon Department of Environmental Quality (DEQ) and have been implemented during the past year. The first grant is the Phase II Fairview Creek Project to continue water quality sampling and analysis of water quality trends on Fairview Creek. The creek originates in Gresham and flows north through Fairview before emptying into the upper Columbia Slough. Streamflow measurements were coordinated with the U.S. Geological Survey. In addition, the creek was surveyed for potential sites for a water quality enhancement project. Metro staff will work with the City of Gresham's Engineering Department staff and local citizens to establish a stream restoration project. The

The Honorable Judy Wyers, Presiding Officer
and Metro Council
October 8, 1993
Page 2

Phase I Project, which was also funded by DEQ, produced a final report entitled *Fairview Creek Water Quality Modeling Project* which was submitted to DEQ in November 1992.

The second DEQ grant involves establishing three leaf compost facilities to filter industrial stormwater run-off in the Tualatin River basin. This project is being implemented in cooperation with the City of Portland's Bureau of Environmental Services, Washington County's Department of Land Use and Transportation, and the Oregon Department of Agriculture. This innovative best management practice to treat stormwater is appropriate for urban setting due to its minimum land requirements and ability to treat industrial run-off. An experimental drop-in stormwater filtration module is being tested. This project will be completed in March 1994.

Metro staff have participated in several regional integrated watershed planning initiatives. These include development of enhancement projects on Johnson Creek with the Johnson Creek Corridor Committee, development of a watershed action plan for Fairview Creek with the Fairview Creek Watershed Conservation Group, and planning for the establishment of the Columbia Slough Watershed Council representing all stakeholders in the Columbia Slough watershed. Metro staff provided technical and organizational assistance to carry out these planning efforts.

The draft *FY 1994-99 Water Resources Work Plan* was presented to the Metro Planning Committee on September 28, 1993. This Plan addresses the new Metro Charter mandates for development of a Regional Framework Plan including regional planning for water supply and storage as well as other issues of regional concern or mandated by the state. The Plan includes water supply planning in cooperation with the Phase II Regional Water Supply Planning effort and development of a regional water conservation strategy. The water quality issues include coordination with the Region 2040 project, compliance with Charter mandates for water quality, establishment of a watershed program and continuing annual updates of the Wastewater Management Plan. The Planning Committee gave a favorable review to the draft plan and now staff will present the draft plan to the relevant technical and policy committees before seeking a Metro Council resolution to adopt the work plan.

Metro also co-sponsored or assisted with implementation of several regional conferences and workshops. These include the National Park Service's annual River and Trails Conservation Assistance Program Conference held in Portland and the Adopt-A-Stream Conference held in October 1992. A successful workshop was held in July 1993 with a staff member from the Metropolitan Washington Council of Government's Anacostia River Watershed Restoration Project. In addition, Metro staff were featured speakers at the Adopt-A-Stream Conference and DEQ's Nonpoint Source Pollution Control Conference held in April 1993.

Other regional water resource initiatives include the Willamette River Water Quality Study coordinated by DEQ with participation and funding from the State of Oregon, Oregon Association of Clean Water Agencies, Association of Oregon Industries and the U.S. Geological Survey. This study has produced numerous technical papers describing water quality conditions and results of biological studies. A final report is expected by the end of 1993.

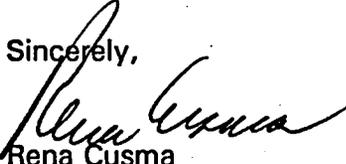
The Honorable Judy Wyers, Presiding Officer
and Metro Council
October 8, 1993
Page 3

Another important regional study is the current planning effort in Clackamas County which is examining the need for future wastewater facilities to serve the County's growing population. This inter-jurisdictional effort termed the KOLTT Study will identify four options for future wastewater treatment facilities. A final option will be selected by May 1994. The KOLTT study is incorporating Region 2040 growth projections as a basis for its planning analysis.

As a result of the Metro Charter mandates, Metro's water planning section has been incorporated into the Growth Management Section in the Planning Department. It will serve an integral role in future development of the Regional Framework Plan.

In conclusion, the past year has been productive. Several ongoing research projects were initiated, watershed planning efforts continued and a new *Water Resources Work Plan* will guide future work efforts. We look forward to the coming year and continued success in Metro's expanding role in regional water resources planning.

Sincerely,


Rena Cusma
Executive Officer

RC/RF/srb
e:\pd\rf\ww93.ren

Enclosure

Council
11/27/93
6.1



*Regional
Wastewater
Management
Plan*

(1992 Update)

October 1992

METRO

*I. Adoption and
Implementation
Ordinance*

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 92-470 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 3.02, AMENDING THE REGIONAL WASTEWATER MANAGEMENT PLAN AND SUBMITTING IT FOR RECERTIFICATION

Date: August 31, 1992

Presented by Rosemary Furfey

FACTUAL ANALYSIS

On July 29, 1992, the Water Resources Policy Advisory Committee (WRPAC) held its annual meeting for the purpose of reviewing the Regional Wastewater Management Plan (208 Plan) at which the following amendments were recommended. The amendments concern the modification of a collection area and a treatment area. An updated map is attached as Exhibit A.

City of Wilsonville

The collection and treatment map has been changed to reflect relevant annexations.

City of Tigard

The collection system map has been changed to reflect relevant annexations.

WRPAC recommendations were reviewed by the Regional Policy Advisory Committee on September 9, 1992 where they were recommended for adoption by the Council.

BACKGROUND

The Federal Water Pollution Control Act of 1972 (Public Law 95-500), commonly known as the Clean Water Act, required the creation of a Regional Wastewater Management Plan, which was first adopted by the Metro Council in 1980. Since that time the Regional Plan has been periodically updated. The plan is now reviewed on an annual basis as part of Metro's continuing "208" Water Quality Program and was last amended December 1991.

The Clean Water Act, requires that the Regional Plan accurately identify the region's water quality management problems and their solutions, both short-term, and long-term. The Regional Plan must also delineate the region's water quality management service areas for collection, transmission and treatment of wastewater. Local jurisdictions are required to coordinate their plans with Metro and to comply with the Regional Plan prior to the allocation of federal funds and state revolving loans for the construction or upgrading of any wastewater treatment facilities.

For the last several years WRPAC has met each July to review the Regional Plan and to consider proposed changes and amendments. This year our meeting was held on July 29, 1992. The Regional Wastewater Management Plan is a component of Metro's water quality functional plan and, therefore, was reviewed by the Regional Policy Advisory Committee (RPAC) for the first time this year, on September 9, 1992. The changes and amendments recommended by WRPAC and RPAC are contained in the factual analysis section of the Staff Report.

Accompanying this Staff Report is a letter from the Executive Officer reporting on other regional water resource planning accomplishments over the last year (Attachment 1).

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 92-470.



METRO

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

ATTACHMENT 1

August 31, 1992

The Honorable Jim Gardner, Presiding Officer
Council of the Metropolitan Service District
2000 S.W. First Avenue
Portland, OR 97201-5398

Honorable Presiding Officer and Councilors:

Executive Officer
Rena Cusma

Metro Council

Jim Gardner
Presiding Officer
District 3

Judy Wwers
Deputy Presiding
Officer
District 8

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Edward P. Gronke
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Tanya Collier
District 9

Roger Buchanan
District 10

Ed Washington
District 11

Sandi Hansen
District 12

Re: Staff Report to Ordinance No. 92-470

The accompanying Staff Report lists the technical changes to Metro's Regional Wastewater Management Plan which were recommended by the Water Resource Policy Advisory Committee at its meeting on July 29, 1992, and by the Regional Policy Advisory Committee on September 9, 1992. In addition to these technical changes to the Plan, there have been numerous important regional initiatives and Metro water resource projects which have addressed water quality issues in the region.

The Unified Sewerage Agency (USA) of Washington County has continued its comprehensive surface water management program to reduce pollution in the Tualatin River. Specific accomplishments include development of a Recycled Wastewater Master Plan, Sub-basin Management Plans for selected basins, continued public education programs and water quality-related research projects. Phosphorus influx into USA treatment plants reflect a 25 percent reduction directly attributable to adoption of a regional phosphate detergent ban adopted by the Metro Council in July 1990.

The City of Portland's Bureau of Environmental Services has begun implementing its water quality monitoring and pollution reduction program in the Columbia Slough. In addition, it is coordinating watershed planning programs that address water quality on Johnson, Balch and Fanno Creeks.

Another regional water quality initiative started this year is the Willamette River Basin Water Quality Study coordinated by the Department of Environmental Quality (DEQ) with participation and funding from the State of Oregon, Oregon Association of Clean Water Agencies, Association of Oregon Industries and the United States Geological Survey. This study will provide water quality and ecological data,

The Honorable Jim Gardner, Presiding Officer
Council of the Metropolitan Service District
August 31, 1992
Page 2

develop predictive models for the river system, and address specific management issues in the Willamette River Basin.

During the past year Metro staff has been involved in a variety of water quality research, policy and public education initiatives. Two important research reports prepared by staff in FY 1991-92 are The Role of the State in Water Management and the Areawide Water Quality Report. The first report describes the authority different state agencies have to manage water resources and how management strategies are implemented. The Areawide Water Quality Report identified water quality issues of regional significance which are stormwater management, water quality limited streams, wetlands and groundwater. The report describes the status of each issue in the region, how the issue is being addressed and what else can be done in the future. The report also made recommendations about Metro's future role in water quality planning which include initiating and coordinating comprehensive watershed planning and investigating linkages between land use impacts and water resources.

Metro staff received a grant from DEQ in September 1991 to carry out water quality modeling to assess pollutant contributions from the Fairview Creek watershed to the Upper Columbia Slough as part of DEQ's on-going process to establish total maximum daily loads (TMDLs) for the Columbia Slough for phosphorus and bacteria. This project involved use of data from Metro's geographic information system (GIS) and water quality sampling and stream flow measurements along Fairview Creek to calibrate the model for the Fairview Creek. A Technical Work Group was also formed of representatives from jurisdictions in the watershed to guide data collection and modeling work. A final report will be available in October 1992.

Metro has also been awarded a grant from DEQ to expand testing of recycled leaf compost facilities to filter stormwater run-off in the Tualatin River basin. This project will involve a cooperative research effort with the City of Portland and Washington County's Department of Land Use and Transportation. The facilities will test the ability of leaf compost to filter stormwater from industrial and agricultural sites, thereby assisting in pollution reduction efforts in the Tualatin River watershed.

During the past year, Metro staff has actively participated in multi-objective watershed planning activities in Fairview, Johnson, and Fanno Creeks, and other Tualatin River sub-basins. These initiatives address water quality and water resource issues in a comprehensive way to ensure protection of the natural resources, public involvement and coordination of regulations and restoration efforts. Metro staff have also coordinated with other agencies and jurisdictions to sponsor the regional Streamwalk Conference held at Lewis and Clark College in April 1992 and another regional citizen monitoring Adopt-A-Stream Conference will be held in October 1992.

