

**A G R E E M E N T**

THIS AGREEMENT, made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 1969, between MULTNOMAH COUNTY, a political subdivision of the State of Oregon, hereinafter sometimes referred to as the "County," and the CITY OF PORTLAND, Oregon, a political subdivision existing under the laws of the State of Oregon, hereinafter sometimes referred to as the "City."

**W I T N E S S E T H**

WHEREAS there exists between County and City an interchange agreement providing for the transportation and treatment of sewage from certain City areas at the County's Fanno Creek Sewage Treatment Plant and the transportation and treatment of sewage from certain County areas at the City's Columbia Boulevard Plant (City Contract No. 10825, City Ordinance Nos. 126256 and 129783).

WHEREAS effective June 28, 1968, the Oregon State Sanitary Authority now known as the Oregon State Department of Environmental Quality, placed a ban on new connections to the County's Fanno Creek Sewage Treatment Plant and at the time the parties entered into this agreement said ban on sewer connections prevailed except for a limited number of connections being authorized in special cases due to health conditions.

WHEREAS for the purpose of relieving the present shortage of sewer services in the area served by the Fanno Creek Treatment Plant, the City has offered to construct a temporary pumping station at City-County joint expense and pump a prescribed volume of sewage from the Fanno Creek Interceptor Sewer to existing City facilities. Said pumping station and pressure main in their relation to other City pumping facilities and gravity sewers as required for transporting sewage from the Fanno Creek sewerage system to the City's Sewage Treatment Plant are shown on the 8½ by 11 sketch attached herewith and offered as Exhibit "A."

WHEREAS the existing City sewage facilities required for the transportation and treatment of sewage as already described with minor modifications will have the required capacity for the additional sewage until the existing ban on new connections is lifted.

NOW THEREFORE, in consideration of the premises and of the covenants and agreements to be kept and performed by the parties hereto, it is covenanted and agreed as follows:

**BOTH PARTIES AGREE:**

1. The City agrees to design, construct, place under contract and supervise the construction of the sewage pumping station and pressure main all in accordance with plans and specifications to be approved by the County and the Oregon State Department of Environmental Quality.

2. The parties will share equally in the construction cost for the pumping station including all equipment, pressure piping and facilities as indicated by said plans and specifications. The engineering costs which include inspection and administration will be borne entirely by the City.

3. The project will provide for a 470 gpm pump station to be located along the Fanno Creek Interceptor, also an 8-inch force main from the new pump station to the existing Vermont Pump Station, as indicated on the attached sketch "A". The City agrees at its own expense to make whatever minor modifications of the Vermont and Gabriel Park Pump Stations as will be required. The preliminary estimate for the cost of the project, including the cost of land, easements, and engineering is \$69,600.00.

4. As time is of the essence, the County agrees to purchase the packaged pump station and approximately 4,000 feet of pressure pipe. The City will award the construction contract for installing the pump station and pressure pipe. After completion of the contract, the City will adjust the project costs and bill or credit the County for any differences from the amounts already paid so that the County's final cost, exclusive of land and easements is 50% of the aggregate amounts of the construction, the packaged pump station and the pressure pipe. Payments or credits shall be made within sixty (60) days after the completion of the project and acceptance by the City.

5. County agrees to obtain at its own expense all land, easements and right of ways as needed for the construction of said pumping station and pressure main. All pipe lines and pipe line easements shall remain in the City upon termination of this agreement. The plant site property rights and pump station shall revert to the County when both City and County agree that pumping should be terminated.

6. The City agrees to maintain the pumping station and pressure main and pay all operating costs while this agreement is in effect. The City agrees to maintain all other City facilities required for the transportation and treatment of sewage according to terms of this agreement.

7. As a result of the construction of the new pump station, the City and the County will be permitted a limited number of property connections to the County's Fanno Creek System as approved by the Oregon State Department of Environmental Quality. New connections shall be apportioned on the basis of 70% to the City and 30% to the County. The number of equivalent residential units to be connected for each multiple unit connection shall be in accordance with existing City-County Agreement, City Contract No. 10825.

8. Sewer user service charges paid to the County by the City under the existing City-County agreement shall continue on the basis of the volume of sewage being treated at the Fanno Creek Plant. The City will continue to report to the County the number of equivalent residential connection units, but will also report the monthly volume of sewage pumped from the Fanno Creek system to the City system. The County's charge to the City for the transportation and treatment of sewage at the Fanno Creek Sewage Treatment Plant shall be based on the monthly volume of sewage from all City connections but reduced by the total monthly volume of sewage delivered by the new City pumping station for treatment through City facilities as determined by the pump station flow meter readings.

9. All new sewer connections made available to the City and County as a result of the construction of the pump station referred to herein shall conform to the "Connection Priority List" attached hereto. It shall be understood that the priorities will be effective only for a limited time where, in the judgment of each party, the property owner has been given adequate time to make the available connection.

10. The characteristics of wastes permitted to be discharged from County area to City facilities shall be equal to those outlined in Paragraph 8 of the present Agreement.

