

008285  
**ORDINANCE No. 185866**

Authorize the Director of the Bureau of Environmental Services or his designee to enter into participation agreements with private property owners in the RDII Program Pilot Project areas for rehabilitation of private sewer service laterals to remove inflow and infiltration into the public sewer conveyance and treatment system. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2012 Council adopted Resolution 36977 recognizing the negative impacts of Rainfall-Derived Infiltration and Inflow (RDII) and endorsing implementation of RDII pilot projects.
2. BES entered into Mutual Agreement and Order (MAO) WQ/M-NWR-11-091 with the Oregon Department of Environmental Quality (DEQ) to reduce RDII to the system in order to eliminate sanitary sewer overflows on Dewitt St in the Burlingame sewer basin on November 9, 2011.
3. RDII entering defective private laterals through infiltration or from direct connections results in RDII into the City's sanitary sewer system, contributing to sewage overflows and causing the City to incur costs each year for additional wastewater pumping and treatment.
4. As documented in the "Recommended Plan for Fanno Creek and Burlingame Sanitary Basins," March 21, 2012, BES' research has shown that RDII cannot be reduced sufficiently to meet system operational needs without reduction of RDII sources from private property.
5. The Office of the City Attorney has reviewed the agreement and determined that it is in the interest of the City to enter into agreements that includes mutual indemnification provisions between private property owners and the City.
6. There is no cost to the private property owners for signing the participation agreements. BES will fund and construct private sewer rehabilitations on private property using funds available in the current & future years' requested Sewer System Operating Fund Budget. The source of funding is BES revenue from rates.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services or his designee is authorized to execute participation agreements with individual property owners in the RDII Program Pilot Project areas for rehabilitation of private sewer service laterals to remove inflow and infiltration into the public sewer conveyance and treatment system. The participation agreements will conform generally to Exhibit A, attached hereto.

Passed by the Council,  
Dan Saltzman  
Commissioner of Public Affairs

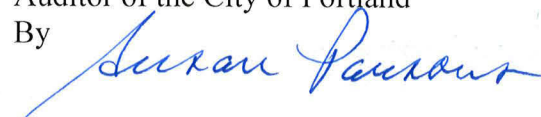
JAN 23 2013

Scott Gibson  
December 2012  
WBS E10472- ord

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

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Agenda No. **185866**  
**ORDINANCE NO.** 008681  
Title

✓ Authorize the Director of the Bureau of Environmental Services or his designee to enter into participation agreements with private property owners in the RDII Program Pilot Project areas for rehabilitation of private sewer service laterals to remove inflow and infiltration into the public sewer conveyance and treatment system. (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <i>Saltzman</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott</p> <p>Prepared by: Scott T. Gibson Date Prepared: December 21, 2012</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input 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 <b>January 16, 2013</b></p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>Yes</i></p>	<p>CLERK USE: DATE FILED <u>JAN 11 2013</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Pearson</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p style="text-align: center;">JAN 16 2013 PASSED TO SECOND READING JAN 23 2013 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>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. Novick	4. Novick ✓	
Hales	Hales ✓	