

Order 158-10/11

Passage: 9-0 3/21/11

NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
JILL C. DUSON (A/L)

**ORDER ESTABLISHING THE SUSTAINABLE
STORM WATER FUNDING TASK FORCE**

WHEREAS, storm water runoff from the urban environment can lead to flooding of public right-of-ways and private property, and the City of Portland operates and maintains an extensive storm water and combined sewage system to convey storm water runoff away from public right-of-ways and private property; and

WHEREAS, the City of Portland is required by law to minimize pollution of water bodies caused by the use of the City's storm water and combined sewer systems and must construct hundreds of millions of dollars in upgrades to the City's storm water and combined sewer systems to mitigate the contribution of urban storm water runoff pollution in stream, rivers, Portland Harbor, and Casco Bay; and

WHEREAS, the City of Portland, in discharging storm water runoff into water bodies, must meet regulatory permit requirements that include storm water runoff pollution source-reduction programs throughout the City such as catch basin cleaning, street sweeping, illicit discharge detection programs, and other requirements; and

WHEREAS, maintaining, operating, and constructing upgrades to the City of Portland's extensive storm water and combined sewage systems represents a significant, ongoing, and increasing cost to City taxpayers and sewer ratepayers;

NOW THEREFORE BE IT ORDERED, that the Sustainable Storm Water Funding Task Force is hereby established to study and consider fair and equitable funding alternatives for operating, maintaining, and meeting the capital cost requirements of the City of Portland's storm water and combined sewer infrastructure systems and storm water management programs; and

BE IT FURTHER ORDERED, that the Task Force shall complete the following tasks:

1. Review and gain an understanding of the City of Portland's storm water and combined sewage systems; the effects of storm water runoff on the City's infrastructure, both public and private; the regulations under which the City must comply; and the maintenance, operational and capital costs the City must undertake to operate and maintain the storm water and combined sewer systems;
2. Review and consider fair and equitable alternative funding options for operating, maintaining, and meeting the capital cost requirement of the City's storm water and combined sewer systems; and
3. Weigh the funding alternatives and make a recommendation to the City Council on fair and equitable alternative funding options.

BE IT FURTHER ORDERED, that Task Force may consider the fiscal and administrative implications and the feasibility of alternative funding, and may develop a policy recommendation; and

BE IT FURTHER ORDERED, that the following positions on the Task Force are hereby created and the indicated individuals appointed to those positions:

Portland City Council

Ed Suslovic

Portland Water District

Ron Miller, General Manager or designee

Business Representative/Property Manager

Todd Dominski, East Brown Cow Property Management

Business Representative/Property Manager

Peter Gellerson, Lathrop Property Management

Business Representative/Property Manager

Vin Veroneau, JB Brown and Sons

Industrial Wastewater Discharge Permit Holder

Bill Bennet or Thomas Brigham, Oakhurst Dairy

Residential Property Owner and Neighborhood Association Organization Representative

Dennis Martin, West End

Residential Property Owner and Capisic Brook Watershed Stakeholder Working Group Member Representative

David E. Robinson

Tax-exempt Property Owner

undesigned

Tax-exempt Property Owner

Carol Potter or Tyler Kidder, Facilities Management Office, University of Southern Maine

Advocacy Representative

Curtis Bohlen, Casco Bay Estuary Partnership

Advocacy Representative

Joe Payne, Casco Baykeeper

Citizen-at-large

Mitchell Brooks

Citizen-at-large

Fred Dillon

Roadway Systems

John Cannell, MDOT

BE IT FURTHER ORDERED, that the Mayor may appoint replacements if necessary; and

BE IT FURTHER ORDERED, that the City Manager shall designate the primary staff person or persons responsible for assisting the Task Force and for the participation of such other City departments as are necessary and appropriate; and

BE IT FURTHER ORDERED, that the Task Force shall provide an update to the Energy and Environmental Sustainability Committee on or before July 7, 2011 and final recommendations to the Council on or before January, 2012.