11. City agrees to accept sewage under the terms of this agreement for a period of five years, however, this may be terminated at any time within said five-year period by official request of the County. After the five-year term, this contract may be terminated by either party, when alternate sewage disposal facilities are available in the opinion of the Oregon State Department of Environmental Quality.

WITNESS WHEREOF, Multnomah County acting by and through its Chairman of the Board of County Commissioners, pursuant to authority of an order of said Board entered in its Journal, and the City of Portland acting by and through its Mayor and Commissioner of Public Works, pursuant to Ordinance No. \_\_\_\_\_ have caused these presents to be executed.

MULTNOMAH COUNTY, OREGON  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chairman

Approved as to form:

CITY OF PORTLAND, OREGON

\_\_\_\_\_  
District Attorney

\_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Commissioner of Public Works

Connection Priority List

Multnomah County Vermont Diversion Pump Station

FANNO CREEK TREATMENT PLANT BASIN

Revised October 10, 1969

- V-1 Existing houses with sewers available.
- V-2 Existing houses and commercial buildings in areas which have approved Federal grants for new sewer collection systems.
- V-3 New house construction in areas with sewers available.
- V-4 New apartments in areas with existing sewers available.  
(where zoning prior to D.E.Q. order dated 9-26-69 allowed apartment construction)
- V-5 Existing houses located in non-sewered areas.
- V-6 New houses located in non-sewered areas.
- V-7 New apartments in non-sewered area.

NOTE: Commercial and industrial connections will be considered in the same priority as apartments, except each application will be subject to individual evaluation.

