

## **ORDINANCE NO. 186037**

Authorize an Intergovernmental Agreement with the City of Sandy to Design and Construct Fiber Optic Improvements (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2012, the Water Bureau and Portland General Electric entered into an agreement to exchange dark fiber capacity over separately owned and operated fiber optic communication systems. The exchange agreement addresses the exchange and use of dark fiber, handholes, vaults and access points between and among Portland General Electric and the Water Bureau.
2. This project will provide a backup connection between Headworks, Lusted Hill and Interstate and will provide capacity for future supervisory control and data acquisition (SCADA) upgrades at Headworks that exceed the capacity of the existing microwave system.
3. This project supports the Dark Fiber Lease Agreement signed in March 2012 between the Water Bureau and Portland General Electric. It will provide a buried fiber link between the PWB facilities at Headworks and Lusted Hill with the Clackamas County Fiber Ring.
4. The City of Sandy is undertaking to build a system of conduit and optical fibers, and will include separate, additional facilities for the Water Bureau. As part of this project, the City of Sandy will design and construct additional fiber infrastructure within the right-of-way of SE Bluff Road from approximately SE Dunn Road to SE Bell Road and within SE Bell Road from SE Bluff Road to Sandy High School.
5. This Intergovernmental Agreement is for the design and construction of the fiber optic infrastructure by the City of Sandy for the PWB and will include assets that will be turned over to the Water Bureau.
6. The Water Bureau will reimburse the City of Sandy for PWB's portion of those assets constructed. The value of this agreement shall not exceed \$65,000. Funding for the agreement is available in the FY 2012-13 Budget in the treatment program as part of the Headworks Flow Meters Project and has been requested in the FY 2013-14 Budget. The proposed action will not result in a change to the forecast water rates and the project currently has a high level of confidence.

NOW, THEREFORE, the Council directs:

- a. The Water Bureau Administrator is authorized to execute on behalf of the City an Intergovernmental Agreement with the City of Sandy to design and construct fiber optic improvements in a form in accordance with the Intergovernmental Agreement attached as Exhibit A.

- b. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Water Fund when demand is presented and approved by the proper authorities, for the Intergovernmental Agreement.
- c. Amendments increasing the total compensation of the Intergovernmental Agreement may be agreed to and executed by the Water Bureau Administrator up to twenty-five percent of the total agreement amount. Any increase exceeding twenty-five percent of the total compensation would need City Council approval.

Passed by the Council, MAY 22 2013

Mayor Charlie Hales  
Jodie Inman  
April 11, 2013

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By  Deputy

440 470

✓140

580881

Agenda No.  
**ORDINANCE NO. 186037**  
Title

Authorize an Intergovernmental Agreement with the City of Sandy to design and construct fiber optic improvements (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b>	CLERK USE: DATE FILED <u>MAY 10 2013</u>
<b>COMMISSIONER APPROVAL</b>	
Mayor—Finance and Administration - Hales <i>AS</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
<b>BUREAU APPROVAL</b>	
Bureau: Water Bureau Head: David G. Shaff <i>DG Shaff</i>	
Prepared by: Jodie Inman Date Prepared: April 11, 2013	
Financial Impact 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 <b>May 15, 2013</b>	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter	
	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy  <b>ACTION TAKEN:</b>  <b>MAY 15 2013 PASSED TO SECOND READING MAY 22 2013 9:30 A.M.</b>

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <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. Novick	4. Novick	✓	
Hales	Hales	✓	