

ORDINANCE No. 184903

- * Authorize the Director of the Bureau of Environmental Services, in consultation with the Mayor and the Commissioner in Charge of the Office of Healthy Working Rivers, to enter into the Portland Harbor Natural Resource Damage Allocation Participation Agreement (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services has been designated the lead agency for the City for the Portland Harbor Superfund Site to manage and coordinate the City's participation in the investigation, cleanup and restoration of the Site, in consultation with the Office of Healthy Working Rivers.
2. The Portland Harbor Superfund Site was placed on the National Priorities List by the EPA in December 2000. The participants to this NRD Agreement have been notified of their potential liabilities with respect to the Portland Harbor Site by regulatory authorities, including EPA, DEQ and tribal, federal, and state natural resource trustees.
3. The participants in the allocation process have a common interest in evaluating and addressing potential liability for alleged natural resource damages at the Portland Harbor Site and developing a non-judicial resolution process for resolving potential liabilities associated with the Portland Harbor Superfund Site.
4. The participants will fund the allocation process on a per capita basis; the cost to the City has been budgeted in Cost Center ESDR000004.

NOW, THEREFORE, the Council directs:

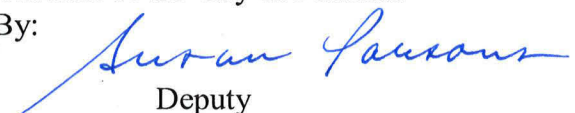
- a. The Director of the Bureau of Environmental Services, in consultation with the Mayor and the Commissioner in Charge of the Office of Healthy Working Rivers, is authorized to enter into a confidential Portland Harbor Natural Resource Damage Allocation Participation Agreement.
- b. The Director of the Bureau of Environmental Services and the Auditor are authorized to draw and deliver warrants chargeable to the Environmental Remediation Fund in an amount not to exceed \$50,000 per year for the years 2011, 2012, 2013 and 2014 when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because signatures by all participants in the NRD allocation process are required by the end of September of this year; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: SEP 28 2011
Amanda Fritz
Commissioner of Public Utilities

Sara Gardner
September 14, 2011

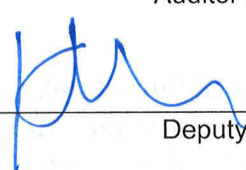
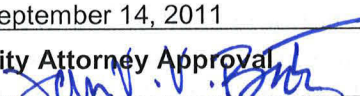
LaVonne Griffin-Valade
Auditor of the City of Portland
By:


Deputy

968 1037

Agenda No. **184903**
ORDINANCE NO.
 Title

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| <p>INTRODUCED BY Commissioner/Auditor: <u>Fritz</u></p> | <p>CLERK USE: DATE FILED <u>SEP 10 2011</u></p> |
| <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz <u>Amanda Fritz</u></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> | <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> |
| <p>BUREAU APPROVAL</p> <p>Bureau of Environmental Services Office of Healthy Working Rivers Bureau Head: Dean Marriott <u>Dean Marriott</u></p> <p>Prepared by: Sara Gardner Date Prepared: 8.16.11</p> <p>Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date September 14, 2011</p> <p>City Attorney Approval <u></u></p> | <p>ACTION TAKEN:</p> <p style="text-align: center;">SEP 14 2011 REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p> |

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| AGENDA |
| <p>TIME CERTAIN <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |
| <p>CONSENT <input checked="" type="checkbox"/> <u>Pulled</u></p> |
| <p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | |
|--------------------|---------------------------------|------|------|
| | | YEAS | NAYS |
| 1. Fritz | 1. Fritz | ✓ | |
| 2. Fish | 2. Fish | ✓ | |
| 3. Saltzman | 3. Saltzman | ✓ | |
| 4. Leonard | 4. Leonard | ✓ | |
| Adams | Adams | ✓ | |