CITY OF PORTLAND - DEPARTMENT OF PUBLIC WORKS

FANNO CREEK

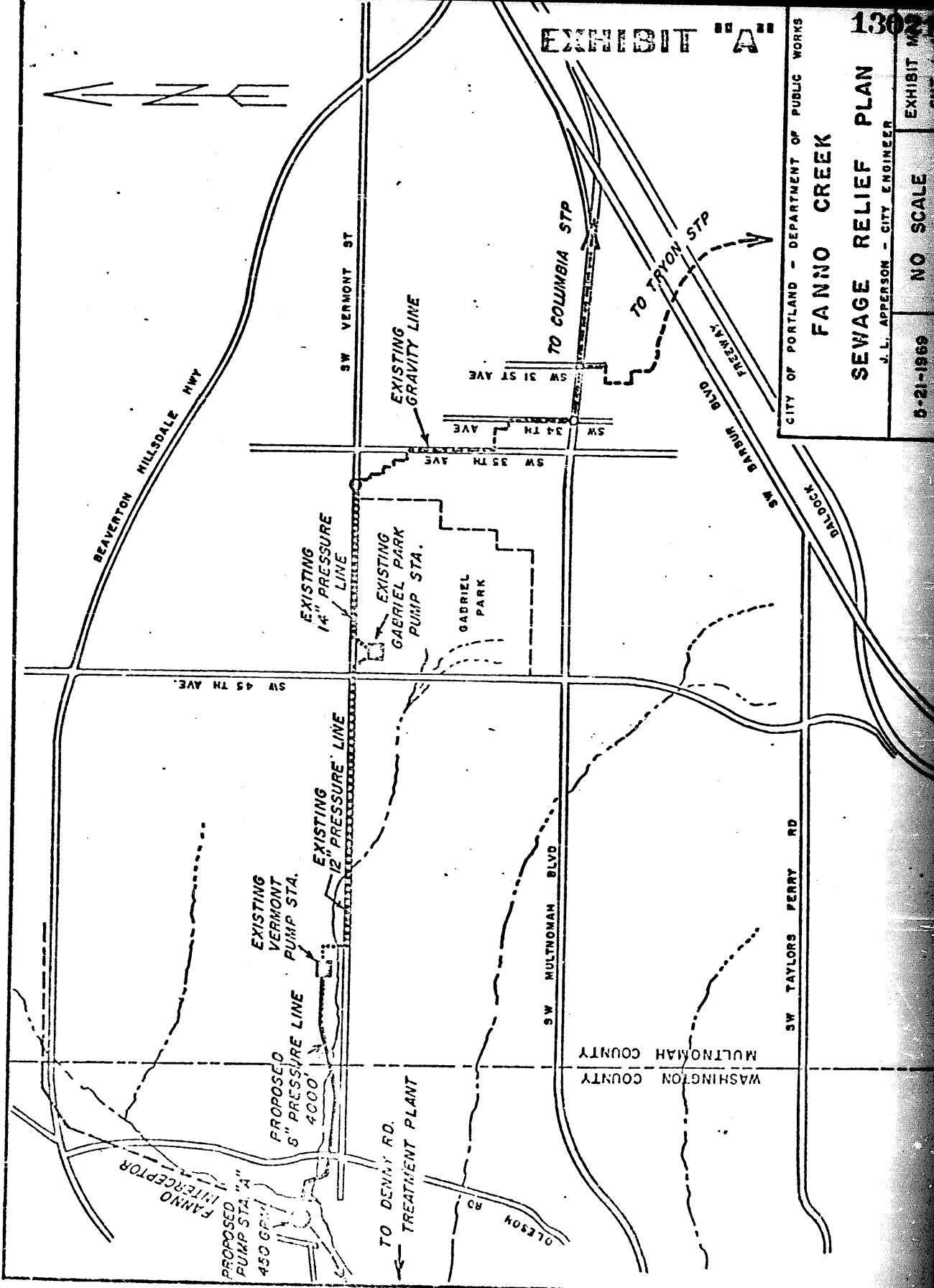
SEWAGE RELIEF PLAN

J. L. APPERSON - CITY ENGINEER

NO SCALE

8-21-1969

EXHIBIT MAP  
SHEET 1 OF 1



## ORDINANCE NO. 130211

An Ordinance authorizing an agreement with Multnomah County for construction of a temporary pumping station at joint city-county expense to pump a prescribed volume of sewage from the Fanno Creek Interceptor Sewer to existing city facilities, providing for an allocation of costs, and for an allocation of new connections between the City and County, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that due to the ban on new connections to the County's Fanno Creek Sewage Treatment Plant effected June 28, 1968, by the Oregon State Sanitary Authority now known as the Oregon State Department of Environmental Quality, it is in the interest of both the City and Multnomah County in order to provide facilities for new connections to construct a temporary pumping station to pump a prescribed volume of sewage from the Fanno Creek Interceptor Sewer to existing City facilities; chiefly the project will provide a 470 gallon per minute pump station to be located along the Fanno Creek Interceptor and an 8-inch force main from the new pump station to the existing Vermont Pump Station; the City and Multnomah County has tentatively agreed to share the cost of the project except that the City shall agree at its own expense to make whatever minor modifications may be necessary at the Vermont and Gabriel Park Pump Stations and that the County shall at its own cost obtain the required land and easements for the project and then assign such land and easements and facilities to the City for City maintenance; that the preliminary estimate for the cost of the entire project is \$69,600; that the new connections available by reason of construction of such facilities shall be apportioned on the basis of 70% to the City and 30% to the County; the number of equivalent residential units to be connected for each multiple unit connection shall be in accordance with an existing City-County agreement relating to such apportionment being present City Contract No. 10825; that such agreement is in the public interest and should be authorized; now, therefore, the Mayor and Commissioner of Public Works are hereby authorized to enter into an agreement with Multnomah County to provide an additional temporary pumping station and related facilities to relief the overcrowded condition of the County's Fanno Creek Sewer System, which agreement shall provide for an allocation of the costs of the project and an apportionment of new connections to be allowed to both the County and City, such agreement to be substantially in accordance with the form of agreement attached to the original only of this ordinance marked Exhibit "1" and by this reference made a part of this ordinance.

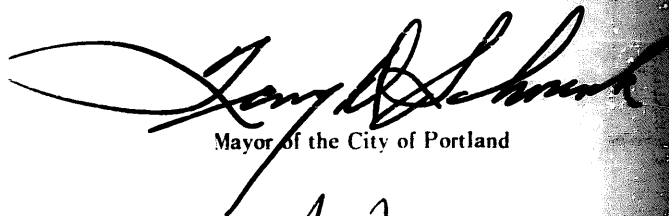
Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of

## ORDINANCE No.

of the City of Portland in this: In order that the agreement between the City and Multnomah County to provide additional sewer facilities as authorized in Section 1 of this ordinance may be entered into in the interest of public health without unnecessary delay; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

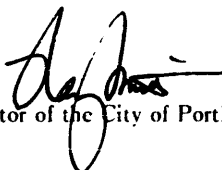
Passed by the Council, **DEC 24 1969**

COM'R ANDERSON  
RLH:ep  
12/23/69



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. 5151-2

**ORDINANCE No. 130211**

Title

An Ordinance authorizing an agreement with Multnomah County for construction of a temporary pumping station at joint city-county expense to pump a prescribed volume of sewage from the Fanno Creek Interceptor Sewer to existing city facilities, providing for an allocation of costs, and for an allocation of new connections between the City and County, and declaring an emergency.

INTRODUCED BY
COMMISSIONER ANDERSON

DRAWN BY	RLH:ep
Date	12/23/69

NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works	<i>Hayden</i>
City Attorney	<i>MDR</i>

NOTED BY THE CITY AUDITOR	<i>SM</i>
APPROVED	

Date	
By	City Engineer
Date	
By	

**THE COMMISSIONERS VOTED AS FOLLOWS:**

	Yeas	Nays
<del>Anderson</del>	1	
Earl	1	
Grayson	1	
Ivancie	1	
Schrunk	1	

**FOUR-FIFTHS CALENDAR**

<del>Anderson</del>	
Earl	
Grayson	
Ivancie	
Schrunk	

Filed DEC 24 1969

**RAY SMITH**

Auditor of the CITY OF PORTLAND

By *Dwight Stewart*  
Deputy