

ORDINANCE No. 185826

Authorize an Intergovernmental Agreement with the Port of Portland to provide for cost sharing of joint National Pollutant Discharge Elimination System Municipal Stormwater permit compliance activities.
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In 1995, co-permittees the City of Portland and the Port of Portland were issued National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Discharge Permit #101314. The Oregon Department of Environmental Quality (DEQ) issued a renewed permit on January 31, 2011. The renewed permit includes extensive new requirements.
2. The City of Portland and the Port of Portland entered into Intergovernmental Agreement (IGA) No. 52955 authorized by Council on September 26, 2007 (Ordinance No. 181296). The Agreement established responsibilities for satisfying various NPDES MS4 Permit requirements and for cost share of joint permit activities such as compliance reporting, permit fees and monitoring. Since the Intergovernmental Agreement was last revised in 2007, permit implementation and monitoring cost costs have increased.
3. A new intergovernmental agreement is necessary to establish the allocation of responsibilities for satisfying new MS4 Permit requirements.
4. The established BES cost share is to be determined in accordance with section 5 of the IGA on an as-needed basis. Funds are available in the Sewer System Operating Fund, FY 2012-2013 Budget, Bureau of Environmental Services, Cost Center ESPP000019.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute an Intergovernmental Agreement with the Port of Portland, in a form substantially similar to the agreement attached to this ordinance, for the purpose described in Section 1, and to execute amendments to this agreement necessary to conform with any MS4 permit amendments.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

DEC 19 2012

Angie Tomlinson
November 22, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By



Deputy

ESPP000019 - ord

Authorize an intergovernmental agreement with the Port of Portland to provide for cost sharing of joint National Pollutant Discharge Elimination System Municipal Stormwater permit compliance activities.
(Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: <i>Saltzman</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: BES Bureau Head: <i>Dean Marriott</i></p> <p>Prepared by: Angie Tomlinson Date Prepared: 11/22/2012</p> <p><i>EM</i> Financial Impact & 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 December 12, 2012</p> <p>City Attorney Approval <i>fls</i></p>	<p>CLERK USE: DATE FILED DEC 07 2012</p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: DEC 12 2012 PASSED TO SECOND READING DEC 19 2012 9:30 A.M.</p>
---	---

AGENDA
<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 checked="" type="checkbox"/></p> <p>REGULAR <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. Leonard	4. Leonard	✓	
Adams	Adams	✓	