

ORDINANCE No. 188199

*Authorize the Bureau of Environmental Services to execute revised easement with Tualatin Hills Park and Recreation District, as part of the Fanno Basin Pressure Line System Upgrade Project No. E10599 (Ordinance; amend Ordinance No. 187699)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 187699, passed by City Council April 27, 2016, authorized the Bureau of Environmental Services to execute easements with Tualatin Hills Park and Recreation District as part of the SW 86th Avenue Pump Station and Appurtenances Project No. E08051 and Fanno Basin Pressure Line System Upgrade Project No. E10599.
2. As a result of negotiated changes to the easement agreement in connection with the Fanno Basin Pressure Line System Upgrade Project No. E10599 subsequent to the passage of Ordinance No. 187699, it is necessary for City Council to reauthorize the execution of the easement agreement in its final form.
3. There is no direct cost required to acquire the easement from THPRD, other than City staff labor to negotiate and prepare the easement documentation which is charged to the project. Funds are available in the Sewer System Operating Fund, FY2017-FY2021 CIP, Bureau of Environmental Services Project E10599, Account No. 549000 (temporary non-asset).
4. The Bureau's level of confidence in the cost estimates for the required easement is high.

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 THPRD, for the purpose described in Section 1.
- b. The Mayor and City Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget.
- c. All remaining portions of Ordinance No. 187699 shall remain unchanged and all conditions thereof shall remain in full force and effect.

Section 2. The Council declares that an emergency exists because delay in execution of the required easements 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, JAN 18 2017
Commissioner Nick Fish

Scott T. Gibson, PE
December 13, 2016

WBS E10599- ord

Mary Hull Caballero
Auditor of the City of Portland

By 

Deputy

Agenda No. **188199**
ORDINANCE NO.
Title *revised*

*Authorize the Bureau of Environmental Services to execute easements with Tualatin Hills Park and Recreation District, as part of the EABA Pressure Line System Upgrade Project No. E10599. (Ordinance; amend Ordinance No. 187699) *Fanno Basin*

INTRODUCED BY Commissioner: Fish	CLERK USE: DATE FILED <u>JAN 10 2017</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy ACTION TAKEN:
Mayor—Finance and Administration - Hales	
Position 1/Utilities - <i>Fritz</i>	
Position 2/Works - <i>Fish</i>	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	
Bureau: Environmental Services Bureau Head: Michael Jordan <i>Michael Jordan</i>	
Prepared by: Scott T. Gibson, PE Date Prepared: December 13, 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:	
City Attorney Approval: <i>JWS</i>	
Council Meeting Date January 18, 2017	

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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	