

ORDINANCE No. 184268

*Authorize the Director of the Bureau of Environmental Services to enter into an Amended and Restated Portland Harbor Allocation Process Cost Trust Agreement. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services was designated by the Council to oversee the City's involvement in the Portland Harbor Superfund Site.
2. The City is participating in a non-judicial process to determine the allocation of responsibility for cleanup of the Portland Harbor Superfund Site.
3. Funding for the non-judicial allocation process is provided by the members, including the City, and funds are held in a trust account for the group. The Trust agreement requires the participants to indemnify the Trustee,
4. It is in the best interests of the City to participate in the non-judicial allocation process and enter into the Trust agreement with an indemnification provision for the Trustee.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services is authorized to enter into an Amended and Restated Portland Harbor Allocation Process Cost Trust Agreement, in substantially the form of the attached Exhibit A.

Section 2. The Council declares that an emergency exists because it is necessary to sign the Trust Agreement for it to be in effect as soon as possible; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: DEC 01 2010

Commissioner Fritz
Prepared by: Jan V.V. Betz
Date Prepared: November 18, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

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INTRODUCED BY Commissioner/Auditor: Amanda Fritz	CLERK USE: DATE FILED <u>NOV 23 2010</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz <i>Amanda Fritz</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>Susan Larson</i> Deputy
BUREAU APPROVAL Bureau Of Environmental Services Bureau Head: Dean Marriott <i>Dean Marriott</i>	ACTION TAKEN: <i>HEALTHY WORKING RIVERS</i>
Prepared by: Jan V.V. Betz Date Prepared: November 18, 2010	
Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date December 1, 2010	
City Attorney Approval <i>Jan V.V. Betz</i>	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" 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	✓	