

ORDINANCE No. 188410

* Amend Intergovernmental Agreement for Levee Analysis Cost-Sharing to amend loan agreement and parties to the agreement (Ordinance; amend Contract No. 300004151)

The City of Portland ordains:

Section 1. The Council finds:

1. On May 28, 2014, the Council authorized the execution of an intergovernmental agreement and a loan contract with the Business Oregon Infrastructure Finance Authority (the "IFA") to assist in the financing of an engineering analysis for Phase I of what was then known as the Columbia River Levee Project ("the Phase I Loan," Ordinance 186599).
2. Anticipated changes in the Phase I Loan agreement between the City and the IFA have made it necessary to amend the authorized scope of work eligible for payment from the IFA loan and to extend the loan repayment schedule. The Parties additionally wish to amend the IGA so that changes can be made to the IFA Loan Agreement with regard to the scope of work eligible for reimbursement from the IFA Loan proceeds and changes to the IFA Loan repayment schedule without the need for future amendments to the IGA.
3. Pursuant to Section 2 of the IGA, the Columbia Corridor Drainage Districts Joint Contracting Authority ("JCA") will assume the duties and responsibilities for receipt and distribution of the funding and entering into contracts under the IGA, and therefore should become a party to the IGA.
4. The execution of the first amendment to the IGA by all the Levee Ready Columbia partners must occur before the end of fiscal year 2017 to cover additional eligible projects and to extend the loan repayment schedule.
5. This modification to the IGA will not increase the cost of the City's obligations under the Phase II Loan.

NOW, THEREFORE, the Council directs:

- a. The Chief Administrative Officer of the Office of Management and Finance or designee is authorized to execute the third amendment to the IGA in a form substantially similar to the draft agreement attached as Exhibit A.

Section 2. The Council declares that an emergency exists because a delay in approving the amendment would interfere with the scope of work needed to complete the engineering analysis and timelines established for receipt and repayment of the Loan; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

MAY 31 2017

Mayor Ted Wheeler

Prepared by: Ken Rust

Date Prepared: May 15, 2017

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

585

Agenda No.

ORDINANCE NO.

188410

Title

Amend

* Authorize third amendment to Intergovernmental Agreement for Levee Analysis Cost-Sharing to amend loan agreement and parties to the agreement (Ordinance; amend Contract No. 300004151)

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>MAY 23 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler <i>ED</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy
BUREAU APPROVAL Bureau: Office of Management and Finance Bureau Head: Tom Rinehart <i>TR</i> Prepared by: Ken Rust <i>KLIR</i> Date Prepared: 5/15/2017 Impact 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: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>TPB</i> Council Meeting Date 5/31/2017	ACTION TAKEN:

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: <u>minutes</u> (for presentation, testimony and discussion)	<table border="1"> <tr> <th>FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	<input checked="" type="checkbox"/>		2. Fish	<input checked="" type="checkbox"/>		3. Saltzman	<input checked="" type="checkbox"/>		4. Eudaly	<input checked="" type="checkbox"/>		Wheeler	<input checked="" type="checkbox"/>	
FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:																					
	YEAS	NAYS																				
1. Fritz	<input checked="" type="checkbox"/>																					
2. Fish	<input checked="" type="checkbox"/>																					
3. Saltzman	<input checked="" type="checkbox"/>																					
4. Eudaly	<input checked="" type="checkbox"/>																					
Wheeler	<input checked="" type="checkbox"/>																					