

IMPACT STATEMENT

Legislation title: *Authorize the Bureau of Environmental Services (BES) to reimburse property owner at 7835 SE 15th Avenue for sewer user fees paid to the City in the amount of \$5,053.90 (Ordinance)

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Purpose of proposed legislation and background information:

The Bureau of Environmental Services (BES) protects public health, water quality and the environment. It provides sewer and stormwater collection and treatment services to accommodate Portland's current and future needs. BES protects the quality of surface and ground water and conducts activities that protect and restore our watersheds. The services provided by BES are paid by our ratepayers through user fees approved annually by Council.

In August 2016, via Ordinance No. 187926, City Council authorized changes to PCC 17.36 to more clearly allow the BES Bureau Director to authorize reimbursement payments to customers for billing errors. Assuming certain conditions are met, the Bureau Director is authorized to reimburse for up to three years of billing errors. Requests for reimbursement beyond that period may be put forth to City Council for authorization.

Robert Schaibly has been charged for, and has paid, sewer user charges for the property located at 7835 SE 15th Avenue since September 20, 2002. Sewer user charges were calculated based on actual water volume or a winter average, whichever was less. A winter average is the amount of water volume measured in the winter months.

In August of 2017, BES was notified by the property owner that the property is not, and has not been, connected to the City sewer system. BES has confirmed that Robert Schaibly was the property owner, the property was not connected to the sewer system, and charges were billed and collected in error. Under the authority of City Code section 17.36.090 A, BES has provided Robert Schaibly a credit for the most recent three years of user charges billed in error, from the date the error was discovered. However, PCC 17.36.090 A does not allow the Bureau to grant adjustments, waive fees, or pay refunds prior to the most recent three years.

This ordinance facilitates fair and equitable BES sewer billing by ensuring the ratepayer is not charged for services the City has not provided. This ordinance authorizes the Bureau to estimate sewer volume charges which were billed to and paid by Robert Schaibly in error between September 20, 2002 and April 16, 2014 and to refund those charges to the ratepayer.

The ordinance is requested on an emergency basis so that funds that were charged and collected in error can be provided to the ratepayer in a timely manner.

Financial and budgetary impacts:

No budget changes or additional costs are expected to result from this Ordinance.

Community impacts and community involvement:

The proposed ordinance will benefit BES ratepayers by ensuring equitable, accurate and appropriate sewer user billing.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES:** Please complete the information below.
- NO:** Skip this section

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