

ORDINANCE No. 185069

\*Authorize Intergovernmental Agreement with Multnomah County Drainage District regarding work at Whitaker Ponds Natural Area. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City is owner of certain real property known as Whitaker Ponds Natural Area located at 7040 NW 47<sup>th</sup> Place, within Multnomah County Drainage District #1, a special District of the State of Oregon and The Columbia Slough Watershed.

2. The Multnomah County Drainage District (MCDD) requires access to Whitaker Ponds Natural Area to replace a non-functioning culvert with a new culvert to reduce flooding, increase flood storage capacity and enhance wildlife habitat.

3. Pursuant to the Intergovernmental Agreement, attached as Exhibit A, MCDD will be granted entry for construction access. The MCDD will be responsible for removal of the culvert, design, permitting, construction and maintenance. Portland Park and Recreation (PP&R) will partner with MCDD by provide funding for material and equipment costs associated with this project.

NOW, THEREFORE, The Council Directs:

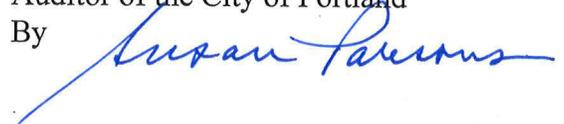
- a. The Director of Portland Parks and Recreation is authorized to execute an Intergovernmental Agreement, approved as to form by the City Attorney, with Multnomah County Drainage District for work at Whitaker Ponds Natural Area.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the execution of this agreement as it will adversely effect the City's and Multnomah County Drainage District's ability to mitigate flooding on this site; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: DEC 14 2011  
Commissioner Fish  
Prepared by: Travis Ruybal, RLA  
November 30, 2011

LaVonne Griffin-Valade  
Auditor of the City of Portland

By



Agenda No. **185069**  
 Ordinance NO. **185069**  
 Title

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| <p style="text-align: center;"><b>INTRODUCED BY</b><br/>                 Commissioner/Auditor:<br/> <b>Commissioner Fish</b></p>   | <p>CLERK USE: DATE FILED <u>DEC 09 2011</u></p>   |
| <p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>Fish</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> | <p style="text-align: center;">LaVonne Griffin-Valade<br/>                 Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u><br/>                 Deputy</p> <p><b>ACTION TAKEN:</b></p> |
| <p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Parks and Recreation<br/>                 Bureau Head: Mike Abbaté<br/> <i>[Signature]</i></p>  |   |
| <p>Prepared by: Travis Ruybal, RLA<br/>                 Date Prepared: November 30, 2011</p>   |   |
| <p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/><br/>                 Not Required <input type="checkbox"/></p>   |   |
| <p>Council Meeting Date<br/>                 Dec 14, 2011</p>  |   |
| <p><b>City Attorney Approval</b></p>   |   |

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