The Honorable Jim Gardner, Presiding Officer
Council of the Metropolitan Service District
August 31, 1992
Page 3

Metro's GIS capabilities continue to be expanded and the Regional Land Information System (RLIS) provides a valuable tool for water quality planning and research projects. A new topography data layer is currently being digitized which complements the existing soils and wetlands data.

Reorganization of Metro's Planning Department has resulted in a scaling down of water supply activity since March. This has not, however, affected Metro's ability to maintain and expand its involvement in water quality planning activities in the region.

In conclusion, the past year has resulted in an expanded role for Metro in water quality research, watershed planning and public involvement. We look forward to the coming year and continuing evolution of important Metro roles in water resources planning.

Sincerely,



Rena Cusma
Executive Director

RC/RF/srs
a:\wwrpt.rcn

Certified A True Copy of the Original Thereof

BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

[Signature]
Clerk of the Council

FOR THE PURPOSE OF AMENDING THE)	ORDINANCE No. 92-470
REGIONAL WASTE WATER MANAGEMENT)	
PLAN AND AUTHORIZING THE)	Introduced by the
EXECUTIVE OFFICER TO SUBMIT IT)	Transportation and
FOR RECERTIFICATION)	Planning Committee

WHEREAS, The Regional Waste Water Management Plan is adopted under Section 3.02.002 of the Code of the Metropolitan Service District; and

WHEREAS, Under Section 3.02.001(a), the Regional Plan includes the Collection and Treatment System Service Areas Map; and

WHEREAS, The Collection and Treatment System Service Areas Map have been amended from time to time, most recently by Ordinance No. 91-421A; and

WHEREAS, Section 3.02.009(b) sets out procedures for amending the Regional Plan and support documents; and

WHEREAS, The maps must be updated to reflect annexations to the City of Tigard and Wilsonville; and

WHEREAS, The Water Resources Policy Advisory Committee met on July 29, 1992 and recommended Council adoption of an amendment to the Plan to reflect these annexations; and

WHEREAS, Goal One of Metro's Regional Urban Growth Goals and Objectives (RUGGOs) calls for establishment of a Regional Policy Advisory Committee (RPAC) to review functional planning activities and RPAC met on September 9, 1992 and recommended Council adoption of an amendment to the Plan to reflect these annexations; now, therefore,

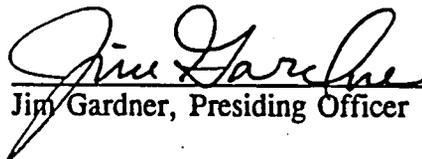
THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY

ORDAINS:

Section 1. The Regional Wastewater Management Plan is amended by adopting Collection and Treatment System Service Areas Maps attached to this Ordinance as Exhibit A.

Section 2. The Executive Officer is authorized to submit the Regional Wastewater Management Plan as amended to the Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency for Recertification.

ADOPTED by the Council of the Metropolitan Service District this 8th day of October, 1992.


Jim Gardner, Presiding Officer

Attest:


Clerk of the Council

TRANSPORTATION AND PLANNING COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 92-470, AMENDING THE REGIONAL WASTE WATER MANAGEMENT PLAN AND AUTHORIZING THE EXECUTIVE OFFICER TO SUBMIT IT FOR RECERTIFICATION

Date: September 24, 1992

Presented by: Councilor McLain

Committee Recommendation: At the September 22, meeting, the Transportation and Planning Committee voted unanimously to recommend Council adoption of Ordinance No. 92-470. Voting in favor: Councilors Devlin, McLain, Buchanan, and Washington.

Committee Issues/Discussion: Rosemary Furfey, Associate Management Analyst, Planning Department, presented the staff report. She explained that she was, through this ordinance, submitting two amendments to the Metro Regional Waste Water Management Plan. This ordinance has been presented to the Water Resources Policy Advisory Committee (WRPAC) and to the Regional Policy Advisory Committee (RPAC). Both committee's approved the ordinance. Following approval by the Metro Council, the plan will be submitted to the Oregon Department of Environmental Quality (DEQ) and then to the Federal Environmental Protection Agency (EPA) for recertification.

A Regional Waste Water Treatment Plan is required by the Clean Water Act. It was first adopted by the Metro Council in 1980, updated in 1988, and revised in 1991. The goals of the plan are to identify water quality problem issues, to delineate the waste water management service boundaries, collection and transmission of waste water. Local jurisdictions must comply with this plan to be eligible for federal funding. So it is important to be annually certified.

Procedurally, all local communities and waste water management agencies were surveyed to determine boundary changes for collection and/or treatment of waste water. All jurisdictions and waste water treatment agencies responded. Two boundary changes were submitted.

The first change is to the collection system for the Cities of Tigard and Wilsonville due to various annexations. The second change is to the treatment system for the City of Wilsonville.

Councilor McLain asked about the reaction of the region to Metro's expanded role in water concerns. Ms. Furfey explained Metro's role regarding collection and treatment systems. Metro is also involved in many other water quality issues for the region (e.g. watershed planning, water quality modeling in the Fairview basin leading to the Columbia Slough, and also in developing "best management" practices for improving water quality. Waste water treatment and collection is only one component and the reaction of the region was very positive.

II. Text

REGIONAL WASTEWATER MANAGEMENT PLAN

1988

TABLE OF CONTENTS

<u>TEXT</u>	<u>PAGE</u>
ARTICLE I. INTENT AND POLICIES.	II-1
Section 1. Intent	II-1
Section 2. Assumptions.	II-2
Section 3. Policies and Procedures.	II-3
ARTICLE II. BOUNDARY AND ALIGNMENT INTERPRETATION.	II-9
ARTICLE III. DEFINITIONS.	II-10
ARTICLE IV. AREAS OF RESPONSIBILITY.	II-14
Section 1. Treatment and Transmission System Service Areas.	II-14
Section 2. Collection System Service Areas.	II-14
ARTICLE V. IMPLEMENTING AGENCIES.	II-15
Section 1. Management Agencies	II-15
Section 1. Management Agency Classifications.	II-24
Section 2. Non-Designated Agencies.	II-25
SUPPLEMENTARY INFORMATION	
Adopted Amendments to Support Documents	II-26
Collection System Areas Map	
Sewage Transmission & Treatment Service Areas Map	

REGIONAL WASTEWATER MANAGEMENT PLAN

TEXT

ARTICLE I. INTENT AND POLICIES

SECTION 1. INTENT: The Regional Wastewater Management Plan is intended to:

(A) Address and implement portions of ORS 268.390 Planning for Activities and areas with Metropolitan impact; Review of local plans; urban growth boundary. A district council shall:

"(1) Define and apply a planning procedure which identifies and designates areas and activities having significant impact upon the orderly and responsible development of the Metropolitan area, including, but not limited to, impact on:

. . . (b) Water quality . . .
(2) Prepare and adopt functional plans for those areas designated under Subsection (1) of this section to control metropolitan area impact on air and water quality. . . ."

(B) Address portions of State Planning Goals #6 (Air, Water and Land Quality) and #11 (Public Facilities and Services).

(C) Establish a structure within which staging of regional wastewater management facilities for a minimum of twenty (20) years can be accomplished by local jurisdictions in conformance with the State Planning Goals.

(D) Provide a means for coordination of this Plan with regional and local jurisdiction plans.

(E) Allow establishment of a priority-setting structure for water quality needs within the Metro region.

SECTION 2. ASSUMPTIONS: The Regional Wastewater Management Plan is based upon the following assumptions:

(A) Publicly-owned wastewater management facilities will serve only those geographical areas as defined in the maps included as Part III of this plan.

(B) All wastewater facilities will be designed and operated in conformance with regional, state and federal water quality standards and regulations, and with due consideration for the groundwater resources of the area.

(C) Identification of a local jurisdiction's responsibility to provide wastewater management facilities in a geographical area will not be construed as a requirement to provide immediate public services.

(D) Any land use related action or any action related to development or provision of a public facility or service may be reviewed by the Metro Council for consistency with this Plan. The Metro Council will accept for review only actions which are of regional significance or which concern areas or activities of significant regional impact.

(E) The control of waste and process discharges from privately-owned industrial wastewater facilities not discharging to a public sewer is the responsibility of the State of Oregon.

(F) Because the need for wastewater treatment facilities is based on population, employment and waste load projections which cannot be estimated with certainty, use of such projections must be limited to a best effort evaluation. To ensure that these projections are sufficiently reliable, a monitoring process will be established to regularly compare the projected values with both actual values and new projections as they are produced by Metro studies. The projections are subject to revision to achieve consistency with actual conditions and new adopted projections in accordance with the Rules, Section 8, Continuing Planning Process.

SECTION 3. POLICIES AND PROCEDURES: The Regional Wastewater Management Plan includes the following policies and procedures:

(A) The Regional Wastewater Management Plan will be reviewed and updated annually. The timing, schedule and submission of this review and update shall be in compliance with the "recertification" procedures established by the Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency. (Amendment No. 15, Ordinance No. 84-184)

(B) Projects receiving review under Executive Order No. 12372 shall be given positive comment only if in conformance with this Plan.

(C) Treatment plants shall be programmed for

modification only when one or more of the following conditions will exist:

- (1) Dry weather flow exceeds plant capacity;
- (2) Life of plant is reached;
- (3) Wet weather flow exceeds plant capacity and I/I study results indicate wet weather flow should be treated;
- (4) Organic loadings reach critical stage in plant operation as determined by the Oregon Department of Environmental Quality;
- (5) Facility Plan underway at the time of adoption of Part I of this Element;
- (6) Metro Council determines modification to be necessary;
- (7) Effluent flows result in an adverse effect on groundwater resources; or
- (8) New treatment standards are adopted.

(D) Operating agencies, so designated by Part I of this Plan, shall conduct or provide such services as are mutually agreed upon with all management agencies which provide services to the same geographical area.

(E) The Regional Wastewater Management Plan is based on a large body of information, including technical data, observations, findings, analysis and conclusions, which is documented in the following reports:

- (1) Volume 1--Proposed Plan as amended by

amendments 1 through 8 adopted October 2,
1980.

- (2) Volume 2--Planning Process.
- (3) Technical Supplement 1--Planning Constraints.
- (4) Technical Supplement 2--Water Quality Aspects of Combined Sewer Overflows, Portland, Oregon.
- (5) Technical Supplement 3--Water Quality Aspects of Urban Stormwater Runoff, Portland, Oregon.
- (6) Technical Supplement 4--Analysis of Urban Stormwater Quality from Seven Basins Near Portland, Oregon.
- (7) Technical Supplement 5--Oxygen Demands in the Willamette.
- (8) Technical Supplement 6--Improved Water Quality in the Tualatin River, Oregon, Summer 1976.
- (9) Technical Supplement 7--Characterization of Sewage Waste for Land Disposal Near Portland, Oregon.
- (10) Technical Supplement 8--Sludge Management Study.
- (11) Technical Supplement 9--Sewage Treatment Through Land Application of Effluents in the Tualatin River Basin and Supplemental Report, Land Application of Sewage Effluents

Clackamas and Multnomah Counties.¹

Portland-Vancouver Metropolitan Area Water
Resources Study, U. S. Army Corps of
Engineers, 1979.²

(12) Technical Supplement 10--Institutional,
Financial and Regulatory Aspects.

