

ORDINANCE No. 188190

*Authorize Portland Housing Bureau to assume certain contracts that will be assigned to the Bureau in connection with the acquisition of the Ellington Apartments (Ordinance)

The City of Portland ordains:

Section 1. The Council finds that:

1. On behalf of the City of Portland, the Portland Housing Bureau ("PHB") administers programs to support the development and preservation of affordable housing.
2. On November 4, 2016, PHB entered into that certain Purchase and Sale Agreement between PHB and BRCP/GM ELLINGTON, LLC ("Seller") (the "PSA") for the acquisition of certain real property known as the Ellington Apartments and located at 1610 NE 66th Avenue (the "Property"). The Property is comprised of 263 units in 28 buildings on 10.7 acres.
3. On December 14, 2016 by separate Ordinance, Council to review and approve PHB's acquisition of the Property under the PSA. The acquisition is expected to close on or before February 6, 2017.
4. The PSA provides for the assignment by Seller, and the assumption by PHB, of certain contracts, including contracts for laundry, pest control, security, and broadband telecommunication as set forth on Exhibit A attached hereto (the "Assigned Contracts").
5. In addition to seeking authorization to assume the Assigned Contracts, in order to provide for a smooth transition between Seller and PHB, PHB desires to assume, on a month-to-month basis, assignment of the existing property management service contract (the "Property Management Contract") until such time that PHB completes its own solicitation process.

NOW, THEREFORE, the Council directs:

- a. The PHB Director is hereby authorized to assume the Assigned Contracts.
- b. That the Council hereby designates the Property Management Contract as a personal services contract that PHB may assume upon acquisition of the Property on a month-to-month basis until such time that PHB completes its own solicitation process.
- c. The PHB Director is further authorized to approve amendments or modifications to the Assumed Contracts or other related agreements, subject to the approval as to form of such documents by the City Attorney's Office.

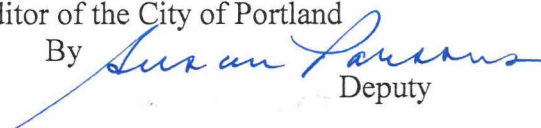
SECTION 2. The Council declares that an emergency exists because a delay in the City's approval would impair the ability of PHB to acquire, develop, and manage the Property as contemplated; therefore, this Ordinance shall be in full force and effective from and after its passage.

Passed by the Council, JAN 04 2017

Commissioner Dan Saltzman
Prepared by: Karl Dinkelspiel
Date Prepared: December 15, 2016

MARY HULL CABALLERO
Auditor of the City of Portland

By


Deputy

Agenda No. **188190**
ORDINANCE NO.

Title

the Bureau

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INTRODUCED BY Commissioner/Auditor: Dan Saltzman	CLERK USE: DATE FILED DEC 27 2016
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman <i>Dan Saltzman</i> Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Portland Housing Bureau Bureau Head: Kurt Creager Prepared by: Karl Dinkelspiel Date Prepared: December 15, 2016 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> City Auditor Office Approval: N/A City Attorney Approval: <i>6/</i> Council Meeting Date January 4, 2016	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 mins (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	