

RECEIVED

MAR 20 8 44 AM 1980

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY March 14 1980

Portland, Oregon, _____

GEORGE YERKOVICH
Auditor of the City of Portland,
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of

Ordinance No. 149270, passed by the Council March 13, 1980, amending Ordinance No. 148923 to increase allowable payments to Dale R. Brunton for negotiating services required for acquisition of easements for the SW Arnold Creek Sanitary Sewer System to a total not to exceed \$8,000.00, and to clarify the method for paying for such services, and declaring an emergency,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

Dale R. Brunton

* Dale R. Brunton

[CORPORATE SEAL]

320 SE 63rd, Portland, OR 97215

Address

FORM

Approved as to form:

[Signature]

CITY ATTORNEY

City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE NO. 149270

An Ordinance amending Ordinance No. 148923 to increase allowable payments to Dale R. Brunton for negotiating services required for acquisition of easements for the SW Arnold Creek Sanitary Sewer System to a total not to exceed \$8,000.00, and to clarify the method for paying for such services, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance 148923 authorized the City Engineer to obtain the services of Dale R. Brunton to provide negotiation services for acquisition of easements for the SW Arnold Creek Sanitary Sewer System, with the provision that total payments for such services would not exceed \$3,000.00, and further that such payments would be chargeable to General Fund (Buc No. 43300016/490) Appropriations, Contributions and Advancements to Improvement Districts (SW Arnold Creek Sanitary Sewer System). However, said Ordinance failed to provide reimbursement to the General Fund from the SW Arnold Creek Sanitary Sewer System Fund, when created.
2. That Mr. Brunton has shown himself to be an effective negotiator, and so in order to complete the acquisition of easements in a timely and orderly manner, the City Engineer recommends additional payments in the amount of \$5,000.00 for negotiating services now be authorized (total payments not to exceed \$8,000.00), and that provisions for reimbursement of the General Fund should now be made.

NOW, THEREFORE, the Council directs:

- a. Section 1, paragraph b of Ordinance 148923 is amended to read as follows:

"b. Payment for Mr. Brunton's services shall be at the rate of \$175.00 per eight hour day (\$21.875 per hour), said payment to cover negotiator's time and all automobile, travel and other expenses incurred in connection with calls on property owners or other interested parties within twenty miles of the project area. All necessary maps, legal documents and other supporting material will be supplied to the negotiator by the City Engineer's office. The total sum of such payments shall not exceed \$8,000.00."

- b. Section 1, paragraph c of Ordinance 148923 is amended to read as follows:

"c. The Mayor and Auditor are authorized to draw and deliver warrants in favor of Dale R. Brunton, chargeable to General Fund (Buc No. 43300016/490) Appropriations, Contributions and Advancements to Improvement Districts (SW Arnold Creek Sanitary Sewer System) in payment for negotiation services. Payment in those amounts approved by the City Engineer shall be made on or before the 15th day of the month following the month of billing. The Mayor and Auditor are

ORDINANCE No.

further authorized to draw warrants in those amounts approved by the City Engineer to be credited to General Fund Revenue, said warrants to be drawn against and chargeable to the SW Arnold Creek Sanitary Sewer System Fund, when created.

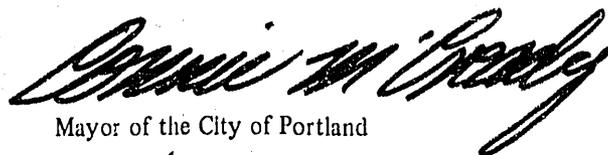
- c. All other conditions of said Ordinance No. 148923 shall remain in force and effect.

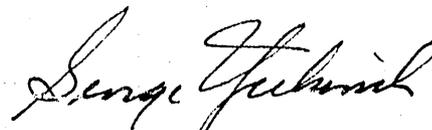
Section 2. The Council declares an emergency exists, because a delay in passage of this ordinance would interrupt orderly acquisition of easements for a sewer project now under contract; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAR 13 1980

Commissioner Mike Lindberg
Carl Short/sg
March 5, 1980

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 857

ORDINANCE No. 149270

Title

An Ordinance amending Ordinance No. 148923 to increase allowable payments to Dale R. Brunton for negotiating services required for acquisition of easements for the SW Arnold Creek Sanitary Sewer System to a total not to exceed \$8,000.00, and to clarify the method for paying for such services, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan		—
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>M. Let</i>

BUREAU APPROVAL
Bureau: Sanitary Engineering
Prepared By: <i>CS</i> Date: 3/5/80
Carl Short/sg
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:
Joe Niehuser

NOTED BY
City Attorney
City Auditor
City Engineer APPROVED: <i>John M. Lang</i>
John M. Lang, Acting City Engr.

Filed MAR 7 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Crull
Deputy