(13) Technical Supplement 11--Public Involvement.

(14) Technical Supplement 12--Continuing Planning
Process.

(15) Technical Supplement 13--Storm Water
Management Design Manual.

(16) City of Gresham Sewerage System Master Plan,
Brown and Caldwell, December 1980.

(Amendment No. 14, Ordinance No. 84-184)

(17) Sewerage System Facility Plan for the I-205
Corridor and the Johnson Creek Basin, City of
Portland, Oregon,

Bureau of Environmental Services, June 1984.

(Amendment No. 14, Ordinance No. 84-184)

(18) Sewerage Master Plan Update, Central County
Service District No. 3, Multnomah County,

Oregon, Kramer, Chin & Mayo, Inc., July 1983.

¹The Department of Environmental Quality shall assume
responsibility for those portions of the CRAG "208" Study Area
outside the boundaries of the Metropolitan Service District.

²Ibid.

(Amendment No. 14, Ordinance No. 84-184)

- (19) Mid-Multnomah County Sewer Implementation Plan, CH2M HILL, September 1985.
- (20) Findings and Order In the Matter of the proposal to Declare a Threat to Drinking Water in a Specially Defined Area in Mid-Multnomah County Pursuant to ORS 454.275 et. seq., Environmental Quality Commission, as ordered on April 25, 1986.
- (21) Evaluation of Hearing Record for proposal to Declare a Threat to Drinking Water in a Specially Defined Area in Mid-Multnomah County Pursuant to ORS 454.275 et. seq., Department of Environmental Quality, January 30, 1986, and February 1986.
- (22) The City of Gresham Waste Water Treatment Plan Facilities Plan, Brown and Caldwell, February 1985, Amended January 1986 by Black & Veatch.
- (23) City of Gresham Mid-County Interceptor Sewers Facility Plan, Brown and Caldwell, May 1987.
- (25) Wastewater Facilities Plan, Unified Sewerage Agency of Washington County, Volumes I, II and III, Tualatin Basin Consultants, June 1990.
- (26) Final Report - Sanitary Sewage Study, Johnson Creek Area, Clackamas County, November 1989
- (27) Sewerage Facility and Financial Master Plan, City of West Linn, Murray, Smith and Associates, July 1989.

This support documentation shall be used as a standard of comparison by any person or organization proposing any facilities plan or action related to the provision of public facilities and services.

(F) Metro shall review state-approved facilities plans for compliance with the Regional Plan. Upon acknowledgment of compliance, the approved facilities plan shall be incorporated by amendment to the Regional Plan and all appropriate support documents pursuant to Section 9 of the Adoption and Implementation Ordinance.

ARTICLE II. BOUNDARY AND ALIGNMENT INTERPRETATION

SECTION 1. Boundaries and alignments appearing on maps contained in the Regional Wastewater Management Plan are of two types with respect to the level of specificity. They are:

(A) Type 1. Boundaries and alignments fully specified along identified geographic features such as rivers and roads or other described legal limits such as section lines and district boundaries.

Such boundaries and alignments appear on the Wastewater Management Maps as solid lines. Unless otherwise specified, where a Type 1 line is located along a geographic feature such as a road or river, the line shall be the center of that feature.

(B) Type 2. Boundaries and alignments not fully specified and not following identified geographic features. Such lines will be specified by local jurisdiction plans. Such lines appear on the Wastewater Management Maps as broken lines.

ARTICLE III. DEFINITIONS

Terms used in this text employ the definitions defined herein:

(A) Collector Sewers. The common lateral sewers, within a publicly owned treatment system, which are primarily installed to receive wastewater directly from facilities which convey wastewater from individual systems, or from private property.

(B) Combined Sewers. Sewers which are designed as sanitary sewers and storm sewers.

(C) Effluent. The liquid that comes out of a treatment works after completion of the treatment process.

(D) Facilities Plan. Necessary plans and studies which directly relate to the construction of treatment works. Said plans shall be equivalent to those prepared in accordance with Title II of the federal Clean Water Act.

(E) Interceptor. A sewer which is designed for one or more of the following purposes:

(i) To intercept wastewater from a final point in a collector sewer and convey such wastes directly to a treatment facility or another interceptor.

(ii) To replace an existing wastewater treatment facility and transport the wastes to an adjoining collector sewer or interceptor sewer for conveyance to a treatment plant.

(iii) To transport wastewater from one or more municipal collector sewers to another municipality or to a regional plant for treatment.

(iv) To intercept an existing major discharge of raw or inadequately treated wastewater for transport directly to another interceptor or to a treatment plant.

(F) Land Application. The application of sewer sludge or effluent onto or into the ground.

(G) Pollution. Such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt or odor of the waters, or such radioactive, toxic, or other substance into any waters of the state which either by itself or in connection with any other substance present, will or can reasonably be expected to create a public nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational or other legitimate beneficial uses or to livestock, wildlife, fish or other aquatic life or the habitat thereof.

(H) Storm Sewers. Sewers designed to carry only storm waters, surface run-off, street wash waters and drainage.

(I) Sewage. Water carried human or animal or industrial wastes; from residences, industrial and commercial establishments or other places; together with such groundwater infiltration and surface water as may be present.

(J) Sanitary Sewers. A system of pipes that collects and delivers sewage to treatment works or receiving streams.

(K) Sewage Sludge. The accumulated, suspended and settleable solids of sewage or wastewater, respectively, deposited in tanks or basins mixed with water to form a semi-liquid mass.

(L) Step 3 Construction Grant. Money for construction or rehabilitation of all or a portion of treatment works.

(M) Wastewater. The flow of used water. See definition of sewage.

(N) Treatment Works. Any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes used to implement Title II of the federal Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the design life of the works. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions,

improvement, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application), storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

(O) Wastewater. The flow of used water (see "Sewage").

(P) Wastewater Treatment Facility. Any treatment plants, intercepting sewers, outfall sewers, pumping, power and other equipment and their appurtenances; any works, including land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or, any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste, including stormwater runoff, or industrial waste, waste in combined stormwater and sanitary sewer systems.

ARTICLE IV. AREAS OF RESPONSIBILITY

SECTION 1. TREATMENT AND TRANSMISSION SERVICE AREAS

(A) General. Geographical areas provided service by sewage treatment plants within the Metro region are designated on the Sewerage Treatment and Transmission Service Area Map, incorporated by reference herein.

(Amendment No. 12)

(B) Policies. All planning and/or provision of service by each treatment plant must be consistent with the Sewerage Treatment and Transmission Service Area Map.

(Amendment No. 12)

SECTION 2. COLLECTION SYSTEM SERVICE AREAS

(A) General. Geographical areas provided service by waste-water collection facilities of local agencies within the Metro region are designated on the Collection System Service Areas Map, and incorporated by reference herein.

(B) Policies. All local sewage collection planning and/or provision of service must be consistent with the Collection System Service Areas Map.

ARTICLE V. IMPLEMENTING AGENCIES

SECTION 1. MANAGEMENT AGENCIES

(A) Designated management agencies shall include the following:

- (1) Operating agency, with the following authorities or responsibilities:
 - (a) Coordination with Metro during formulation, review and update of the Regional Wastewater Management Plan;
 - (b) Conducting facilities planning consistent with the terms and conditions of this Plan;
 - (c) Constructing, operating and maintaining waste treatment facilities as provided in this Plan, including its capital improvement program;
 - (d) Entering into any necessary cooperative arrangements for sewage treatment or sludge management to implement this Plan;
 - (e) Financing capital expenditures for waste treatment;
 - (f) Developing and implementing a system of just and equitable rates and charges pursuant to federal and state law;
 - (g) Implementing recommended systems development charges or connection fee

policies, if any; and

(h) Enacting, enforcing, or administering regulations or ordinances to implement non-structural controls.

(2) Planning agency: For the purposes of this section, planning shall be defined to include regional planning and comprehensive land use planning. Agencies and their intended planning functions are as follows:

(a) Local Management Agencies: Local management agencies, as defined in Article V, shall have responsibility for waste treatment management planning within the Metro region as follows:

(i) Coordination with Metro to ensure that facilities planning and management activities conform to the Regional Wastewater Management Plan;

(ii) Coordination with Metro and DEQ in the grant application, capital improvement programming, project prioritization and continuing planning process;

(iii) Preparation of master plans, capital improvement programs and project priority lists; and

(iv) Participation in a planning consortium to conduct 201 Step 1 facility planning for plant expansions within a designated Treatment System Study Area. Agencies affected by a proposed regional alternative shall form a consortium, deliberate and designate a lead agency to undertake an investigation of the regional alternative in light of any proposed non-regional plant expansion. Any such agency shall notify Metro of its intent to form a consortium. If, after 90 days of such notification a consortium has not been formed and a lead agency has not been designated, Metro shall assume the lead agency role, or designate a lead agency. If, by mutual agreement of the affected local jurisdictions and Metro, an extension of time is necessary, the 90-day time limit may be extended.

(b) Metropolitan Service District (Metro):
Metro shall be designated as the planning agency for areawide waste treatment

management planning, within its boundaries³ with responsibility for:

(i) Operating the continuing planning process or the process by which the Regional Wastewater Management Plan will be kept responsive to changing information, technology and economic conditions;

(ii) Maintaining coordination between:

(aa) All appropriate state agencies, including DEQ, on matters such as discharge permits, water quality standards and grant evaluation procedures; and the Water Resources Department, on matters such as contemplated needs and uses of water for pollution abatement;

(bb) All Metro Region Governmental jurisdictions on matters such as review of local agency grant applications and local agency plans for conformance to the Waste Treatment Management

³Ibid.

Component:

- (iii) Designation of management agencies as required;
 - (iv) Carrying out or contracting for studies to identify water quality problems and recommended means of control;
 - (v) Receiving grants and other revenues for planning purposes;
 - (vi) Metro shall be responsible for comprehensive land use planning including waste treatment management planning under ORS 197; and
 - (vii) Metro shall have responsibility for developing and implementing plans for processing, treatment and disposal of solid waste within Metro's boundaries.
- (c) Department of Environmental Quality (DEQ) shall have responsibility for waste treatment management planning within the Metro region in the following areas:
- (i) Coordination with Metro to ensure that The Regional Wastewater Management Plan is in conformance with the Statewide (303e) Plan.

(ii) Coordination with Metro and local agencies to set grant and capital improvement priorities and administer grant programs.

(iii) Determination of statewide standards and regulations applicable to the Metro region.

(iv) Other areas as prescribed by state law.

(d) Water Resources Department (WRD); WRD shall have responsibility for determination of statewide water resources policies applicable to the Metro region.

