

Portland, Oregon

**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items**

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Sara Gardner		2. Telephone No. 503.823.7025	3. Bureau/Office/Dept. BES
4a. To be filed (hearing date): April 10, 2013	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst:
6a. Financial Impact Section: x Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

*Authorize the Director of the Bureau of Environmental Services to enter into an Administrative Settlement Agreement and Order On Consent with the U.S. Environmental Protection Agency for Supplemental RI/FS Work at River Mile 11E in the Portland Harbor Superfund Site and a confidential common interest and joint defense agreement. (Ordinance) (Agreement up to \$400,000)

2) Purpose of the Proposed Legislation:

The City and several other potentially responsible parties have negotiated the terms of an Administrative Settlement Agreement and Order On Consent (AOC) with the U.S. Environmental Protection Agency to conduct additional actions at River Mile 11E in preparation for remediation of contaminated sediments after EPA issues a Record of Decision for the Portland Harbor Superfund Site. The AOC and joint defense agreement must be signed in order to implement investigation activities during the regulatory in-water work window.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|---|------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No.

5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project

estimate, please identify the level of confidence.)

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The work under the Administrative Order on Consent will be funded by the Environmental Remediation Fund up to \$400,000; The Water Bureau and Transportation Bureau will reimburse the Environmental Remediation Fund for portions of the work.

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?

No.

- Will positions be created or eliminated in *future years* as a result of this legislation?

No.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- YES: Please proceed to Question #9.
 NO: Please, explain why below; and proceed to Question #10.

The Administrative Order On Consent is a regulatory EPA matter that does not include public involvement.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No. Opportunities for public involvement and comment will occur when EPA issues its Proposed Plan for the Portland Harbor Superfund Site.

EMC


APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND
ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Charlie Hales, Mayor ■ Dean Marriott, Director

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City Council
Agenda Item
Staff Supplemental Report

TO: Mayor Charlie Hales
THROUGH: Chad Stover

FROM: Sara Gardner/Jan Betz

DATE: April 4, 2013

RE: Administrative Order on Consent for RM11E – Portland Harbor

Requested Council Hearing Date:

I. RECOMMENDATION

*Authorize the Director of the Bureau of Environmental Services to enter into an Administrative Settlement Agreement and Order On Consent with the U.S. Environmental Protection Agency for Supplemental RI/FS Work at River Mile 11E in the Portland Harbor Superfund Site and a confidential common interest and joint defense agreement.

II. BACKGROUND

The City and several other potentially responsible parties have negotiated the terms of an Administrative Settlement Agreement and Order On Consent (AOC) with the U.S. Environmental Protection Agency to conduct additional actions at River Mile 11E in preparation for remediation of contaminated sediments after EPA issues a Record of Decision for the Portland Harbor Superfund Site. The AOC and joint defense agreement must be signed in order to implement investigation activities during the regulatory in-water work window.

III. FINANCIAL IMPACT: The cost of participation is estimated not to exceed \$400,000 and a portion of which will be repaid by the Water Bureau and Bureau of Transportation through Interagency Agreements for their respective shares of the work.

IV. LEGAL ISSUES: This is a confidential common interest and joint defense agreement.

V. CONTROVERSIAL ISSUES:
None.

VI. LINK TO CURRENT CITY POLICIES:

N/A

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VII. CITIZEN PARTICIPATION

N/A

VIII. OTHER GOVERNMENT PARTICIPATION

N/A

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

- X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? _____ WHAT IS THEIR BUSINESS LICENSE NUMBER? _____ IS THEIR ACCOUNT WITH THE CITY CURRENT? _____ IF NOT, HOW MUCH IS OWING? _____