

RESOLUTION NO.

Accept final report and recommendations of the Mt. Tabor Open Reservoirs Independent Review Panel and authorize interim enhanced security measures for City open finished drinking water reservoirs (Resolution)

WHEREAS, the Mt. Tabor Open Reservoirs Independent Review Panel has completed its review of options for addressing the security needs, pending regulatory requirements and necessary infrastructure investments for the Mt. Tabor open finished drinking water reservoirs; and

WHEREAS, the panel unanimously rejected the options of burying water storage without making park improvements, constructing treatment facilities at the reservoir outlets, replacing the bulk of the existing water storage at Powell Butte, and doing nothing; and

WHEREAS, the panel unanimously rejected the option of doing nothing because it felt some action is required to ensure water safety; and

WHEREAS, the panel unanimously recognized that the pending federal Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) affecting the structure and operations of open finished drinking water reservoirs has not been finalized and that there is no assurance of when it will be; and

WHEREAS, a majority of 8 panel members recommended that the Water Bureau, working with Portland Parks and Recreation, the Portland Police Bureau and members of the public develop a risk mitigation plan **that addresses** the requirements of the forthcoming Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) and is compatible with the character and uses of the park to be submitted for approval to appropriate state or federal regulating agency; and

WHEREAS, a minority of 5 panel members recommended that the City retire Reservoir 1 from use, place enclosed water storage beneath Reservoir 5 and Reservoir 6 North, restore the surface water features at Reservoir 5 as they currently exist, and restore the remaining surface water features consistent with the values and design guidelines established in the Mt. Tabor Master Plan and guiding principles; and

WHEREAS, the project to place temporary floating covers over the Washington Park open finished drinking water reservoirs has been placed on hold pending the completion of the Independent Review Panel process; and

WHEREAS, safe drinking water and a secure and reliable drinking water system are essential to the health, safety and economic vitality of Portland and the surrounding metropolitan region; and

WHEREAS, two-thirds of the City of Portland gets its drinking water directly from highly

accessible open drinking water reservoirs located in public parks; and

WHEREAS, Portland's open drinking water reservoirs and surrounding structures hold significant aesthetic and historic value to park neighbors and visitors; and

WHEREAS, two separate security vulnerability assessments of the Portland water system indicate that Portland's open drinking water reservoirs are among the most vulnerable points in the water system to contamination both incidental and intentional.

NOW THEREFORE, BE IT RESOLVED, that the City Council accepts the report and recommendations of the Mt. Tabor Open Reservoirs Independent Review Panel; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to terminate all current contracts for services related to the burial of the Mt. Tabor open reservoirs; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to work with Portland Parks and Recreation, the Police Bureau and members of the public representing commercial and residential ratepayers, neighbors and stakeholders, to develop and submit to the appropriate state or federal regulator agency a risk mitigation proposal for the City's open finished drinking water reservoirs after the LT2ESWTR is promulgated in final form using a process consistent with the City's adopted Principles of Good Public Involvement; and

BE IT FURTHER RESOLVED, that should the risk mitigation plan submitted fail to gain the regulatory approval of the appropriate state or federal regulatory agency, the City Council, with full public participation and input, will evaluate and decide on appropriate alternative actions to meet the regulatory requirements for open finished drinking water reservoirs in the LT2ESWTR; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to develop and submit to Council, as part of its 2005-06 capital improvement plan, a schedule for addressing priority deferred maintenance needs at the City's open reservoirs until the City achieves compliance with the final LT2ESWTR through either risk mitigation or alternate means; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to cease installation of the temporary floating covers on the Washington Park open drinking water reservoirs until promulgation of the final LT2ESWTR and further direction from Council regarding how the City will comply with the regulatory requirements for the reservoirs at Washington Park; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau immediately

to implement the phase 1 enhanced interim security measures and deferred maintenance for Portland's open finished drinking water reservoirs described in Exhibit "A" attached to this resolution; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to follow all planning and design guidelines related to the reservoir sites and surrounding parks--including those described in the Mt. Tabor Park Master Plan, the Public Advisory Committee Guiding Principles, and the requirements of the listing of the open reservoirs on the National Register of Historic Places-- utilizing meaningful public process consistent with the City's adopted Principles of Good Public Involvement, in future actions related to the open reservoirs; and

BE IT FURTHER RESOLVED, that the City Council directs the Water Bureau to use the 0.5% in FY 2004-05 rate savings associated with the phase 1 enhanced interim security measures to reduce FY 2005-06 Water rates.

Adopted by the Council,

GARY BLACKMER
Auditor of the City of Portland

Commissioner Dan Saltzman
Edward Campbell
July 22, 2004

By

Deputy

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