(3) Regulatory agency: For the purposes of this section, regulation shall mean to identify problems and to develop and enforce consistent solutions to those problems. Agencies and their regulatory responsibilities for the Regional Wastewater Management Plan are as follows:

(a) Local Agencies: Regulation of waste treatment management through the enforcement of building code provisions, construction practices, sewer use regulations, zoning ordinances, land use

plans, pretreatment requirement (where appropriate), grant and loan conditions (where appropriate), and all other local regulations affecting water quality.

(b) Metropolitan Service District (Metro):

Metro shall perform the following regulatory functions in the area of waste treatment management:

(i) Develop, enforce and implement the Regional Wastewater Management Plan by means of:

(aa) Review and coordination of grants and loans for waste treatment facilities.

(bb) Coordination with local and state agencies.

(ii) Ensure conformance of local wastewater planning to The Regional Waste Treatment Management Plan:

(iii) Regulation of all solid waste disposal and other functions as may be assumed by the Metro Council within Metro region.

(c) Department of Environmental Quality

(DEQ): Regulatory functions of DEQ for

waste treatment management in the Metro region are as follows:

- (i) Develop and monitor water quality standards consistent with state and federal regulations.
 - (ii) Control of the location, construction, modification and operation of discharging facilities through the discharge permit process and through administration of the state's water quality laws.
 - (iii) Review and approval of grants and loans for waste treatment facilities.
 - (iv) Other functions as provided by state law.
- (d) Department of Agriculture (DA): The application of pesticides is within the regulatory powers of the DA pursuant to ORS 634.
- (e) Department of Forestry (DF): The DF shall be responsible for the enforcement of the Forest Practices Act, ORS 527.
- (f) Portland Metropolitan Area Local Government Boundary Commission (LGBC) or its successor organization: The LGBC is responsible for regulating sewer

extension policies outside local jurisdictional boundaries within the Metro region and for formation of new governmental entities.

(g) Water Resources Department (WRD): WRD shall control the quantity of water available for all beneficial uses including pollution abatement through administration of the state's water resources law (ORS Ch. 536 and 537).

(B) Designated management agencies and their classifications are listed below. Some designations are subject to resolution of Study Areas.

MANAGEMENT AGENCY CLASSIFICATIONS

<u>Management Agency</u>	<u>Operating*</u>	<u>Planning</u>	<u>Regulatory</u>
Beaverton	C	X	X
Cornelius	C	X	X
Durham		X	
Fairview	C	X	X
Forest Grove	C	X	X
Gladstone	C	X	X
Gresham	T,C	X	X
Happy Valley	C	X	X
Hillsboro	C	X	X
Johnson City	C	X	X
King City	C	X	X
Lake Oswego	T,C	X	X
Maywood Park	C	X	X
Milwaukie	C	X	X
Oregon City	C	X	X
Portland	T,C	X	X
Rivergrove	C	X	X
Sherwood	C	X	X
Tigard	C	X	X
Troutdale	T,C	X	X
Tualatin	C	X	X
West Linn	C	X	X
Wilsonville	T,C	X	X
Wood Village	C	X	X
Clackamas County		X	X
Multnomah County		X	X
Washington County		X	X
Clackamas County S.D.#1	T,C	X	X
Dunthorpe-Riverdale County S.D.	C	X	X
Tri-City Service District	T,C	X	X
West Hills S.D. #2	C	X	X
Oak Lodge Sanitary District	T,C	X	X
Unified Sewerage Agency	T,C	X	X
Metro	Solid Waste Facilities Only	X	X
State DEQ	NA	X	X
State Water Resources Department	NA	X	X
Department of Agriculture	NA	NA	X

*T = Treatment and/or Transmission System Operation
 C = Collection System Operation
 NA = Not Applicable

<u>Management Agency</u>	<u>Operating*</u>	<u>Planning</u>	<u>Regulatory</u>
Department of Forestry	NA	NA	X
Portland Metropolitan Area Local Government Boundary Commission	NA	NA	X

*T = Treatment and/or Transmission System Operation
 C = Collection System Operation
 NA = Not Applicable

SECTION 2. NON-DESIGNATED AGENCIES: Agencies not designated as management agencies are not eligible for federal water pollution control grants except as may be provided elsewhere in this Plan.

ADOPTED AMENDMENTS TO SUPPORT DOCUMENTS

On the following pages are a number of revisions and amendments to Volume I, Proposed Plan.

The revisions and amendments are published exactly as adopted, including the amendment or revision date. Text deleted is crossed out with hyphens. Text added is underlined. These notations will be carried forward in any further publications of the Support Documents (but not in the Text, Maps or Rules of the Regional Plan).

Page numbers shown on the following sheets are from Volume I, Proposed Plan.

Amendment No. 1: (General Amendment) Adopted October 2, 1980

In any Support Document referenced herein the use of Metro's, CRAG and Member Jurisdictions shall be interpreted as follows:

- CRAG read as Metro
- MSD read as Metro
- Member Jurisdiction read as Management Agency

Amendment No. 2: (Pg. 1-4) Adopted October 2, 1980

The methodologies used to derive these projections are presented in Technical Supplement 1, as follows:

- Appendix A. Population Projection Methodology
- Appendix B. Point Source Waste Flow Projection Methodology
- Appendix C. Sludge Volume Projection Methodology

Other elements of [CRAG's] Metro's Regional Transportation Plan will involve projecting population and employment. It is intended that the Regional Waste Treatment Management [Component] Plan be reviewed against these new projections as they are developed. The Regional Waste Treatment Management [Component] Plan is subject to amendment to achieve consistency with new adopted projections.

Amendment No. 3: (Pg. 2-11)

Adopted October 2, 1980

Net energy consumption for the proposed plan is exceeded by only one of the eight alternatives considered. The reason for such high energy consumption is the assumption of continued use of heat treatment at Gresham for processing sludge into a form suitable for land application. Future 201 facilities planning for the Gresham treatment plant may result in abandoning heat treatment in favor of digestion. Such a change would significantly lower the net energy consumption of the proposed plan.

The proposed plan faces a potentially major problem: achieving cooperation and agreement among the Inverness (Multnomah County), Troutdale and Gresham sewerage agencies. Specifically, a difficulty may arise initially regarding abandoning the Inverness and Troutdale plants, and subsequently, regarding management and financing of the regionalized wastewater treatment facilities. A possible interim step to meet treatment needs would be the construction of the pump station and force main from Troutdale to Gresham to handle Troutdale's expected overflow. After this, financial details can be settled, the regional plant at Gresham can be built, and the Troutdale plant can be abandoned.

Interim expansions of the Troutdale and Gresham plants of 1.6 MGD and 6 MGD respectively as well as the interim expansion to the Inverness Plant planned by Multnomah County are recommended to insure continuity of sewerage service in those communities until more detailed engineering studies of the regional treatment alternative can be performed.

Amendment No. 4: (Pg. 2-17)

Adopted: October 2, 1980

Interceptor System (Reference to Figure 2-12 changed to 2-14)

Figure 2-[12]14 shows the existing collection system and interceptors proposed for Hillsboro-East and -West and a proposed force main from North Plains.

Hillsboro's existing collection system is quite old in central areas of the City. Average wet weather flows frequently exceed twice the average dry weather flow. Figure 2-[12]14 shows how the northern area in the Urban Growth Boundary in the Hillsboro-West service area will be served by interceptor extensions previously planned by the City, and by additional extensions proposed in this study. For purposes of computing present worth costs, all new interceptors will be built in 1980.

The Hillsboro-East service area's existing interceptor system is also shown in figure 2-[12]14. No additional interceptors are needed to collect flows to the year 2000. Repair or

replacement of some existing interceptors may be needed, particularly to control infiltration/inflow that should be considered in facilities planning for the City.

North Plains is not sewered at present. Figure 2-[12]14 shows how the North Plains area will be served by an interceptor system.

Amendment No. 5: (PG. 2-19A + 2-19B) Adopted October 2, 1980

LAND TREATMENT

In land application, the effluent from treatment plants represents a potential resource, rather than a waste to be disposed of. While the sludge is generally incinerated, used in landfill or as fertilizer, the effluent stream is conventionally discharged to a nearby stream such as the Tualatin River. The remaining nutrients, solids, oxygen demanding toxic and pathogenic constituents in the effluent add to the pollution of the stream from natural sources from overland runoff and agricultural chemicals. Conditions are aggravated during the summer because of high water temperatures and low stream flow due to irrigation water withdrawals and a low stream recharge from groundwater, rather than from snow melt.

Elimination of all pollutant discharges into the nation's waters is a goal established by federal law. Technical alternatives to attain this goal are either advanced waste treatment facilities or land application of effluent. Advanced treatment normally requires large amounts of chemicals and energy and generates substantial amounts of chemical waste sludge which requires ultimate disposal.

Health and aesthetic considerations in regard to crop production, potential groundwater contamination and pathogens are major concerns in land application. However, intensive research over the past few years indicates that proper land application techniques, site selection and monitoring can prevent adverse effects. Most heavy metals are removed by absorption or precipitation in insoluble form within the first few feet of the soil. Removal efficiencies for nitrogen and coliform bacteria, after effluent passage through approximately five feet of soil are generally adequate to meet public health criteria for drinking water. Indications are that the quality of land renovated wastewater is nearly the same regardless of whether raw, primary or secondary effluence is applied.

The following summarizes the conclusions of this study in regard to land treatment technology and its application in

Tualatin basin:

- Land application keeps nutrients and pollutants out of the rivers and assists in the goal of zero pollutant discharge.
- Land application makes sewage treatment more reliable since effluents of widely varying quality are purified to high degree.
- Irrigation of farm crops appears to be the most suitable land application method in the Tualatin basin and probably in other areas of the CRAG Metro region.
- Nutrients and water of the effluent would be recycled into plant tissue and produce higher crop yields.
- Effluent should be collected only during the irrigation season, which coincides approximately with the low stream flow period, in order to reduce the necessary storage capacity.
- Public health concerns are related to potential transmission of pathogens to animal and man, to potential pollution of groundwater and to the quality of crops.
- Proper techniques can prevent health hazards. Public perceptions in regard to sewage effluent could be an essential factor.
- Irrigation on agency-owned land would simplify operations. However, irrigation on private farm land would require less capital expenditure, the land would remain on the county tax roll and opposition to government competition with private farming would be avoided. Irrigation on private farms appears to be the better plan.
- Revenue from the sale of effluent could reduce the cost of the system. There appears to be a good demand for supplemental irrigation water.
- Most farm land in the Tualatin basin could be made irrigable for wastewater application by building tile underdrains.
- Regulatory restrictions in regard to the type of crops raised with effluent irrigation could impede the acceptance of land application by private farmers.

- Energy use for pumping can be considerable. The possibility of gravity flow must be investigated case-by-case. However, the use of energy and other natural resources is probably less for land application than for alternative tertiary treatment.
- Forest irrigation and rapid infiltration ponds appear to be viable alternatives to crop irrigation in Multnomah and Clackamas Counties. The size of treatment plants in these counties, the type of solid and vegetable cover require that these alternatives be examined.

