

ORDINANCE No. 188414

* Amend Intergovernmental Agreement for Cost-Sharing of Levee Ready Columbia Expenses Not Covered by IFA Loans to extend program, provide additional funding, broaden allowable expenses, and amend parties to agreement (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On May 28, 2014, the Council authorized the execution of a loan contract with the 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. On November 18, 2015, the Council passed Ordinance 187448, which authorized the execution of an intergovernmental agreement for repayment of a second IFA loan for an engineering analysis for Phase II of what is now known as the Levee Ready Columbia project (the "Phase II Loan") and which also authorized the execution of an intergovernmental agreement to support program expenses that do not fall within the scope of qualified expenses to be reimbursed under the Phase I Loan or the Phase II Loan.
3. An Intergovernmental Agreement for Cost-Sharing of Levee Ready Columbia Expenses Not Covered by IFA Loans (the "IGA") was executed by parties to the agreement on January 13, 2016.
4. The IGA was originally envisioned to cover expenses in fiscal years 2016 and 2017.
5. The parties to the IGA have agreed that \$1,179,095 of additional funding is needed for program continuation in fiscal years 2018 and 2019. The City's direct share is \$211,178, which has been included as a decision package for the FY 2017-18 budget.
6. The allowable cash expenses described in the terms of the original agreement do not cover all potential and actual expenses for program administration.
7. The partners desire flexibility to pay for expenses that are eligible for reimbursement under the IFA loans under the IGA.
8. The State of Oregon and Metro desire to become a party to the IGA and contribute financially for ongoing program administration expenses. Additionally, pursuant to Section 4 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.
9. 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 continue support of Levee Ready Columbia expenditures not covered by the IFA loans, including additional allowable expenditures.

NOW, THEREFORE, the Council directs:

- a. The Chief Administrative Officer of the Office of Management and Finance or designee is authorized to execute the first 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 timelines established for completion of the engineering analysis and funding requirements; 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

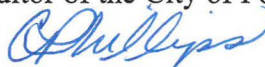
Prepared by: Ken Rust

Date Prepared: May 15, 2017

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

584

Agenda No.

ORDINANCE NO.

188414

Title

Amend

* Authorize the first amendment to the Intergovernmental Agreement for Cost-Sharing of Levee Ready Columbia Expenses Not Covered by IFA Loans to extend program, provide additional funding, broaden allowable expenses, and amend parties to agreement (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>MAY 23 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler <i>KAD</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>Susan Parsons</u> Deputy
BUREAU APPROVAL Bureau: Office of Management and Finance Bureau Head: Tom Rinehart <i>TR</i> Prepared by: Ken Rust <i>KLR</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>WPS</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"/> <i>Pulled</i> 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>✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>—</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	—		4. Eudaly	✓		Wheeler	✓	
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