

ORDINANCE No. 189008

* Authorize the Bureau of Environmental Services to reimburse property owner at 7629 SE Clinton St for sewer user fees paid to the City in the amount of \$5,805 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Karen Robertson (the Owner) purchased the property at 7629 SE Clinton Street (the Property) on September 15, 1987. Since July 1, 1993, sewer user fees have been billed to ratepayers who cause or permit the discharge of sanitary sewage from a property in their possession into sewer facilities owned or maintained by the City. The Owner was billed sewer user fees from July 1, 1993 until April 13, 2018.
2. In May of 2018 the Owner discovered, when an onsite cesspool system failed, that the property is not connected to the public sewer system. BES confirmed that there is no record of connection and that no sewer branch was built for this property.
3. The Owner paid sewer user fees for the Property, to the City, in an amount estimated to be \$7,300.00 from July 1, 1993 to April 13, 2018. The Owner did not receive sewer service from the City for these user fees.
4. City Code section 17.36.090 A allows the Director of the Bureau of Environmental Services to authorize sewer adjustments for billing errors limited to the most recent three years of billing. BES issued a reimbursement of \$1,495.00 for three years (2015 – 2018) of sewer user fees to the Owner on May 14, 2018.

NOW, THEREFORE, the Council directs:

- a. The Bureau of Environmental Services to reimburse Karen Robertson \$5,805.00, which represents the balance of the sewer user fees collected in error by the City from the Owner from 1993 to 2015.

Section 2. In order to reimburse the Owner as expeditiously as possible for funds that were collected in error, the Council declares that an emergency exists. Therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JUN 13 2018

Mayor Ted Wheeler
Commissioner Nick Fish
Prepared by: B. Jonas Biery
Date Prepared: May 15, 2018

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Agenda No.
ORDINANCE NO. 189008
 Title

* Authorize the Bureau of Environmental Services to reimburse property owner at 7629 SE Clinton Street for sewer user fees, paid to the City, in the amount of \$5,805.00 (Ordinance)

INTRODUCED BY Commissioner/Auditor: <u>Wheeler</u>	CLERK USE: DATE FILED <u>JUN 06 2018</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler <i>VC</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: Environmental Services Bureau Head: Michael Jordan <i>[Signature]</i> Prepared by: Sherri Peterson Date Prepared: May 15, 2018 Financial Impact & Public Involvement Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i> Council Meeting Date 6/13/2018	ACTION TAKEN:

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	