

IMPACT STATEMENT

37146

Date: July 2, 2015

Council Date: July 15, 2015

Legislation Title: Establish a cooperative agreement with the Mt. Tabor Neighborhood Association to ensure that clean water will be maintained in the Mt. Tabor Park Reservoirs at the historic levels that produce the Park's iconic views, and to prioritize and implement the maintenance, repair and preservation of the Reservoirs and authorize funding for work identified in the 2009 *Mount Tabor Reservoirs Historic Structures Report*. (Resolution)

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Purpose of proposed legislation and background information:

Mt. Tabor Park and the Mt. Tabor Reservoirs have been an important aspect of Portland's livability for over a century. The Mt Tabor Reservoirs and, separately, Mt. Tabor Park itself were both listed in the National Register of Historic Places in 2004 and are now the Mt Tabor Park Reservoirs Historic District and Mt Tabor Park Historic District. U.S. Environmental Protection Agency (EPA) passed a new federal drinking water rule (LT2) in 2006 that requires water utilities that store treated water in open reservoirs to either cover the reservoir or treat the reservoir discharge.

City Council approved a Compliance Schedule with the EPA March 2009 that is scheduled to result in disconnection of the reservoirs from the drinking water distribution system by December 31, 2015. The disconnection of the Mt. Tabor Reservoirs is just one component of an overall LT2 compliance strategy that includes building new storage at Powell Butte, Kelly Butte and new covered storage in place of the open reservoirs at Washington Park.

The reservoirs are part of a complex system of pipes, valves, other reservoirs and related equipment that continue to be part of the overall utility infrastructure necessary for the operation of the city's water distribution system. The Historic Landmarks Commission has called for the reservoirs' water levels to be maintained so as to consistently produce the sites' characteristic, iconic views, and for the reservoirs to be repaired, maintained and restored as historic landmarks.

The Mount Tabor community members have expressed firm opposition to covering, burying, or disconnecting the historic reservoirs at Mt. Tabor and concerned about the impact to the treed

character of the park by work that is completed by the City. The Water Bureau has concerns with maintaining buffers between pipes and trees, identifies the need for additional storage for future generations, and is also responsible to uphold the City's obligation to maintain, repair and preserve its assets. The reservoirs will continue to be an asset of the City of Portland and reservoirs at Mt. Tabor will remain an integral and historic part of Mt. Tabor Park.

In 2008, the Water Bureau contracted with Cascade Design Professionals and historic architect, Robert Dortignacq, to develop the Mount Tabor Reservoirs Historic Structures Report in order to provide expert advice on the condition, maintenance, rehabilitation and preservation of the historic visual features within the Mount Tabor Park Reservoirs Historic District. The summary findings of the report indicate that while the historic features in the district are in fair to good condition, are largely intact, and reflect their original construction, there are various projects that need to be completed to prevent and remedy deterioration of those structures. The report forms the basis for discussion between the Water Bureau and the Mt. Tabor Neighborhood Association (MTNA) regarding the City's obligation to maintain, repair and preserve the reservoirs as an existing and future City asset.

The Mt. Tabor Park Master Plan and amendments, accepted in Council Resolution 36657 (December 2008) as "the most current and correct information regarding the status and directions regarding Mt Tabor Park", will also influence these discussions between the Water Bureau and the MTNA. The Water Bureau and MTNA are in agreement that a cooperative agreement to prioritize and implement the maintenance, repair and preservation of the reservoirs is in the best interests of the City, the public and future users of the Park and reservoirs.

This resolution addresses the establishment of a cooperative agreement between the Mt. Tabor Neighborhood Association to prioritize and implement the maintenance, repair and preservation of the Mt Tabor Park Reservoirs. In addition, this legislation authorizes funding for work identified in the 2009 Mount Tabor Reservoirs Historic Structures, upgrading the lighting at Reservoirs 1 and 5 and approves the following commitments:

- City Council's support and commitment for implementing a cooperative agreement with MTNA that identifies the priority for the maintenance, repair and preservation of the Mt Tabor Park Reservoirs, as identified in the 2009 Mount Tabor Reservoirs Historic Structures Report and to accomplish this over a four-year period beginning in FY 2016-2017.
- Ensures for the provision of three out of the four reservoir basins be kept full (as close to 85% as possible) while the fourth is being drained, cleaned and refilled.
- Provides for the Water Bureau and MTNA to explore alternative methods to maintain clean water at historic levels, and to maximize the number of days the reservoirs are full, in order to preserve the character of the reservoirs and the park in the most efficient and sustainable manner possible.
- The Water Bureau, other City bureaus as are necessary, required to collaborate with the MTNA to develop an interpretive program that tells the history of the Mt. Tabor reservoirs

and the City's water system and for the bureau to consult with the MTNA before planned work and after emergency events in the park which have potential impact on trees with the intent to minimize the visual impact on the treed character of the park.

