

ORDINANCE No. 189879

* Authorize Portland Parks & Recreation to transfer \$60,000 and the Bureau of Environmental Services to transfer \$260,000 to the Peninsula Drainage District #1 for operational and capital expenses in FY 2019-20 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. PEN 1 provides flood risk reduction and drainage services for lands within its jurisdiction by operating and maintaining levees and drainage works as authorized under ORS 547. PEN 1 is one of four drainage districts responsible for operating and maintaining the 27-miles of levees, 45-miles of sloughs, canals, ditches, and culverts, and 12 pump stations that reduce the risk of flooding along the Columbia River and Columbia Slough in urban Multnomah County.
2. PEN 1 is the smallest of the four local drainage districts. Approximately 94% of PEN 1's 995 acres are public lands, including PP&R's Portland International Raceway, PP&R's Heron Lakes Golf Course, Metro's Expo Center, and the Port of Portland's Vanport Wetland, with small businesses making up the remaining 6%. The City, by and through PP&R, owns 77% of the district's land.
3. The City, via BES, currently coordinates with PEN 1 to provide funding and services related to stormwater management within PEN 1 via an existing Intergovernmental Agreement for Stormwater Management Services between PEN 1 and the City.
4. Property assessments levied on property owners serve as PEN 1's primary source of revenue. Between land zoned as open space, and the number of properties that are already under Measure 5 tax compression, PEN 1 is unable to assess enough revenue to support the basic operations of the district.
5. PEN 1 has made several funding requests of the City of Portland in recent years. In a memo dated December 6, 2019, PEN 1 made a specific financial request that included, for FY2019-20, materials and services costs totaling approximately \$60,000 and costs directly related to stormwater management totaling \$260,000.
6. In response, the City of Portland City Council, through its 2019 Fall Budget Monitoring Process, has approved an amount up to \$60,000.00 to be provided as its contribution for "Materials and Services" costs. This additional contribution represents the City's commitment to maintain its infrastructure and will allow PEN 1 to continue work on inspection, maintenance and repair of the infrastructure for certification and accreditation purposes that benefit the City.

7. The purpose of the proposed Agreement before Council today is to memorialize the decision to transfer the Materials and Services funds by the City's Council and authorize PP&R to transfer \$60,000 to PEN 1. This ordinance will authorize the Director of PP&R to execute the Intergovernmental Agreement Between the City of Portland And Peninsula Drainage District #1 For the Transfer of Materials and Services Funds. (Attached as Exhibit A.)
8. BES has funds currently budgeted and available in the Sewer Operating Fund to meet the FY2019-20 request. Section II.K. of the existing Intergovernmental Agreement for Stormwater Management allows for additional task orders to be submitted for additional funding, but requests above \$50,000 require approval of City Council.

NOW, THEREFORE, The Council Directs:

- a. The Director of the Portland Parks & Recreation is authorized to execute the Intergovernmental Agreement Between the City of Portland and the Peninsula Drainage District No. 1 for the Transfer of Materials and Services Funds, in the form substantially similar to the Exhibit A attached, to transfer \$60,000 for operational costs, specifically, for Materials and Services expenses.
- b. The Bureau of Environmental Services is authorized to transfer \$260,000 from the Sewer Operating Fund for PEN 1 expenses related to stormwater management infrastructure, via a task order under Section II.K of the existing Intergovernmental Agreement for Stormwater Management between the City and PEN 1.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the funding for the ongoing operations of PEN 1, therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: MAR 04 2020

Mary Hull Caballero
Auditor of the City of Portland

Mayor Ted Wheeler
Prepared by: F. Dennis James
Date Prepared: January 29, 2020

By  Deputy

✓1/10

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Agenda No.
ORDINANCE NO. 189879
Title

* Authorize Portland Parks and Recreation (PP&R) to transfer \$60,000 and the Bureau of Environmental Services (BES) to transfer \$260,000 to the Peninsula Drainage District #1 (PEN 1) for operational and capital expenses in Fiscal Year 2019-20 (Ordinance).

<p>INTRODUCED BY Commissioner/Auditor: Wheeler</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>smg</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - vacant</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Parks Bureau Head: Adena Long <i>[Signature]</i></p> <p>Prepared by: F. Dennis James Date Prepared: 1.29.20</p> <p>Impact 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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature] 1/29/20</i></p> <p>Council Meeting Date March 4, 2020</p>	<p>CLERK USE: DATE FILED <u>FEB 25 2020</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p>
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<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 minutes (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 30%;">YEAS</th> <th style="width: 30%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Vacant</td> <td>2. Vacant</td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td>3. Hardesty <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz <input checked="" type="checkbox"/>		2. Vacant	2. Vacant		3. Hardesty	3. Hardesty <input checked="" type="checkbox"/>		4. Eudaly	4. Eudaly <input checked="" type="checkbox"/>		Wheeler	Wheeler <input checked="" type="checkbox"/>	
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