

ORDINANCE No. 184862

Revise ordinance to replace and to clarify conditions for the vacation of a portion of SE Bush St and a portion of SE 100th Ave for the Emergency Coordination Center construction project (Ordinance; amend Ordinance No. 184419)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 184419, passed City Council on February 16, 2011, authorized the vacating of a portion of SE Bush Street and a portion of SE 100th Avenue for the purpose of construction and expansion of the existing emergency communications center into the Emergency Coordination Center (ECC).
2. The Portland Water Bureau (PWB) was the vacation Petitioner/Applicant and the Office of Management and Finance (OMF) is managing the construction of the ECC and will carry out PWB responsibilities as the Petitioner/Applicant in the street vacation ordinance.
3. OMF will coordinate with the Bureau of Transportation (PBOT) and the Bureau of Development Services (BDS) to ensure the ECC is constructed pursuant to permits required by those bureaus.
4. Replacement and clarification of the conditions in Ordinance No. 184419 would ensure interested bureaus can carry out their assigned tasks in a timely and efficient manner.

NOW, THEREFORE, the Council directs:

- a. Conditions 2, 4, and 5 set forth in directive b. of Ordinance No. 184419 are hereby replaced by the following:
 2. Improvements to be constructed in the existing SE Bush Street and SE 100th Avenue rights-of-way are related to the construction of the Emergency Coordination Center. OMF will construct the improvements pursuant to PBOT's street improvement permit. OMF will coordinate with PBOT on construction and detours and any relocation of right-of-way required by PBOT in the reconstruction of SE Bush Street between SE 99th and SE 100th Avenues. During construction, public access for two-way vehicle traffic, including bicycle and pedestrian access must be maintained between SE 99th and SE 100th Avenues in the SE Bush vicinity in accordance with PBOT's street improvement permit. If access will be through the vacated rights-of-way or private property, OMF will grant the City a public access easement in the form of a designation and assignment or provide other assurance as required by the City Engineer for the Bureau of Transportation. OMF will pay to the appropriate bureaus costs and fees associated with permits necessary for the ECC project including costs for the street vacation petition.

4. OMF will relocate or abandon any existing water facilities in SE Bush Street in accordance with the applicable street improvement permit for the ECC project. Ownership of any abandoned facilities in the vacated street area will be transferred to OMF.
5. OMF will construct a new sanitary sewer manhole ACE546 and associated infrastructure at a location and in a manner that meets BES approval for acceptance into the public sewer system. OMF will accept responsibility for and ownership of current manhole ACE546 and its associated infrastructure following the abandonment thereof. BES acceptance of this new infrastructure must be obtained before BDS may issue a Certificate of Occupancy for the ECC. Prior to such acceptance, OMF will designate the relevant portions of the street vacation area, as determined by BES, as being necessary for sewer facility purposes and will assign said portions of the street vacation area to BES for purposes as required by BES. OMF will further assume responsibility for and ownership of the sedimentation and sump system at the intersection of existing SE Bush Street and SE 100th Avenue (sedimentation manhole ACE469, sump manhole ADT375, and associated infrastructure).
- b. Conditions 7, 8 and 9 set forth in directive b. of Ordinance No. 184419 are hereby deleted.
- c. All other terms and provision of Ordinance No. 184419 remain in full force and effect and are not affected by this amendment.

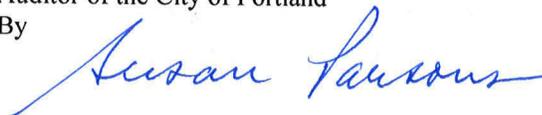
Passed by the Council, SEP 14 2011

Mayor Sam Adams
Prepared by: Dee A. Walker:slg
Date Prepared: August 22, 2011
RW # 7151

LAVONNE GRIFFIN-VALADE

Auditor of the City of Portland

By



DEPUTY

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Agenda No. **184862**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS	CLERK USE: DATE FILED <u>SEP 01 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy
BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <u>[Signature]</u> Prepared by: Dee A. Walker, slg Date Prepared: August 22, 2011	ACTION TAKEN: SEP 07 2011 PASSED TO SECOND READING SEP 14 2011 9:30 A.M.
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input 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 September 7, 2011	
City Attorney Approval	

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	_____	_____