

ORDINANCE No. 183558

*Authorize Intergovernmental Agreement with US Department of Agriculture, Animal and Plant Health Inspection Service to prevent bird nesting on the N Vancouver Ave Bridge over the Columbia Slough (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland is in the process of contracting for the replacement of the N Vancouver Avenue Bridge over the Columbia Slough.
2. Several bird nesting sites were observed during an inspection of the bridge by staff from Portland Bureau of Transportation (PBOT) and the US Department of Agriculture, Animal and Plant Health Inspection Service in the fall of 2009.
3. The US Department of Agriculture, Animal and Plant Health Inspection Service (USDA) has federal statutory authority to remove existing nests and prevent nesting activities in accordance with the Migratory Bird Treaty Act.
4. The USDA has prepared a Cooperative Services Agreement to provide services prior to and during the course of construction of the N Vancouver Avenue Bridge replacement.
5. The Bureau's level of confidence in the cost estimates for this project is optimal in that the fees for the service are specified in the agreement.

NOW, THEREFORE, the Council directs:

- a. That the Mayor and the Auditor are authorized to enter into an Intergovernmental Agreement with the US Department of Agriculture, Animal and Plant Health Inspection Service, substantially in accordance with the document attached to the original of this ordinance and, by reference, made a part hereof.

Section 2. The Council declares that an emergency exists because the services needed under this agreement are best initiated prior to the start of the nesting season in March 2010; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

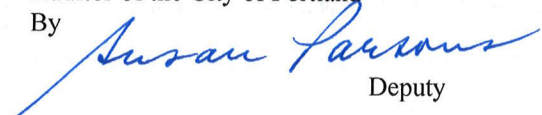
Passed by the Council, MAR 03 2010

Mayor Sam Adams
Prepared by: Paul Gornick:slg
Date Prepared: February 17, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By


Deputy

274

J140

Agenda No.
ORDINANCE NO. 183558
 Title

*Authorize Intergovernmental Agreement with U.S. Department of Agriculture, Animal and Plant Health Inspection Service, to prevent bird nesting on the N Vancouver Ave Bridge over the Columbia Slough (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Saltzman</i> on behalf of Mayor Adams 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 Bureau: Bureau of Transportation Group Manager: Steve Townsen Engineering & Technical Services Other: <i>Steve Townsen</i> <i>PMG</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <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 March 3, 2010</p> <p><input checked="" type="checkbox"/> City Attorney Approval</p>	<p>CLERK USE: DATE FILED FEB 26 2010</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:</p>
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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	✓	