

ORDINANCE No. 188666

* Revise 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; repeal Ordinance No. 188414)

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. On May 31, 2017, the Council passed Ordinance 188414 authorizing the first amendment to the IGA, which extended the program, provided additional funding, broadened allowable expenses, and amended the parties to the agreement, including adding the State of Oregon (the "State") as a party.
5. The State is unable to contribute funding of \$267,314 to the Levee Ready Columbia project as planned due to a new process for allocating anticipated State resources and the Levee Ready Columbia partners have elected to remove the State as a signatory of the first amendment to the IGA.
6. The contribution of the remaining parties for program continuation in fiscal years 2018 and 2019 remains unchanged at \$911,781. The City's direct share is \$211,178, which has been included in the adopted FY 2017-18 budget.
7. The parties to the IGA will work with the State to identify other options to pay for expenses no longer covered by State funding in the amended IGA.
8. The execution of the first amendment to the IGA by all the Levee Ready Columbia partners will permit continued support of Levee Ready Columbia expenditures not covered by the IFA loans, including additional allowable expenditures.

NOW, THEREFORE, the Council directs:

- a. Ordinance 188414 is hereby repealed.
- b. The Chief Administrative Officer of the Office of Management and Finance or designee is authorized to execute a revised first amendment to the IGA in a form substantially similar to the draft agreement attached as Exhibit A.

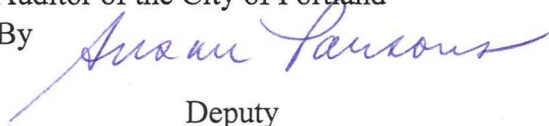
Section 2. The Council declares that an emergency exists because a delay in approving the amendment would interfere with the timelines established for completion of the engineering analysis and funding requirements; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: NOV 01 2017

Mayor Ted Wheeler
Prepared by: Ken Rust
Date Prepared: October 4, 2017

Mary Hull Caballero
Auditor of the City of Portland

By


Deputy

Agenda No. **188666**
ORDINANCE NO. 188666
 Title

* ~~Authorize~~ revised 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; repealing Ordinance 188414)

No.

INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>OCT 17 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler <i>W</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: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: Office of Management and Finance Bureau Head: Tom Rinehart <i>[Signature]</i> Prepared by: Ken Rust <i>KR</i> Date Prepared: 10/4/2017 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 <i>[Signature]</i> Council Meeting Date 10/25/2017	ACTION TAKEN: OCT 25 2017 CONTINUED TO NOV 01 2017 9:30 A.M.

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