- The Water Bureau, other City bureaus as are necessary, will collaborate with the MTNA on a joint Semi-annual Report to City Council documenting compliance with this Resolution, including a Final Summary Report to be submitted by December 31, 2020 to City Council regarding the implementation of the maintenance, repair and preservation work identified in the 2009 Mount Tabor Reservoirs Historic Structures Report.

Financial and budgetary impacts:

Per this legislation, no less than \$4 million over the next four years will be dedicated to the maintenance, repair and preservation work identified in the 2009 Mount Tabor Reservoirs Historic Structures Report; and City Council will consider in a future budget an additional \$1.5 million allocation to replace non-historic lighting with aesthetically appropriate lighting at Reservoirs 1 and 5.

Water Bureau funds will be requested as part of the FY 2016-2017 through FY 2019-2020 Budgets. This legislation will result in a rate impact if funded by Water Bureau Capital Improvement Funds. There may be the requirement for the Water Bureau to request additional General Fund resources to support the financial obligations and commitments approved by this resolution.

Community impacts and community involvement:

The proposed legislation provides for a partnership with the Mt. Tabor Neighborhood Association (MTNA) to prioritize and implement the maintenance, repair and preservation of the Mt Tabor Park Reservoirs. This is in the best interests of the public and future users of the Park and reservoirs. A collaborate effort with the MTNA to develop an interpretive program will provide the community with history of the Mt. Tabor reservoirs and the City's water system. The coordination prior to planned work or after emergency events in the park, when there is a potential impact to trees, will provide for the opportunity to consult with MTNA and also improve communications and outreach to our community.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount


 David G. Shaff, Administrator

07.09.2015
 Date

Commissioner Fish Amendments to Item 762

Amendment #1

Replace language as follows:

~~“WHEREAS, the reservoirs are part of a complex system of pipes, valves, other reservoirs and related equipment that continue to be part of the overall utility infrastructure necessary for the operation of the city’s water distribution system.”~~

“WHEREAS, the reservoirs exist alongside a complex system of pipes, valves, other reservoirs and related equipment that are elements of the overall utility infrastructure necessary for the operation of the City’s water distribution system.”

Amendment #2

Replace language as follows:

“BE IT FURTHER RESOLVED, that the Water Bureau shall ~~continue to~~ work with the MTNA, and the Friends of Mt. Tabor Park to explore alternative methods to maintain clean water at historic levels, and to maximize the number of days the reservoirs are full, in order to preserve the character of the reservoirs and the park in the most efficient and sustainable manner possible; and”

Amendment #3

Replace language as follows:

“BE IT FURTHER RESOLVED that the Water Bureau, and other City agencies as are necessary, including any City agency that may be responsible for managing the reservoirs in the future, are directed to work with the MTNA and the Friends of Mt. Tabor Park to prioritize maintenance, repair and preservation work identified in the 2009 *Mount Tabor Reservoirs Historic Structures Report* to be accomplished over a four-year period beginning in FY 2016-2017; and”

Amendment #4

Replace language as follows:

“BE IT FURTHER RESOLVED, the Water Bureau, Portland Parks and Recreation other City bureaus as are necessary, are directed to collaborate with the MTNA, the Friends of Mt. Tabor Park, and other stakeholders to develop an interpretive program that tells the history of the Mt. Tabor reservoirs and the City’s water system; and”

Amendment #5

Replace language as follows:

“BE IT FURTHER RESOLVED, the Water Bureau will confer ~~and consult~~ with the MTNA, the Friends of Mt. Tabor Park and Portland Parks and Recreation before planned work and after emergency events in the park which have potential impact on trees with the intent to minimize the visual impact on the treed character of the park; and”

Amendment #6

Replace language as follows:

Clerk note: See next page for final amendment.

“BE IT FURTHER RESOLVED, the Water Bureau and other City bureaus as appropriate ~~will shall coordinate and collaborate with the MTNA on~~ submit to City Council and key stakeholders (including but not limited to the MTNA and the Friends of Mt. Tabor Park), a ~~joint~~ Ssemi-annual written Rreport documenting compliance with this Resolution; shall make annual presentations to City Council and the Portland Utility Board; and shall submit including a Final Summary Report to be submitted by December 31, 2020 to City Council regarding the implementation of the maintenance, repair and preservation work identified in the 2009 *Mount Tabor Reservoirs Historic Structures Report*; and”

Clerk Note 7-15-15
Final Amendment #6

BE IT FURTHER RESOLVED, the Water Bureau and other City bureaus as appropriate will coordinate and collaborate with the MTNA on a joint Semi-annual written Report to City Council documenting compliance with this Resolution, as well as annual presentations to City Council and the Portland Utility Board, including a Final Summary Report to be submitted by December 31, 2020 to City Council regarding the implementation of the maintenance, repair and preservation work identified in the 2009 *Mount Tabor Reservoirs Historic Structures Report*; and