

# ORDINANCE No. 188529

\*Authorize a temporary easement from PS Oregon Inc. for the Tryon Creek Headworks Project E10582 in the amount of \$3,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) has a project in the BES Capital Improvement Program to construct a new headworks and perform other improvements at the Tryon Creek Wastewater Treatment Plant.
2. The proposed site for the new Tryon Creek Wastewater Treatment Plant facilities is adjacent to the Tryon Creek Wastewater Treatment plant on property owned by PS Oregon Inc.
3. BES requires a temporary easement from PS Oregon Inc. to perform site investigations to support project design, permitting, and to determine the extent of future property acquisition from PS Oregon Inc. required for the project.
4. The cost of the temporary easement is \$3,000. Funds are available in the Sewer System Operating Fund, FY 2017-2018 Budget, Bureau of Environmental Services, WBS element E10582.
5. PS Oregon Inc.'s attorneys have required an article of indemnification in the proposed temporary easement.
6. Council authorization is required for the proposed indemnification article in the temporary easement.

NOW, THEREFORE, the Council directs:

- a. The BES Director, or his designee is authorized to execute the proposed temporary easement with PS Oregon Inc. for the purposes described in Section 1, provided the temporary easement has been approved as to form by the City Attorney's Office.
- b. The Mayor and City Auditor are hereby authorized to pay for the temporary easement from the Sewer System Operating Fund Budget.

Section 2. The Council declares an emergency exists because a delay in site investigations will negatively impact the cost and schedule of the project and will adversely impact future project property acquisition activities; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

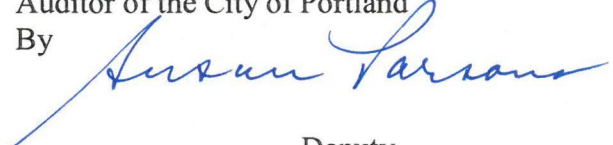
Passed by the Council, JUL 20 2017  
Commissioner Nick Fish

Scott Gibson  
June 14, 2017

E10582 - ord

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

Agenda No. **188529**  
**ORDINANCE NO.**

Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Nick Fish</b>	CLERK USE: DATE FILED <u>JUL 11 2017</u>
<b>COMMISSIONER APPROVAL</b>	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>Susan Parsons</i></u> Deputy  <b>ACTION TAKEN:</b>
Mayor—Finance and Administration - Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Fish <i>SMS for Nick Fish</i>	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
<b>BUREAU APPROVAL</b>	
Bureau: Environmental Services Bureau Head: Michael Jordan <i>Michael Jordan</i>	
Prepared by: Scott T. Gibson, PE Date Prepared: June 27, 2017	
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"/>	
<b>City Auditor Office Approval:</b>	
<b>City Attorney Approval:</b> <i>Hrs</i>	
Council Meeting Date July 19, 2017	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <b>2 min</b> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	<u>                    </u>
2. Fish	<b>2</b> Fish	✓
3. Saltzman	<b>3</b> Saltzman	✓
4. Eudaly	4. Eudaly	✓
Wheeler	Wheeler	✓