Recommendations: Actual detailed alternatives for the land application of effluents was initially done only for the treatment plants discharging into the Tualatin River in Washington County. This is where DEQ felt that the water quality problems were the most critical. However, based on the [new] completed 303e basin plan and results of the preliminary investigations in other areas of the CRAG Metro region, land treatment in Clackamas and Multnomah Counties [will be] has been studied and the results incorporated into this plan as [a portion of the continuing planning process] an addition to Technical Supplement 9.

[The following initial recommendations can be made:]

As a result of this study the following Recommendations can be made:

1. Sewage effluent should be applied to land only during the growing season (May to October). Large storage capacities would be required to store effluent generated during the winter months when land application is not feasible.
2. For the land application system to work to the treatment agency's advantage, the agency should purchase the land.
3. Except in the Damascus/Boring and Happy Valley areas, spray irrigation should be the method of land application. Although overland flow application is technically feasible for these areas, institutional and regulatory constraints make land application infeasible. Other methods of wastewater treatment should be investigated for the Damascus/Boring and Happy Valley study areas, since it appears that DEQ discharge regulations will not be relaxed in the future and will become more restrictive. Alternatives which still remain for these communities include advanced (tertiary) waste treatment facility construction or connection to a nearby sewerage system.

4. Application rates for effluent application should be set to dispose of effluent at the maximum rate which the crops will tolerate without losses, and, preferably, to optimize crop yields at the same time.

5. Alternative plans for land application of wastewater effluents should employ features recommended in (1) through (4) above, and should be evaluated against alternative plans for advanced waste treatment in the Multnomah and Clackamas Counties expanded study area.

6. The Oregon State Department of Environmental Quality should examine and revise the guidelines on pre-treatment for sewage utilized in land application throughout the state.

7. The use of lagoons followed by dry weather (summer) land application and wet weather (winter) river discharge should be utilized in the smaller outlying communities. This would comply with DEQ's effluent limitations on many of the area's smaller streams and rivers, especially in Multnomah and Clackamas Counties.

8. Portions of the Sandy and Estacada land application sites are showing signs of imminent subdivision, although currently in agricultural use. This potential conflict in land use should be reviewed by Metro.

Amendment No. 6: (Pg 2-22)

Adopted October 2, 1980

Sludge Handling

(Deleted third sentence of first paragraph)

At both Wilsonville and Canby, aerobic sludge digestion facilities will be expanded as part of the independent wastewater treatment facilities expansions. Digested sludge will be trucked and applied to farmers' fields. [The two jurisdictions should share the costs of sludge trucking equipment.] Operation and maintenance costs of trucking equipment and costs associated with the management and monitoring the land application operation could also be shared. Sludge storage is available at the existing Canby humus ponds while storage at Wilsonville could be provided by reworking the existing drying beds into a lagoon.

Total capital expenditures for Wilsonville sludge handling are estimated to be \$238,000. The 5-year capital outlay for sludge handling at Wilsonville will be \$208,000. Capital expenditures for sludge handling at Canby total \$165,000, while the 5-year capital outlay will be \$30,000.

Advantages, Potential Problems and Variations

Independent operation of the treatment facilities and financing and operation of the proposed new facilities is the lowest-total-cost method for wastewater management in this region. It involves the simplest institutional form for management and financing, requiring virtually no change from the existing institutional arrangement.

Independent wastewater treatment at two plants has, for this region, a higher environmental compatibility than regionalization of treatment facilities at either of the treatment plants. Pipelines between the two communities will be needed for regionalization and will cause some disturbance to wildlife. Also, the proposed plan requires less energy in its operation than do alternative plans proposing greater regionalization.

This plan assumes that Barlow will be eventually served by Canby. Facilities planning should evaluate this assumption and possible alternative sewage disposal systems, such as septic tanks, for Barlow.

Staged development of treatment facilities may be to the advantage of either municipality and should be considered. Both communities should from time to time consider the economics of selling effluent for irrigation of local farms. This might offer some savings in the cost of operations and would lead to an improvement in Willamette River water quality, however small.

Amendment No. 7: (Pg 2-30)

Adopted October 2, 1980

	1	2	Ratio
<u>Total Runoff</u>	<u>Average</u>	<u>Storm</u>	<u>2/1</u>
	<u>Overflow</u>	<u>of</u>	
	<u>1954 to 1959</u>	<u>8/25/56</u>	
Total Overflows (ft ³)	694,000	4,061,000	5.85
Antecedent Dry Days ^a	2.45	76.9	31.26
Storm Duration (hr)	5.2	8.0	1.53
Sus-S (lb)	2,646	84,002	31.75
Set-S (lb)	2,278	74,067	32.51
BOD ₅ (lb)	670	14,357	21.42
N (lb)	34	412	12.11
P (lb)	24	234	9.75
Coliforms ^b (MPN/100 ml)		0.575 x 10 ⁶	1.238 x 10 ⁶
2.15			

RECOMMENDATIONS

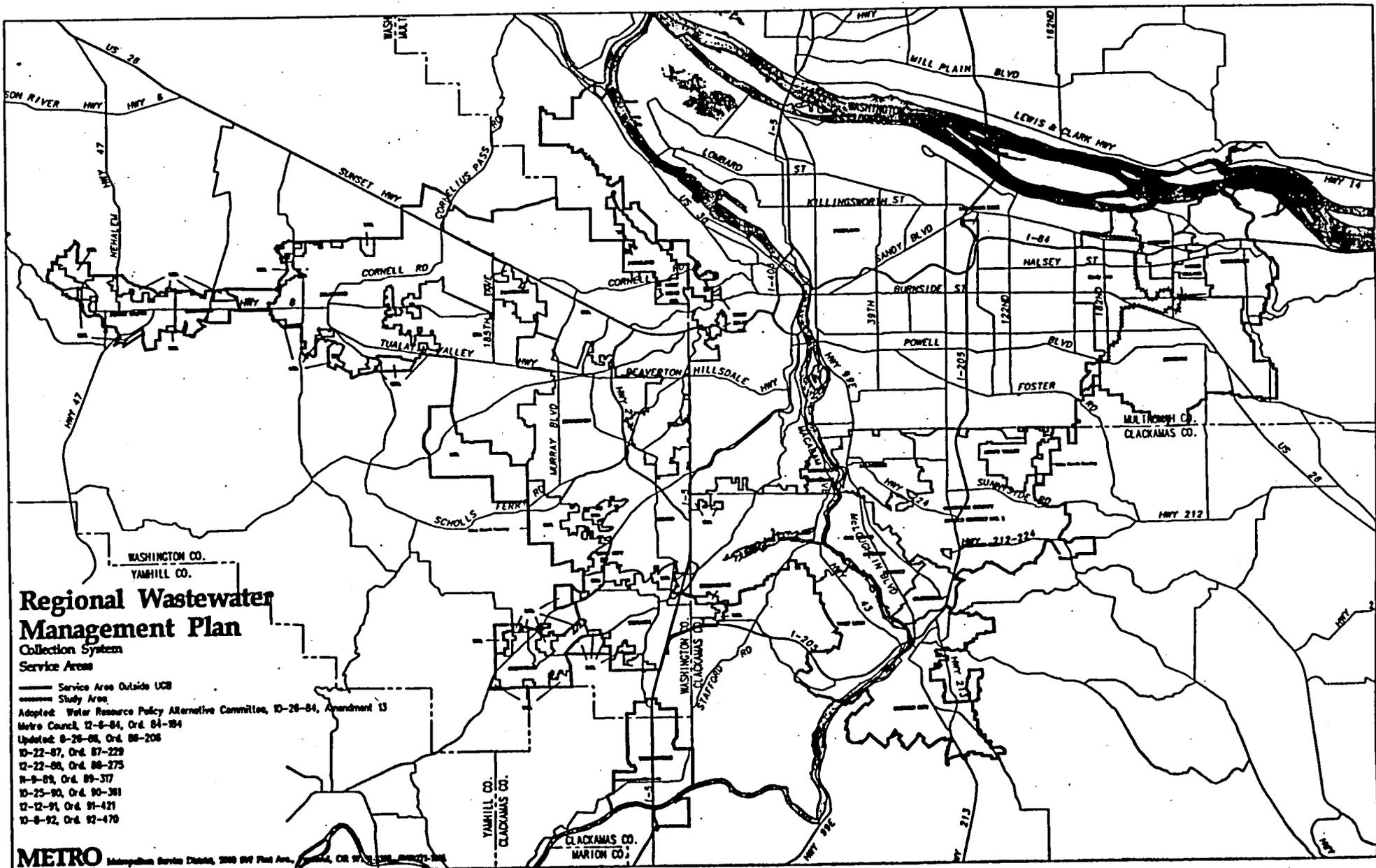
A complete plan for abatement of combined sewer overflows cannot begin until regulating bodies determine the effect of pollution from this source on receiving waters and issue standards of treatment or load limits. Recognizing that combined sewer overflows are a significant source of pollutants, however, and in light of DEQ's interim policy that pollution of nonpoint sources should not be allowed to increase, the following initial recommendations can be made:

- DEQ should remove the requirement to limit diversions to divert 3 times average dry weather (ADW) flow for individual basins in favor of a general standard for the whole system. This would allow the flexibility to capture and treat more flow from basins with higher pollutant loads (i.e., industrial and commercial areas) while diverting more than ADW flow from cleaner basins.
- [Development that would add to flows in sewerage subject to overflow should not be allowed until a plan for reduction of overflows is adopted.]

^a Days of pollutant build-up not washed off by preceding storms.
^b Average concentration for duration of the storm.

