

ORDINANCE No. 186218

*Authorize the Bureau of Environmental Services to execute easements with Speed R. Lewis and Sheryl A. Lewis, as part of the Luther Road Habitat Restoration Project No. E06947. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services has designed the Luther Road Habitat Restoration Project to protect the Lents Trunk Sewer, treat stormwater discharges, restore a portion of Johnson Creek and its floodplain, improve stream habitat and water quality, protect natural areas and create a needed community resource.
2. The Luther Road Habitat Restoration Project requires the acquisition of a Channel Change and Vegetation Management Easement (the "Easement") from Speed R. Lewis and Sheryl A. Lewis in order to complete the project.
3. In exchange for the granting of the Easement, Speed R. Lewis and Sheryl A. Lewis have requested that the City indemnify them for use of the Easement for any damage caused by the City or its representatives.
4. The established cost is \$3,800. Funds are available in the Sewer System Operating Fund, FY 2013-2014 Budget, Bureau of Environmental Services Project E06947, Account No. 563300 (permanent asset).

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services, or his designee, is authorized to execute the Easement substantially in the form of the attached Exhibit 1 with Speed R. Lewis and Sheryl A. Lewis, for the purpose described in Section 1.
- b. The Commissioner of Public Affairs and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because delay in execution of the required easements at this location may result in a delay of construction and impact the overall project completion. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

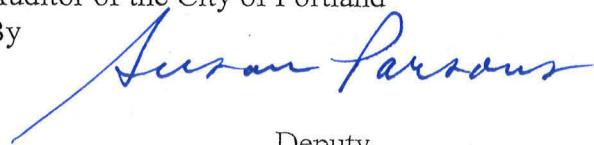
Passed by the Council,
Nick Fish
Commissioner of Public Affairs

SEP 04 2013

Ali Young
8/16/13
WBS E06947 - ord

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor:</p>	<p>CLERK USE: DATE FILED <u>AUG 30 2013</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>Alicia Parsons</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott</p>	
<p>Prepared by: Ali Young Date Prepared: August 12, 2013</p>	
<p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date <u>9/4/13</u></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 X</p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (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. Novick	4. Novick	✓	
Hales	Hales	✓	