

ORDINANCE No. 189221

*Authorize the acquisition of 0.2 acres of real property at 4407 SE Umatilla St for \$250,000 to be used for watershed restoration purposes (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In accordance with the terms and conditions of a Purchase and Sale Agreement (Agreement) dated May 21, 2018, amended in September, and authorized by Ordinance 183819, the Bureau of Environmental Services (BES) seeks to purchase the property located at 4407 SE Umatilla Street, also identified as R274964 (Property, Exhibit A), located in the Johnson Creek Oxbow Restoration Area.
2. Acquisition of the property will enable BES to retrofit an outfall and storm pipes, build a water quality facility, and create summer habitat for salmonids listed under the Endangered Species Act (ESA).
3. The existing outfall drains 82-acres of untreated stormwater from residential neighborhoods. The basin is a source of sediment, metals, and other contaminants discharging directly to Johnson Creek.
4. The outfall drains to a portion of Johnson Creek that provides a cold-water refuge for salmon and steelhead trout during the summer months.
5. The purchase price of the Property is \$250,000. It is estimated that initial one-time stabilization costs will total \$60,000, which includes deconstruction of a manufactured home and detached garage.
6. Operations and Maintenance (O&M) costs will be approximately \$1,000 per year, which will be requested through the FY 2020-2025 budget process.
7. Funds are available in the Sewer System Operating Fund, FY 2018-2019 Budget, Bureau of Environmental Services, WBS Element E11089.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge or designee is authorized to execute all closing documents and take all other actions necessary to close the transaction in accordance with the Agreement and any amendments thereto. All documents will be approved as to form by the City Attorney prior to execution;
- b. The Commissioner-in-Charge or designee is authorized to deposit funds from Sewer System Operating Budget E11089 into an escrow account established for the purpose of acquiring the Property;

- c. The Commissioner-in-Charge or designee is authorized to fund one-time site stabilization costs up to \$60,000;

Section 2. The Council declares that an emergency exists in order to avoid delay in the time-sensitive acquisition of the Property, which is currently scheduled to close on or before October 31, 2018; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council,
Commissioner Nick Fish

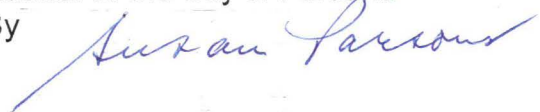
OCT 24 2018

Shannah Anderson
September 25, 2018

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

E11089- ord

Agenda No.
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| INTRODUCED BY Commissioner/Auditor: Commissioner Fish | CLERK USE: DATE FILED <u>OCT 16 2018</u> |
| COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish <i>W. Fish</i> Position 3/Affairs - Saltzman Position 4/Safety - Eudaly | Mary Hull Caballero Auditor of the City of Portland By: <i>Susan Larson</i> Deputy |
| BUREAU APPROVAL Bureau: Environmental Services Bureau Head: Michael Jordan <i>Michael Jordan</i> Prepared by: Shannah Anderson Date Prepared: September 25, 2018 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"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter Council Meeting Date October 24, 2018 | 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"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (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><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </table> | FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | | YEAS | NAYS | 1. Fritz | <input checked="" type="checkbox"/> | | 2. Fish | <input checked="" type="checkbox"/> | | 3. Saltzman | <input checked="" type="checkbox"/> | | 4. Eudaly | <input checked="" type="checkbox"/> | | Wheeler | <input checked="" type="checkbox"/> | |
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