0141B/MH

III. Maps

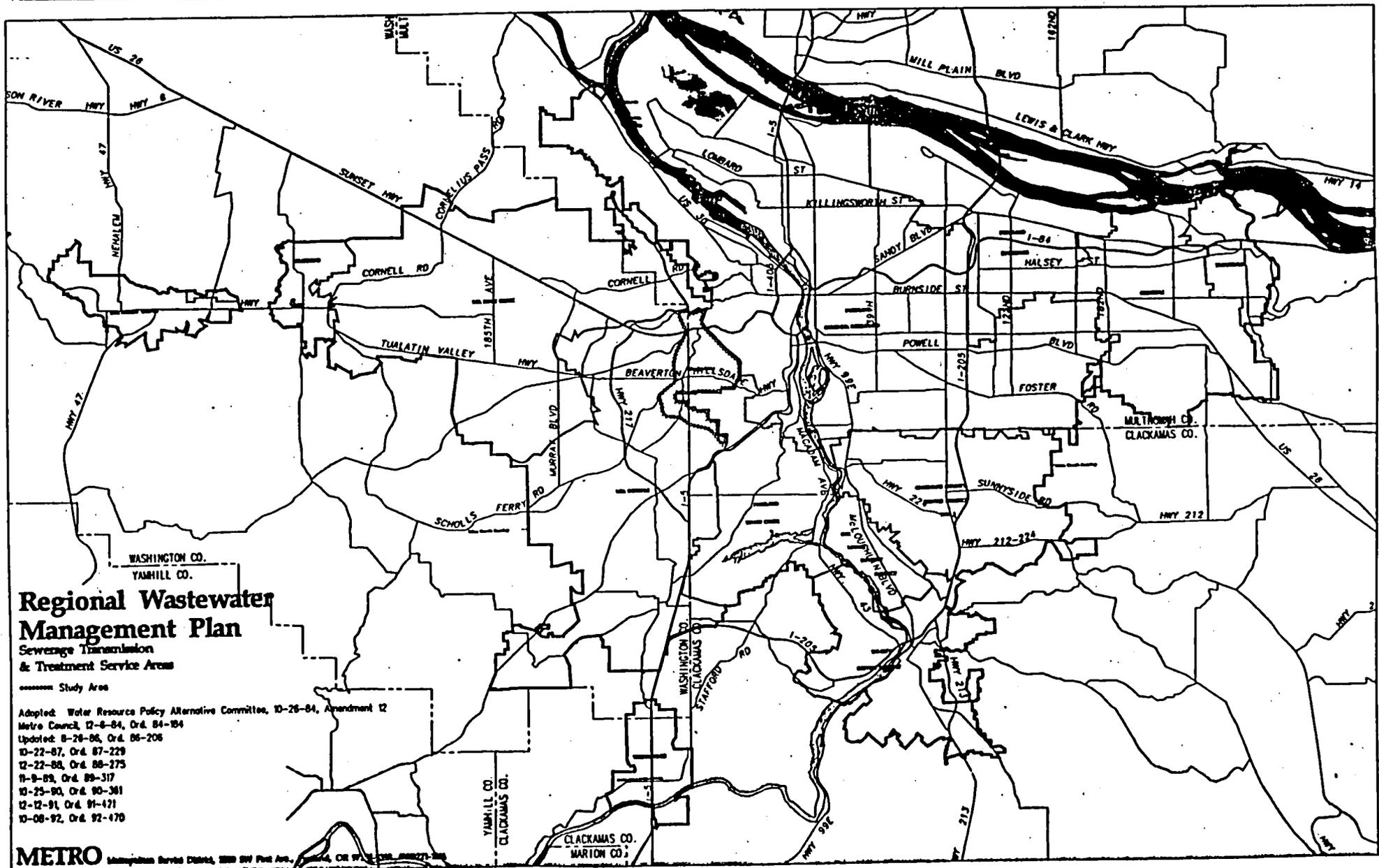


Regional Wastewater Management Plan

Collection System Service Areas

— Service Area Outside UGB
 - - - - - Study Area

Adopted: Water Resource Policy Alternative Committee, 10-26-84, Amendment 13
 Metro Council, 12-6-84, Ord. 84-184
 Updated: 8-26-88, Ord. 88-208
 10-22-87, Ord. 87-229
 12-22-88, Ord. 88-275
 8-9-89, Ord. 89-317
 10-25-90, Ord. 90-381
 12-12-91, Ord. 91-421
 10-8-92, Ord. 92-470



Regional Wastewater Management Plan

Sewerage Transmission & Treatment Service Areas

Study Area

Adopted: Water Resource Policy Alternative Committee, 10-26-84, Amendment 12
 Metro Council, 12-6-84, Ord. 84-184
 Updated: 8-28-86, Ord. 86-206
 10-22-87, Ord. 87-229
 12-22-88, Ord. 88-275
 11-9-89, Ord. 89-317
 10-25-90, Ord. 90-381
 12-12-91, Ord. 91-471
 10-08-92, Ord. 92-470

METRO Metropolitan Service District, 2800 SW Post Ave., Beaverton, OR 97005, (503) 261-2000

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

ORDINANCE NO. 93-517A, ADOPTING A NEW TITLE TO THE METRO CODE
PERTAINING TO ELECTIONS

Date: November 23, 1993

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: At its November 18, 1993 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Ordinance No. 93-517A. Voting were Councilors Gardner, Hansen, and Wyers. Councilors Gates and Moore were excused.

COMMITTEE DISCUSSION/ISSUES: The Governmental Affairs Committee considered this ordinance at three meetings, on October 21, November 4, and November 18. General Counsel Dan Cooper explained the purposes of the ordinance are to consolidate Code sections dealing with elections and filling of vacancies in elective office, to bring the Code in conformance with the Charter and applicable provisions of state law, and to provide a clear method for placing measures on the regional ballot.

Most of the substantive changes to the ordinance were made in Chapter 9.02, dealing with vacancies in office. At the October 21 meeting, the committee directed Mr. Cooper to revise the section on the filling of vacancies to provide for appointments to a vacant office to be for a short time, and for vacancies to be filled by election. Section 9.02.040 implements this change, providing that a vacancy will be filled by appointment for no more than one year, with an election held to fill the vacancy as soon as possible. This chapter also describes the process for filling a vacancy by appointment; that process is similar to the process for filling Council vacancies that is currently in the Code. Finally, this chapter includes provisions for emergency succession in the event of the death or disqualification of the Executive Officer. This provision was needed in order to permit the business of the agency to continue.

At the November 18 meeting, Mr. Cooper reviewed the changes from the prior draft. These included a provision on page 7 of the draft ordinance, in Section 9.02.030, to provide for Council to declare a vacancy by adoption of a resolution. On pages 9 and 10, dealing with the process for making appointments to fill vacancies on the Council, the period for advertising the vacancy and notifying neighborhood groups was extended to four weeks (increased from three and two weeks, respectively). A new subsection (3) was added to allow the Presiding Officer to begin the notification process prior to formal declaration of a vacancy. This would allow the process to start upon knowledge of a vacancy, through death or resignation, prior to Council's convening to consider a resolution declaring the vacancy. Finally, Mr. Cooper explained the provisions of the section on emergency succession, which stipulates that if the Director of

Finance succeeds to the position of Executive Officer, that person will continue to serve as Finance Director; this would allow that person to return to that position following appointment or election of an Executive.

Councilors Gardner and Wyers asked for clarification of the term "qualified" in the section on emergency succession. Mr. Cooper said the person filling the vacancy must otherwise be qualified to take the oath of office; if the Deputy Executive Officer, for example, were not a resident of the Metro area, s/he could not serve as the Executive Officer even on an interim basis.

Councilor Wyers asked for clarification on section 9.02.020, Vacancy in Office. Subsection 5 describes a criterion for vacancy in the office of Councilor upon absence from Council meetings for 60 days. Councilor Wyers asked how this would apply if, for example, a Councilor were hospitalized for over 60 days. Mr. Cooper said such absence would constitute grounds for declaration of a vacancy, but the Council would not be obligated to declare the vacancy. He further explained that Charter language calls for a vacancy upon such absence "without the consent of the Council." In such cases, the Council has some latitude in deciding whether to declare a vacancy.

Councilor Gardner asked to have subsections 9.02.060 - .080 renumbered to be in succession following the prior numbers. Those sections would be renumbered 9.02.050 - .070. Councilor Hansen moved to substitute the "A" version of the ordinance, including the renumbering. That motion, and a subsequent motion to recommend Council adoption of Ordinance 93-517A, both passed 3-0.

METRO

Council
11/23/93
7.1

REVENUE RECOMMENDATIONS

REAL ESTATE CONSTRUCTION AND TRANSFER TAX

METRO TAX ADVISORY COMMITTEE

Wayne Attkins
Chairman

11/23/93

OPENING REMARKS

GOOD EVENING MADAM CHAIR AND MEMBERS OF THE COUNCIL. MY NAME IS WAYNE ATTEBERRY AND I AM THE CHAIRMAN OF THE TAX ADVISORY AND STUDY COMMITTEE. I WILL BE JOINED THIS EVENING BY MRS. REBECCA CHAO, VICE CHAIR AND CHAIR OF OUR SUBCOMMITTEE FOR REVENUE SOURCES, MR. PHILIP KALBERER, CHAIR OF OUR SUBCOMMITTEE ON FISCAL POLICY AND PHILOSOPHY AND MR. GENE SEIBEL, CHAIR OF OUR SUBCOMMITTEE ON FUNCTIONS. ALL OF WHOM HAS SERVED WITH DISTINCTION DURING OUR STUDY PROCESS.

WE ARE HERE THIS EVENING TO PRESENT OUR COMMITTEE'S RECOMMENDED REVENUE SOURCE FOR FUNDING THE PROJECTED REVENUE SHORTFALL FOR METRO'S PLANNING AND GENERAL GOVERNMENT RESPONSIBILITIES DURING THE NEXT FIVE YEARS.

HOWEVER, BEFORE WE PRESENT OUR EXECUTIVE SUMMARY OF OUR RECOMMENDATION, WE WOULD LIKE TO TAKE A MOMENT TO ACKNOWLEDGE OUR COMMITTEE MEMBERS FOR THEIR DILIGENT EFFORT AND COMMITMENT TO THE TASK PRESENTED THEM. THIS PROJECT WAS NOT AN EASY ENDEAVOR. QUESTIONS OF FAIRNESS, EQUITY, ECONOMIC IMPACT AND COMMUNITY ACCEPTANCE WAS EVER IN THEIR MINDS AND DISCUSSIONS.

THERE WERE NO EASY ANSWERS TO THE REVENUE ISSUE CONFRONTING THE COMMITTEE AND THE DILEMMA FACING METRO. DURING THE REVIEW PROCESS THE COMMITTEE WAS CONSTANTLY REMINDED OF THE CHOICES TO BE ADDRESSED BY YOUR COUNCIL. OUR COMMITTEE GAVE OF IT'S SELF UNTOLD HOURS TO STUDY OF THE ISSUES AND I'M PLEASED TO REPORT THAT THEY MET THESE TOUGH ISSUES "HEAD ON" AND COMPLETED THEIR TASK ON TIME. I WISH TO THANK THEM FOR A JOB WELL DONE!

I WOULD ALSO LIKE TO THANK YOU MADAM CHAIR, THE MEMBERS OF THE COUNCIL AND RENA CUSMA, METRO EXECUTIVE OFFICER FOR THE ASSIGNMENT OF STAFFERS: JENNIFER SIMS, CRAIG PROSSER, ROBERT RICKS AND ROONEY STROM TO OUR COMMITTEE FOR STAFF SUPPORT. THERE IS NO QUESTION THAT WE COULD NOT HAVE MET YOUR DEADLINE OF NOVEMBER 15 WITHOUT THEIR HELP AND ASSISTANCE AS WELL AS THAT OF THE FOLKS IN YOUR PRINTING DEPARTMENT. EACH WERE INVALUABLE TO THE PROCESS AND EACH GAVE THAT "LITTLE SOMETHING EXTRA" TO GET THE JOB DONE. THERE IS NO DOUBT ABOUT IT -- OUR COMMITTEE CONSIDERS --- ROONEY, BOB, CRAIG, AND JENNIFER TO DEFINITELY BE "GEMS" FOR "GOING THAT EXTRA MILE" IN HELPING US ACHIEVE OUR GOAL ON TIME.

FINALLY, I WOULD LIKE TO RECOGNIZE COUNCILOR ED WASHINGTON AS A "GEM" AS WELL. HE ATTENDED ALL OF OUR PUBLIC HEARINGS AS AN INTERESTED OBSERVER.

