

ORDINANCE No. 186318

*Authorize an Intergovernmental Agreement with Multnomah Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 for provision of stormwater management services. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Beginning July 1, 2000 Portland residents and businesses within Multnomah Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 (the Drainage Districts) paid for City stormwater management services through an Intergovernmental Agreement between the City and the Drainage Districts. That intergovernmental agreement was terminated effective June 30, 2013.
2. Ordinance No. 185610 directed the Bureau of Environmental Services to resume billing stormwater charges within the Drainage Districts, beginning on July 1, 2013, to be phased in over four years.
3. The resumption of direct billing within the Districts was intended to establish a fair allocation of City stormwater costs for City stormwater management services benefitting all ratepayers.
4. Achieving a fair allocation of stormwater management costs also requires recognition of stormwater management services provided by the Drainage Districts that benefit all City residents and businesses, including those outside the Districts.
5. Staffs of the Bureau of Environmental Services and the Districts have completed an Intergovernmental Agreement that establishes a fair allocation of Drainage District costs to City residents and businesses outside the Districts.
6. The proposed agreement further recognizes the benefits to both the City and the Drainage Districts of a predictable long-term relationship and ongoing coordination of services within the Districts.
7. It was Council's original intent that the Intergovernmental Agreement commence with the direct billing. Additional time was required for the parties to reach agreement on the extent of City stormwater flows into the Districts.
8. The payment from the City to the Districts for the current year is \$545,132. Funds are available in the Sewer System Operating Fund FY2013-14 Revised Budget and future years' Requested Sewer System Operating Fund budgets.

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NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Works is authorized to execute on behalf of the City an Intergovernmental Agreement with Multnomah Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 substantially in the form of the attached Exhibit A.
- b. The Intergovernmental Agreement shall be retroactive to July 1, 2013.

Section 2. The Council declares that an emergency exists because delay in payment to the Districts for 30 days would prevent them from recognizing that payment in their financial statements for the year; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

JUN 04 2014

Passed by the Council,
Commissioner Nick Fish

James Hagerman
May 28, 2014

Cost object - ord

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

812321

545
Agenda No.
ORDINANCE NO. 186618
Title

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INTRODUCED BY Commissioner/Auditor:	CLERK USE: DATE FILED <u>MAY 30 2014</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>Susan Parsons</u> Deputy ACTION TAKEN:
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish <u>Nick</u>	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	
Bureau: Environmental Services Bureau Head: <u>Dean Marriott</u>	
Prepared by: James Hagerman Date Prepared: May 28, 2014	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> <u>EKL</u>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <u>HPO</u>	
Council Meeting Date June 4, 2014	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>10:30</u>
Total amount of time needed: 30 min (for presentation, testimony and discussion)
CONSENT <input 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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	