

ORDINANCE No. 184248

* Authorize acquisition of property at 1127 SW Blaine Ct., Gresham, Oregon for the Bureau of Technology Services (Ordinance).

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Technology Services provides critical 800MHz public safety radio communications services for the City of Portland as well as many regional government agencies.
2. The Bureau of Technology Services has leased facilities located at 1127 SW Blaine Ct., Gresham, Oregon since August 1, 1995 in order to provide critical public safety radio communication services covering the areas of East Multnomah County and the City of Gresham.
3. The location of 1127 SW Blaine Ct. was chosen due to its close proximity and ability to provide excellent radio communications for the desired coverage area, including downtown Gresham, as well as in-building coverage within that area.
4. The concern for the need to replace this radio communication site arose after the death of the property owner and the uncertainty of the future sale and use of the location. The existing License agreement includes a provision that would allow the Licensor to terminate the agreement by providing one year written notice to the City.
5. On April 5, 2010, staff from the Bureau of Technology Services became aware that the executor of the Malcolm Estate was liquidating assets of John P. Malcolm and had listed the land which houses the radio tower and outbuilding leased by the Bureau of Technology Services for sale.
6. Staff of the Bureau of Technology Services conducted an engineering analysis to determine if an alternate location for a radio site could be developed which would provide adequate radio services in the event the lease of the Malcolm Estate was terminated. Analysis concluded that any replacement would require two separate properties in order to provide similar coverage. Estimate costs to develop alternate radio site locations were greater than the cost to purchase the existing radio site property.

7. The Facilities Services division of the Bureau of Internal Business Services, on behalf of the Bureau of Technology Services, has negotiated a Real Estate Sale Agreement for acquisition of the property at 1127 SW Blaine Ct., Gresham, Oregon at a sale price of \$350,000.00 plus closing costs, asbestos survey, land survey, demolition costs and brokers' fees. The purchase of the property is subject to approval of an appraisal of the property, as well as approval of environmental reports. Total costs associated with acquiring the property are estimated at \$417,671.
8. The Bureau of Technology Services has budgeted sufficient funds to cover the acquisition and ongoing maintenance of this property.
9. The Bureau of Technology Services has determined that two of the three tax parcels included in the property are not required for the radio site, however, the estate of John P. Malcom would not agree to a sale of only the tax parcel where the City's radio site is located. Therefore, upon passing this ordinance, any assets not required for maintenance and operation of the radio site shall be declared as surplus and the Bureau of Technology Services shall be authorized to dispose of these assets as appropriate. Any proceeds received as a result of disposition of assets shall be returned to the Technology Services Fund to offset the cost of acquisition.
10. The sale agreement and closing documents will be approved as to form by the City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Chief Administrative Officer, or designee, is authorized to execute closing documents and all other necessary documents, once approved as to form by the City Attorney, accepting the property as soon as all contingencies in the sales agreement have been removed.
- b. The Chief Administrative Officer, or designee, is authorized to release all funds necessary to perform due diligence, close and accept title to the property. (Earnest money deposits) The Chief Administrative Officer, or designee, requests the Bureau of Financial Services to prepare, as needed, wire transfers from the City Treasury for the balance of the purchase price including closing costs. The purchase price and closing costs shall be chargeable to the Technology Services Fund.
- c. The Chief Administrative Officer, or designee is hereby authorized and directed to sign and accept deeds for the acquisition of the property at 1127 SW Blaine Ct.

- d. The FY 2010-11 interagency service agreement with the Facilities Services Division of the Bureau of Internal Business Services as provider and the Bureau of Technology Services as receiver will be amended in the next Budget Monitoring Report.

Section 2. The Council declares an emergency exists since a delay in acceptance of the sale agreements and execution of the deeds in a timely manner may cause additional costs to both the Bureau of Technology Services and the private property owner; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: NOV 17 2010

Mayor Adams
Prepared by: Mark Greinke; JE
Date Prepared: November 1, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By:


Deputy

Agenda No.
ORDINANCE NO. 184248
 Title

* Authorize acquisition of property at 1127 SW Blaine Ct., Gresham, Oregon for the Bureau of Technology Services (Ordinance).

<p>INTRODUCED BY Commissioner/Auditor: Mayor Adams</p> <p>COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams <i>[Signature]</i></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: OMF/Technology Services Bureau Head: Mark Greinke <i>[Signature]</i></p> <p>Prepared by: Amy Tuttle Date Prepared: November 2, 2010</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 November 17, 2010</p> <p>City Attorney Approval <i>[Signature]</i></p>	<p>CLERK USE: DATE FILED <u>NOV 12 2010</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p>
--	--

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 type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 5 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	—	
4. Leonard	✓	
Adams	✓	