WE WERE PLEASED THAT HE COULD TAKE THE EXTRA TIME FROM HIS BUSY SCHEDULE TO DO SO.

THE RECOMMENDATION BEFORE YOU, AS I SAID EARLIER, WAS NOT DEVELOPED WITHOUT SERIOUS CONSIDERATION OF A NUMBER OF ISSUES. THE COMMITTEE WAS EVER MINDFUL OF THE CURRENT DISTRUST BY THE PUBLIC OF MOST GOVERNMENTAL PLEAS FOR ADDITIONAL FUNDS. WE SUGGEST THEREFORE THAT THE CURRENT ESTIMATES OF BUDGETARY SHORTAGES BE GIVEN CLOSE SCRUTINY.

YOU DIRECTED US NOT TO BE BUDGET MANAGERS IN OUR ANALYSIS AND THEREFORE WE ASSUMED THE SPENDING REQUIREMENTS , AS FORECASTED, REFLECTED ACCURATE COSTS AND REASONABLE PROJECTS. WE SUGGEST THAT THE COUNCIL CONTINUE TO QUESTION BOTH AND WE WOULD ENCOURAGE YOU TO SEEK INNOVATIVE WAYS THAT WOULD ALLOW: CONSOLIDATION OF ACTIVITIES,

ELIMINATION OF DUPLICATION, AND COST CONTROL.

AN EXAMPLE TO ACHIEVE THIS END MIGHT BE THE CONSOLIDATION OF LOCAL AND REGIONAL PLANNING RESOURCES TO COLLABORATE IN THE DEVELOPMENT OF "FUTURE VISION" AND THE REGIONAL FRAMEWORK PLAN. WE WOULD ALSO SUGGEST THAT THIRD PARTY VENDORS, UNDER A CONTRACTUAL BASIS, BE CONSIDERED FOR PLANNING TASKS OR OTHER REGIONAL RESPONSIBILITIES.

ASSUMING THAT COST AND BUDGET CONTROL WILL NOT GENERATE THE TOTAL NEEDED TO FUND METRO'S NEW RESPONSIBILITIES IT BECOMES CLEAR THAT METRO MUST SEEK A STABLE FUNDING SOURCE. THIS SOURCE SHOULD BE A BROAD BASED TAX SHARED FAIRLY AMONG THE RESIDENTS OF THE REGION. OUR COMMITTEE REVIEWED SEVERAL POSSIBILITIES AND IDENTIFIED FOUR AS POSSIBLE FUNDING SOURCES.

THOSE FOUR WERE TAXES BASED ON: INCOME, SALES, UTILITIES, AND REAL ESTATE. THERE ARE PROBABLY OTHERS THAT YOU MAY WANT TO CONSIDER BUT OUR COMMITTEE BELIEVED THAT THESE MAY BE THE FAIREST AND MOST EQUITABLE TYPE OF TAXES AVAILABLE.

IN ANY EVENT IT IS GENERALLY ACCEPTED BY THE MEMBERS OF OUR COMMITTEE THAT METRO MUST LOOK FOR A PERMANENT SOLUTION FOR FUNDING ITS WIDE RANGE OF RESPONSIBILITIES IN THE LONG TERM.

WE BELIEVE HOWEVER THAT BEFORE SUCH A FUNDING SOURCE CAN BE INSTITUTED THAT A BROAD EDUCATIONAL PROGRAM MUST BE PURSUED BY METRO TO PROVE NEED AND TO ESTABLISH A HIGH LEVEL OF CREDITABILITY IN THE MINDS OF THE VOTERS. THIS PROCESS MAY TAKE SEVERAL BUDGET CYCLES THEREFORE OUR COMMITTEE SUGGESTS THAT YOU CONSIDER A SHORT TERM "NICHE" TAX TO MEET SHORT TERM REVENUE SHORTFALLS.

OUR COMMITTEE CONSIDERED A VARIETY OF "NICHE" TAXES THAT COULD BE COMBINED WITH THE PRESENT "EXCISE TAX" TO FUND SHORT TERM NEEDS. THE LIST OF TAXES INCLUDED AMONG OTHERS: AUTO RENTAL FEES, OFF-STREET PARKING TAX, MOTOR VEHICLE REGISTRATION FEES, OCCUPATIONAL PRIVILEGE TAX, FOOD & BEVERAGE TAX, TRANSIENT LODGING TAX, TAXI TAX, AIRPORT GROUND TRANSPORTATION FEE, REAL ESTATE TRANSFER TAX AND REAL ESTATE CONSTRUCTION TAX.

BECAUSE OF METRO'S EXPANDED RESPONSIBILITY, FOR REGIONAL PLANNING UNDER THE NEW CHARTER, OUR COMMITTEE FELT THAT ANY NEW REVENUE SOURCE SHOULD BE LINKED TO THE BENEFITS GAINED FROM THIS PLANNING EFFORT. OUR COMMITTEE THEREFORE IS RECOMMENDING TWO RELATED TAXES BASED ON REAL ESTATE.

THE RECOMMENDED TAXES ARE: A REAL ESTATE TRANSFER FEE AND A REAL ESTATE CONSTRUCTION FEE. WE ARE ALSO RECOMMENDING THAT BOTH OF THESE TAXES BE CONSIDERED ONLY AS TEMPORARY MEASURES UNTIL SUCH TIME AS A BROAD BASED REVENUE SOURCE BE ADOPTED. ANTICIPATING THAT SUCH A SOURCE WILL BE APPROVED BY THE VOTERS OUR RECOMMENDATION ALSO INCLUDES A "SUNSET" PROVISION THAT TERMINATES BOTH TAXES AT THE END OF A FOUR YEAR PERIOD AFTER INITIAL ADOPTION.

DURING OUR CONSIDERATION OF THIS ISSUE AND AT OUR PUBLIC HEARINGS WE HEARD CONSIDERABLE COMMENT AND TESTIMONY OPPOSING THESE SHORT-TERM TAX SOURCES. DESPITE THIS, WE STILL FEEL THAT THEY PRESENT THE MOST REALISTIC OPTION FOR METRO TO PURSUE IN THE NEAR TERM. AS YOU PROCEED WITH YOUR CONSIDERATION OF THIS REPORT, WE ENCOURAGE YOU TO

**WORK WITH AFFECTED GROUPS AND LOCAL GOVERNMENTS
TO CRAFT A SOLUTION WHICH DEALS WITH THEIR
CONCERNS WHILE STILL GENERATING THE NECESSARY
FUNDS FOR METRO.**

**ON BEHALF OF THE COMMITTEE, I WOULD LIKE TO THANK
YOU FOR INVITING US TO SERVE ON THIS MOST IMPORTANT
COMMITTEE. WE FOUND THIS TO BE A VERY INTERESTING
ASSIGNMENT AND WE WISH YOU THE BEST AS YOU PROCEED
THROUGH THE NEXT PHASE OF CONSIDERATION.
MAY WE ANSWER ANY QUESTIONS?**



Council
11/23/93
7.1

November 29, 1993

Paulette Allen
Clerk of Council
600 NE Grand
Portland, OR 97232

Dear Paulette:

Pursuant to your request, I have enclosed a copy of the speech which I delivered to the Metro Councilors on Tuesday evening, November 23, 1993.

If you should have any questions, please don't hesitate to call.

Very truly yours,

Gregory L. Specht
President

GLS/jrp





My name is Greg Specht. My address is 15400 S.W. Millikan Way, Beaverton, Oregon. I come before you this evening as a concerned citizen, as a commercial developer who has completed in excess of 270,000 square feet of speculative industrial space in 1993 alone, and as the 1993 President of the Portland Chapter of the NAIOP (National Association of Industrial and Office Parks). I speak this evening in opposition to the Real Estate Transfer Tax and the Construction Excise Tax proposed by the Tax Study Committee. I stand in opposition to these taxes for several reasons:

1. As an individual and as a developer, I am a strong supporter of the planning process. I believe proper planning benefits the real estate industry through clarification of the process involved in real estate development activities. I also believe proper planning creates a stronger, more cohesive community in which all residents live and work. Further, good planning benefits all segments of society equally, as all individuals are able to enjoy the higher quality of life which is a direct result of a coordinated planning effort. However, I oppose the inequity inherent in a tax structure which specifically burdens the real estate and construction industries for additional planning funds which will be used to benefit the community as a whole. To the extent any additional taxes are needed to fund the planning efforts of Metro, such taxes should be as broadly based as are the beneficiaries of the planning process.
2. I oppose the proposed taxes as their primary support seems to be politically expedient. I challenge Metro to take its expanded financial requirements to the voters for approval, as opposed to this current process of targeting niches which may be politically expedient, yet philosophically difficult to justify.
3. I suggest the consideration and adoption of any new tax to fund Metro activities should be delayed until the new district counselors are elected next year. The public will then have adequate time, through the elective process, to determine each candidate's position regarding additional taxes.
4. The proposal for additional taxes flies in the face of current political thinking that bigger is not better. The vast majority of the real estate industry believes that the current Metro budget needs to be reviewed by independent outside auditors to determine whether the charter mandated functions could be incorporated into current staffing levels. I would be surprised if the Tax Study Committee did not believe that the voting public when approving the Metro Charter last year hoped that certain efficiencies would be created which would result in a reduced tax load at all levels of local government. We now find that exactly the opposite is true, whereby additional taxes are being considered which may prove to be unnecessary and unsubstantiated.
5. I am critical of the restrictions placed on the tax study committee which precluded their review of the current Metro budget as it relates to existing staffing levels and job descriptions, and those additional planning requirements mandated by Charter. Absent this type of critical analysis, any request for new funds, regardless of the source, must be viewed with caution.



In summary, these proposed taxes have been brought forward with great haste. It is the opinion of NAIOP that additional study regarding the Metro budget is warranted and alternative staffing responsibilities for mandated requirements should be reviewed before additional taxes are levied against any segment of the community, let alone the proposed taxes which target the real estate and construction industries as the sole sources of funding.



Home Builders Association of Metropolitan Portland

503/684-1880

Fax # 503/684-0588

15555 S.W. Bangy Rd., Suite 301 • Lake Oswego, OR 97035

Council
11/23/93
7.1

November, 23 1993

Metro Commission
Judy Wyers, Presiding Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

RE: Recommendations for Transfer and Excise Tax

The Home Builders Association of Metropolitan Portland represents 1400 members in the Portland area. Our industry employs thousands of people from the developer/builders, the subcontractors/suppliers, to the real estate people who sell the final product.

At their last meeting, our Board of Directors discussed the proposed Metro taxes that will so greatly affect this industry. They are astounded that a government body, such as yours, could spend months working on a major proposal for a change in the tax structure in the metro area, and expect that in a matter of days associations and civic groups would be ready to respond. This is a complicated matter. It deserves more in-depth study by groups such as ours, in order to offer reasonable solutions and commentary. We are greatly concerned that the business community and the public have been allowed no significant opportunity to review this complicated matter. There was no education of the public as to the proposal itself or to the need that drove this increase in taxation.

