

ORDINANCE No. 188597

* Authorize the Washington Park Parking Lot Stormwater Line Intergovernmental Agreement with Metro (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Metro owns and operates the Oregon Zoo (the "Zoo"), in Washington Park for the use, education, enjoyment and benefit of the public.
2. The City owns Washington Park, which includes most of the lands on the perimeter of the Zoo, including the Washington Park parking lot (the "Parking Lot"), which serves as the Zoo's primary patron parking.
3. Over the past several years, Metro and the City have entered into several agreements, described below, regarding work in the Parking Lot, and wish to enter into the Washington Park Parking Lot Stormwater Line Intergovernmental Agreement (IGA), attached hereto, to further address the projects at the Parking Lot.
4. On March 21, 2013, Metro and the City entered into a Memorandum of Understanding, later amended by addendum to MOU effective November 19, 2014, establishing among other things: the expectations of the City and Metro as to the Stormwater Line Project that will connect the southern end of the Parking Lot to the City's stormwater interceptor pipe along Oregon Highway 26 (Stormwater Line Project); a shared utility easement through the Zoo supporting the Stormwater Line; and the extension of a sidewalk serving the Zoo into the Parking Lot. The IGA formalizes the commitments made in the MOU.
5. The 2012 Washington Park Transportation and Parking Management Agreement, between the City, Metro and the other Washington Park venues and authorized by Ordinance 185779, provided that the construction of the "Phase I Initial South Entry Improvements" includes, among other things, construction of a pick-up and drop-off driveway adjacent to the Zoo's new Education Center building (the "Drop-off Project"). The IGA further outlines responsibilities for the Drop-Off Project.
6. In 2001, the City and Metro entered into the Campfire Property-Zoo Easement Intergovernmental Agreement that gave the City an interest in a Metro property in exchange for an easement over a portion of the Parking Lot. The Sidewalk and Driveway and Drop-Off Lane Easement that is granted pursuant to this IGA will satisfy the City's obligation to grant an easement to Metro for Zoo purposes.
7. In October of 2011, Metro and the City executed City of Portland Intergovernmental Agreement #30002483, for the completion of studies on future transportation and park-related projects in Washington Park. The new

IGA authorizes Parks to pay \$65,000 for the studies it agreed to pay for in that previous, now-expired agreement

8. It has also been determined that the electrical equipment and submeter for the power used to light the Parking Lot is on the Zoo's grid and meter. Until such time as it is reasonably feasible to separate the service, the City will reimburse Metro for the electricity costs attributable to the Parking Lot lighting.
9. Metro and the City wish to enter into the Washington Park Parking Lot Stormwater Line Intergovernmental Agreement (IGA) to formalize, modify or clarify the parties' roles and responsibilities related to the Projects and issues as outlined above, and to enter into two related easement agreements.


NOW, THEREFORE, The Council Directs:

- a. The Director of Parks & Recreation is authorized to execute the Washington Park Parking Lot Stormwater Line Intergovernmental Agreement with Metro, all agreements attached thereto, and any future amendments to the IGA or any other agreement authorized by this ordinance. All agreements will be substantially similar to the exhibits attached and approved as to form by the City Attorney prior to execution.
- b. The Director of Parks & Recreation is authorized to make all payments required by the IGA, including but not limited to, \$427,220.33 for the City's share of the Stormwater Line Project Costs, \$65,451.13 for the transportation and park improvement study, and all electricity costs for the Parking Lot and streets since January 2014 until such time as separate metering is in place.

Section 2. The Council declares that an emergency exists in order that certain terms in the IGA need to be implemented without delay; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: SEP 13 2017

Commissioner Fritz
Prepared by: Zalane Nunn
Date Prepared: August 3, 2017

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

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INTRODUCED BY Commissioner/Auditor: Fritz	CLERK USE: DATE FILED <u>SEP 05 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz <i>Amend Fritz</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i> Prepared by: Zalane Nunn Date Prepared: August 4, 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 Council Meeting Date Sep 13, 2017	ACTION TAKEN:

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: 10 min _____ (for presentation, testimony and discussion)		YEAS	NAYS
CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 10 min. (for presentation, testimony and discussion)	1. Fritz 2. Fish 3. Saltzman 4. Eudaly Wheeler	1. Fritz 2. Fish 3. Saltzman 4. Eudaly Wheeler	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>