

## **ORDINANCE NO. 188581** *As Amended*

\*Authorize an Intergovernmental Agreement with Eugene Water & Electric Board in the amount of \$420,000 for scheduling services for the Portland Hydroelectric Project (Ordinance)

### **The City of Portland ordains:**

#### Section 1. The Council finds:

1. The City of Portland's Hydroelectric Project (Project) is located on the Bull Run River, approximately ten miles north-east of the City of Sandy, Oregon. The Project falls under the jurisdiction of the Federal Energy Regulatory Commission (FERC).
2. The Bureau of Hydroelectric Power desires to purchase from Eugene Water & Electric Board certain power scheduling services as may be required in the operation of the Project located in the Bull Run Watershed to which the Water Bureau has the sole and exclusive generation rights to the energy.
3. The Bureau of Hydroelectric Power desires to enter an Intergovernmental Agreement (Agreement) with Eugene Water & Electric Board for the required scheduling services. City Code allows the Bureau of Hydroelectric Power to enter this Intergovernmental Agreement with Portland General Electric Company under the conditions described in Code Section 3.110.010, Ordinance No. 147822.
4. The term of the Agreement is five years and will have an effective date of September 1, 2017 and then will automatically renew annually on the same terms and conditions.
5. The Bureau of Hydroelectric Power will provide Eugene Water & Electric Board a flat monthly fee in the amount of \$7,000. The monthly fee will increase annually by 3% beginning on January 1 following the first anniversary of the effective date of the Agreement. The total amount of the Agreement is \$420,000.
6. Funding to support the Agreement with Eugene Water & Electric Board is available in the FY 2017-18 Budget and additional funding will be requested in the future Bureau of Hydroelectric Power budgets.

#### NOW, THEREFORE, the Council directs:

- a. That the Water Bureau Administrator is authorized to execute on behalf of the City an Intergovernmental Agreement with Eugene Water & Electric Board to provide scheduling services for the Project, in a form substantially in accordance with the attached Exhibit A and as approved by the City Attorney's Office.
- b. Amendments increasing the total compensation to the Intergovernmental Agreement may be agreed to and executed by the Portland Water Bureau Administrator up to twenty-five percent of the total Agreement amount upon legal sufficiency review and approval of the

City Attorney. Any increase exceeding twenty-five percent of the total compensation would need City Council approval.


- c. The Mayor and Auditor are hereby authorized to draw and deliver checks chargeable to the Portland Hydroelectric Fund when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because the public welfare would be harmed by delay in having the authorized agreement go into effect before existing contracts for the Portland Hydroelectric Project expire on September 1<sup>st</sup>; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

AUG 30 2017

Commissioner Nick Fish  
Glenn Pratt  
August 2, 2017

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

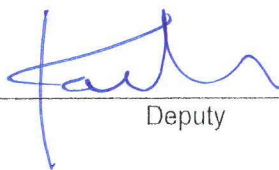
Agenda No.  
ORDINANCE NO.

Title

907 967

188581 As Amended

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<p>INTRODUCED BY Commissioner/Auditor: <b>Commissioner Nick Fish</b></p>	<p>CLERK USE: DATE FILED <b>AUG 08 2017</b></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance &amp; Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Water</p> <p>Bureau Head: Michael P. Stuh, P.E.</p> <p>Prepared by: David Peters</p> <p>Date Prepared: August 2, 2017</p> <p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date August 16, 2107</p>	<p>ACTION TAKEN:</p> <p><b>AUG 16 2017 PASSED TO SECOND READING AUG 30 2017 9:30 A.M.</b></p>

AGENDA 2013

**TIME CERTAIN** ☒

Start time: **10:30am**

Total amount of time needed: **30 mins**  
(for presentation, testimony and discussion)

**CONSENT** ☐

**REGULAR** ☐

Total amount of time needed:  
(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 type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	