

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 17-12-19-06

IN THE MATTER OF AMENDING THE
RESTATED AND AMENDED AGREEMENT
CREATING THE METROPOLITAN
WASTEWATER MANAGEMENT
COMMISSION

WHEREAS, under ORS Chapter 190, the Cities of Springfield and Eugene and Lane County (Governing Bodies) entered into an intergovernmental agreement (IGA) on February 9, 1977, establishing the Metropolitan Wastewater Management Commission (Commission) to construct, operate and maintain Regional Sewerage Facilities (Facilities) to service the Eugene-Springfield Metropolitan area; and

WHEREAS, the Governing Bodies amended the IGA by executing a Restated and Amended Agreement on July 5, 2005 (Amended IGA); and

WHEREAS, under paragraph 3.j. of the Amended IGA, the Commission provides service only to the Governing Bodies; and

WHEREAS, under paragraph 8.e. of the Amended IGA, the Governing Bodies have established service area boundaries to ensure that service is provided only to areas within the city limits of Eugene and Springfield; to users currently being served or to whom contractual service commitments have been made who are outside the city limits; and to any other areas outside the city limits to which service may be extended in conformity with the Metro Plan and Public Facilities and Services Element provisions in Chapter III of the Metro Plan, as amended; and

WHEREAS, Exhibit C to the Operation, Maintenance and Administrative Services Agreement between the City of Springfield, the City of Eugene and the MWMC allows the Commission to provide service to septage haulers, including sampling discharges and collection and delivery of fees established by the Commission; and

WHEREAS, the Commission has received requests to accept other types of hauled waste from outside the service area at its Facilities; and

WHEREAS, the requests to allow acceptance of hauled waste from outside the service area at the Commission's Facilities are temporary in nature and do not require extension of service outside the service area boundary; and

WHEREAS, the Commission has directed regional wastewater program staff to request the Governing Bodies to modify Paragraphs 3.j. and 8.e. of the Amended IGA such that the service area boundaries do not preclude the Commission from accepting septage and other forms of hauled waste appropriate for treatment in the Facilities originating from areas beyond the service area boundaries.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

The County Administrator is delegated authority to execute amendments to the Restated and Amended Agreement in substantially the form attached as Exhibit A.

ADOPTED this 19th day of December, 2017



Pat Farr, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date

12/18/17

SLJ

LANE COUNTY OFFICE OF LEGAL COUNSEL