At no time have we heard from your committee or Metro a clear explanation of the need for this increased taxation, nor has the amount required to meet the minimum mandated requirements of the new charter. It would seem, especially in the light of Measure 5, that in preparing to create a new niche tax or a broad tax you would be prepared to explain why government needs the money. It is just as outrageous that you would ask for more revenue until all the possible savings that could occur inside the existing infrastructure have been explored and implemented. Since there is no budget proposed yet, we don't understand how you can say the money is needed.

The proposal before you does not follow your own committee's philosophy. In your stated philosophy, it says, "functions of general benefits to the citizens of Metro should be supported by general revenue sources", and later goes on to say that "regional planning is of broad benefit to the citizens of the region, therefore funding should be

broad based from either an income or property tax. Yet, this tax unfairly chooses one small portion of the industries inside Portland to pay for benefits that are widely spread. It actually only creates more costs for the industry you have chosen while adding to the administrative burden of that very same group.

Inside the metropolitan area, most local governments, even under the financial constraints of Measure 5, continue to assume that planning is a general benefit to the public. They believe this strongly enough that they do not include it in the fees that they already collect for the services that they render. Some of the larger jurisdiction who think this way include Portland and Washington County. They both believe, as stated in your funding philosophy under D2, that regional planning is a broad benefit to the citizens of the region, therefore funding should be broad based from either an income or property tax. We agree with that analysis.

The proposal also differs with your funding philosophy that states "funding for mandated functions should be secured prior to any funding of non-mandated functions". We can see where no review has been conducted of the current work being done by Metro, or where places for savings could occur or whether those requirements could be eliminated.

How can you ask our industry to help with your mandate without first reviewing which non-mandated functions should be eliminated or niche taxes used for first.

Again, in your funding philosophy, you state "mandates imposed by the people should be supported by voter approved funding sources". These funding sources, that are mandated by the people through state and local ordinances at all levels, have been increased greatly recently by your charter. It is the public that demands the restraints placed on development by planning. In your own policy you say that these should be supported by general revenue sources.

We are concerned that any increases by government that do not add value to the product only eliminate someone from being able to afford a home. By choosing this one industry to pay for your mandates, you have affected the industry that is most sensitive to price and the one that I am sure you will agree is important to everyone, the one that provides the housing for our children.

We feel that there has been no analysis of the excise tax or the transfer tax as to what the impact will be on the cost of housing, or what the cost will be of actually collecting these taxes. Generalities have been raised based on information from other areas that collect these taxes in other states. You should know that those in the housing industry consider many of those that you reviewed to be overregulated areas that are absent of non-subsidized affordable housing. Again, we see no proof or analysis of the assumptions that the administration has set up that an excise tax would be low and that a transfer tax would be high. We feel that the connection between the industry and planning that has already created an administrative burden is weak and should not be used to make the rational connection between who pays and who receives good.

We also differ with the opinion of your committee that residential construction creates the largest need for planning. We would like to remind you that we are the only outright use allowed in Oregon's land use system, and that in most cities goals they have chosen to make the affordability of housing one of the few items for major consideration.

Besides the contradictions in this plan to your own funding philosophy there may be contradictions to basic philosophies that Metro has long supported. One of the greatest in these is that it provides an incentive to drive existing and new development outside of the Urban Growth Boundary. Without any clear number for this tax, it is hard to say how great an impact it will have in moving people outside the area. But in a time when incentives are trying to be found to keep development inside our boundaries it seems odd to support a tax that will only force development to smaller outlying areas where residents will have to drive through existing development, through the Urban Growth Boundary to get to work.

We feel that this committee must review other opportunities for other broader based taxes. We agree with you that the burden should be placed on those who require it. It is in who receives the benefit that we disagree. I think that by following other jurisdictions that do not charge the administrative burdens of drawn out planning processes to the development community and by looking at your own philosophy of regional planning having a broad benefit to citizens of the region it becomes clear that this should be taken to a much broader base and included in any major tax plan that would be taken to the voters.

For the above reasons our association strongly opposes these unfair taxes on one industry to pay for the benefits of the entire society. We feel that this proposal should be taken back and the costs reviewed for a much broader base of taxation. A review of the mandated and non-mandated requirements must be done so as to eliminate those that are not currently required, and that no taxation should be taken forward until Metro can clearly present to the public the need for the funding.

We hope to be able to work with the committee on this in the future. We will be doing more in depth review of the numbers as they become available and responding as more data is derived.

Best personal regards,

Drake Butsch
Director of Government Affairs

9.1

Council
11/23/93



METRO

Date: November 23, 1993

To: Metro Council

From: ^{Ad}Judy Wyers, Presiding Officer

Re: Resolution No. 93-1876 Designating a Person to Serve on County Tax Coordinating Committees

Please find attached a copy of Resolution No. 93-1876 which I am bringing to the Council on a non-referred basis because of time considerations. This resolution designates the Director of Finance and Management Information (Ms. Jennifer Sims), as our representative to serve on the various county tax coordinating committees. The Council has received several communications from the counties (see attached memos) notifying us of the tax coordinating meetings.

Council Staff has researched this and found that the governing body of Metro has never officially designated a person to represent us. During the past biennium Ms. Sims, as the Director of Finance and Management Information and Budget Officer, participated in these meetings on behalf of Metro (see attached Cusma letter). The resolution also provides for the Director of Finance and Management Information to report to the Finance Committee on the activities of the various county tax coordinating committees.

cc: Dick Engstrom
Jennifer Sims

Res. No. 93-1876.memo

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF)	RESOLUTION NO. 93-1876
DESIGNATING A METRO)	
REPRESENTATIVE TO)	
PARTICIPATE IN COUNTY TAX)	Introduced by
COORDINATING MEETINGS)	Judy Wyers, Presiding Officer

WHEREAS, the 1993 Oregon Legislature adopted S.B. 59 which requires that all taxing jurisdictions within each county coordinate their taxation plans;

WHEREAS, S.B. 59 is codified as ORS 310.180 to 310.188 and ORS 310.152 (5) states in part that: "The governing body of each unit of government shall designate a person to serve as the representative of the unit of local government in developing the tax coordination plan;

WHEREAS, the Director of Finance and Management Information as Budget Officer has served as the Metro representative to the various county tax coordination committees during the last biennium; now, therefore,

BE IT RESOLVED,

1. That the Metro Council designates the Director of Finance and Management Information as the Metro representative to the tax coordinating committees for Clackamas, Multnomah and Washington counties; and,

2. That the Director of Finance and Management Information will make periodic reports on the progress and results of the county tax coordinating committees to the Finance Committee.

ADOPTED by the Metro Council this 23rd day of November, 1993.

Judy Wyers, Presiding Officer

RECEIVED NOV 10 1993

TAX SUPERVISING & CONSERVATION COMMISSION
MULTNOMAH COUNTY, OREGON

724 Mead Building 421 S.W. Fifth Avenue
Portland, Oregon 97204-2189 (503) 248-3054 FAX 248-3053

November 9, 1993

Metro Council
Metro
600 NE Grand Avenue
Portland, Oregon 97232

Dear Councillors:

With the passage of Senate Bill 59, the 1993 state legislature mandated intergovernmental tax coordination planning for the 1994-95 fiscal year. The legislature's intent is for this planning to be an intergovernmental forum for non-school local governments to address competition for property taxes and to jointly consider the effects of tax compression under the state's property tax limitation system. Lack of participation in this planning precludes a government from placing a tax levy request before voters for the 1994-95 fiscal year. Tax coordination planning has been conducted in Multnomah County for each of the past two years.

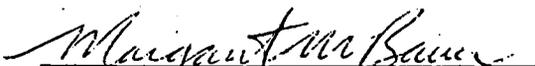
This request is for confirmation of your government's designated representative, in accordance with ORS 310.182 (5): "The governing body of each unit of government shall designate a person to serve as the representative of the unit of local government in developing the tax coordination plan."

If your representative is to be someone other than the person who has served in that capacity for the past two years, please notify the Tax Supervising and Conservation Commission of the change.

If there is any way in which the Tax Supervising and Conservation Commission may be of service to your government in regards to this, or any other matter, please do not hesitate to contact us at 248-3054.

Very truly yours,

TAX SUPERVISING AND CONSERVATION COMMISSION


Margaret M. Bauer
Administrative Officer



CLACKAMAS COUNTY

Board of Commissioners

M E M O R A N D U M

DARLENE HOOLEY
CHAIR

ED LINDQUIST
COMMISSIONER

JUDIE HAMMERSTAD
COMMISSIONER

MICHAEL F. SWANSON
CHIEF EXECUTIVE OFFICER

To: All Nonschool Taxing Districts Within Clackamas County

From: Mike Swanson, County Administrator

Date: November 5, 1993

Re: Tax Coordination Meeting Required by Senate Bill 59

Most of you will recall that in 1991 the Oregon legislature created SB 1185, which mandated that all taxing entities within each county coordinate their taxation plans. This was required in part to make the effects of Measure 5's tax limitations easier to predict. This law's sunset provision made it expire as of June 30, 1992.

The 1993 legislature revived some of these requirements, now codified as ORS 310.180 to 310.188, and extended them into the future.

One requirement is that before the end of the calendar year Clackamas County convene a meeting of the taxing districts within its boundaries, to update the tax coordination plan generated for the 1992-93 fiscal year. The governing body of each taxing District is required by statute to name a representative to the tax coordination process.

The tax coordination meeting will take place on Monday, November 22, 1993 at 5:30 p.m. It will be held at the public meeting room of the West Linn Public Library, 1595 Burns Street, West Linn. Please let your jurisdiction's representative know of the time and place of this gathering. The meeting is scheduled to last no longer than two hours.

Attendees are requested to park their cars in the offsite lot across the street from the library building at the corner of Hood and Burns Streets. This is a specific request of the library.

Attached are a map to the meeting place and a copy of the legislation; if you have further questions, please contact Marc Gonzales at 650-3319 or Terry Ferrucci at 650-3501. Thank you.



METRO

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

October 30, 1991

Mr. G. J. Gutjahr
Administrative Officer
Tax Supervising & Conservation Commission
Multnomah County
1510 Portland Building
1120 SW Fifth Avenue
Portland, OR 97204

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

Dear Mr. Gutjahr:

We are in receipt of your October 1, 1991, letter informing us of your role in coordinating the activities related to the Tax Coordination Plan. Because your letter was addressed to the Metro Council, there was a delay in routing it to the proper individual within Metro's administration.

According to Metro Council Resolution 91-1426, Jennifer Sims has been designated as Metro's Budget Officer. Ms. Sims is to be the primary contact for Tax Coordinating Plan activities. In the future, please address all correspondence related to the Tax Coordinating Plan or any other budgetary or financial matters to Ms. Sims.

Thank you very much.

Sincerely,

Rena Cusma
Executive Officer

cc: Jennifer Sims, Director, Finance & Management
Information
Don Carlson, Council Administrator

1085