

SUBSTITUTE
ORDINANCE No. 185610
As Amended

Establish rates for stormwater management services in the areas of the City served by Multnomah County Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 and commence direct billings (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 174615 established an Intergovernmental Agreement effective July 1 of 2000 for provision of stormwater management services with Multnomah County Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 (the Districts). When the IGA was effective the City ceased direct billing for stormwater management services in the Drainage Districts.
2. The Intergovernmental Agreement was intended to establish equity between stormwater customers in the Districts and ratepayers elsewhere in the City, recognizing City-wide responsibility for managing stormwater runoff from public rights of way and complying with regulatory requirements, while also recognizing the work of the Districts in supporting City stormwater management efforts.
3. The Intergovernmental Agreement was for ten years' duration, but was intended to be renegotiated after five years and replaced with a new ten-year agreement. The City and Districts were unable to reach a new agreement, and in 2007 the City notified the Districts that the Intergovernmental Agreement would expire on June 30, 2012.
4. In order to fund stormwater management costs and establish equity between City ratepayers inside and outside the Districts it is necessary for the City, through the Bureau of Environmental Services, to resume direct billing for stormwater management services in the Districts.
5. Landowners in the Districts manage their on-site stormwater runoff through their support of District activities. Drainage District stormwater management activities also benefit the City through drainage from public rights-of-way within the Districts, and by accommodating City stormwater runoff from outside the Districts. An equitable rate structure must reflect both of these contributions.
6. An equitable rate structure should reflect the impact of billing District customers on City-wide stormwater rates.

NOW, THEREFORE, the Council directs:

- a. The Bureau of Environmental Services shall resume billing for stormwater management services within the Drainage Districts beginning on July 1, 2013.

- b. Customers in the Drainage Districts will automatically receive the full 35% discount available under the Clean River Rewards stormwater discount program.
- c. Bureau of Environmental Services staff shall submit proposed rates for customers in the Drainage Districts for the next four fiscal years at the following percentages of the discounted rate: 25% for the Fiscal Year beginning July 1, 2013, 50% for the Fiscal Year beginning July 1, 2014, 75% for the Fiscal Year beginning July 1, 2015 and 100% for the Fiscal Year beginning July 1, 2016.
- d. The Bureau of Environmental Services and Drainage Districts will enter into an Intergovernmental Agreement defining an equitable contribution by City ratepayers for Drainage District stormwater management services benefitting City ratepayers.

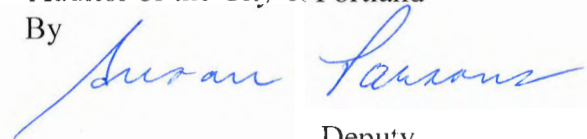
SEP 12 2012

Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

James Hagerman
August 29, 2012


LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

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INTRODUCED BY Commissioner/Auditor:	CLERK USE: DATE FILED <u>SEP 05 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Environmental Services Bureau Head: Dean Marriott	ACTION TAKEN: SEP 05 2012 ^{Substitute} PASSED TO SECOND READING As Amended SEP 12 2012 9:30 A.M.
Prepared by: James Hagerman Date Prepared: August 29, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date September 5, 2012	
City Attorney Approval	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 3 pm Total amount of time needed: 45 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. Leonard	4. Leonard	✓	
Adams	Adams	✓	