

## A G R E E M E N T

THIS AGREEMENT Made this \_\_\_\_\_ day of \_\_\_\_\_, 1980 between the CITY OF PORTLAND, OREGON, hereinafter referred to as "City", and the MULTNOMAH COUNTY EDUCATION SERVICE DISTRICT, hereinafter referred to as "District"

## W I T N E S S E T H:

WHEREAS, District desires to develop and conduct a program referred to as "Port Tour" which would generally consist of educational material and a river tour of the Willamette River from Kelly Point Park to Oregon City, together with related information and instruction on the river-related industry, commerce, historical and other educational features of that segment of the Willamette River; and

WHEREAS, it is proposed that said program and "Port Tour" be made available to eighth grade students in Multnomah County; and

WHEREAS, the estimated cost of the project for the 1980-81 school year is \$69,000, of which the District would appropriate \$32,000 and it is proposed that the City of Portland contribute the sum of \$5000 toward the cost of the project, subject to the condition that the District provide \$32,000 of the funding and that an additional \$32,000 of the total \$69,000 be raised by the education district from other sources;

NOW, THEREFORE, the parties agree as follows:

DISTRICT AGREES:

1. To plan, develop and conduct a "Port Tour" program for the approximately 7,000 eighth grade students in Multnomah County for the 1980-81 school year.
2. To provide the program material, personnel and necessary river transportation for the students participating in the program.
3. To provide to the Mayor of the City for prior approval an outline of the program to be undertaken.
4. To pay all costs of the program, subject to receipt of the required funding in the amounts and manner as hereinafter provided.

CITY AGREES:

1. To contribute the sum of \$5000 to the District for the ~~development~~ <sup>planning,</sup> and implementation of the "Port Tour" program, such contribution to be made available to District upon request of the District at any time after July 1, 1980, subject to the hereinafter specified conditions as to overall funding of the project.

BOTH PARTIES AGREE:

1. That the City shall not be obligated to contribute the sum of \$5000 to District as partial funding for the program unless and until the District has committed itself to spend \$32,000 of its own funds and has raised from other sources an additional \$32,000 toward the overall cost of the project. Payment will be made by the City to the District of the sum of \$5000 upon certification by the District to the City that such additional funding and appropriation by the District has been accomplished.

2. That the program shall be conducted during the 1980-81 school year in accordance with schedules developed by the District and the program shall be available to eighth grade students within Multnomah County.

3. In the event the program is properly funded and initiated but for any reason terminated prior to the expenditure of the estimated \$69,000 available funding, or if the full \$69,000 is not spent during the 1980-81 school year for the project, the District will return and refund to the City the City's pro-rata share of the total expenditures for the 1980-81 school year as relate to the amount contributed by the City in proportion to the amount contributed from other sources.

4. Prior to implementation of the program, the District shall secure and furnish the City evidence of appropriate insurance coverage or an acceptable certificate of self-insurance insuring the City, its officers and employes from any and all claims for damage for personal injury or property damage resulting from conduct of the program. The form and adequacy of such insurance shall be subject to prior approval of the City Attorney. The cost of any such insurance shall be allowable as a cost of the program.

IN WITNESS WHEREOF, the City and the District have caused this agreement to be executed by its duly authorized representatives, the City acting by authority of Ordinance No. \_\_\_\_\_.

MULTNOMAH COUNTY EDUCATION SERVICE  
DISTRICT

CITY OF PORTLAND, OREGON

By \_\_\_\_\_

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
(Title)

By \_\_\_\_\_  
Auditor

By \_\_\_\_\_

\_\_\_\_\_  
(Title)

## ORDINANCE NO. 149367

An Ordinance authorizing an agreement with Multnomah County Education Service District to provide partial funding in the amount of \$5000 toward a Port Tour Educational Program, subject to certain conditions, authorizing the transfer of \$5000 from General Operating Contingency to the Office of the Mayor, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- (1) The Multnomah County Education Service District is attempting to sponsor a "Port Tour" project available to 8th grade students in Multnomah County which program would consist of a boat tour of the Willamette River between Kelly Point and Oregon City and an educational curriculum and instruction in river-related industry, commerce, historical and other educational features of the Willamette River;
- (2) That such educational program would be of great benefit and in the public interest for the education of the students within Multnomah County including students within the Portland area;
- (3) That the City participation in such a program is consistent with the "City as a Teacher" goal of the City Schools Policy;
- (4) That the estimated cost of the project for the 1980-81 school year is \$69,000, of which the Multnomah County Education District would contribute \$32,000 and the remainder would be provided by public support and donations;
- (5) That it is proposed the City of Portland furnish \$5000 toward the cost of the project for the school year 1980-81, subject to the condition that the Multnomah County Education District provide \$32,000 of the funding and that an additional \$32,000 of the funding be raised by the Education District from other sources;

NOW, THEREFORE, the Council directs:

- (a) That the Mayor and Auditor are hereby authorized to enter into an agreement with the Multnomah County Education Service District to provide partial funding of a "Port Tour" program to be sponsored by the District and to provide \$5000 toward the cost of such project contingent upon the District's providing \$32,000 of the funding and raising at least \$32,000 from other sources toward the total cost of the funding estimated at \$69,000;
- (b) That such agreement shall be substantially in accordance with the form of agreement attached to this ordinance and by this reference made a part hereof;

ORDINANCE No.

(c) That in order to provide funding for the "Port Tour" project, it is necessary to amend the 1979-80 budget by transferring the sum of \$5000 from the General Fund, General Operating Contingency to the Office of the Mayor (RU 195, Line 260).

Section 2. In order to provide funding for the proposed "Port Tour" program, the 1979-80 budget of the city is hereby amended by transferring the sum of \$5000 from the General Fund, General Operating Contingency to the Office of the Mayor (RU 195, Line 260).

Section 3. The Council declares:

In order that the Multnomah County Education District may make certain necessary commitments as to availability of equipment and other materials necessary for the program at the earliest possible time, therefore, an emergency exists and this ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 149367

Passed by the Council, APR 9 1980

*Cornie McCreedy*  
Mayor of the City of Portland

Attest:

*George Zerkowich*  
Auditor of the City of Portland

Mayor: McCreedy  
March 27, 1980  
RLHurtig/fg

Calendar No. <sup>1150</sup>~~1110~~

**ORDINANCE No. 149367**

**Title**

An Ordinance authorizing an agreement with Multnomah County Education Service District to provide partial funding in the amount of \$5000 toward a Port Tour Educational Program, subject to certain conditions, authorizing the transfer of \$5000 from General Operating Contingency to the Office of the Mayor, and declaring an emergency.

APR 3 1980

CONTINUED TO APR 9 1980

Filed MAR 28 1980

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Gordon Exall*  
Deputy

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

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FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>Cmca</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
Prepared By: <i>RLHurtig/fg</i> Date: <i>March 27, 1980</i>
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney
City Auditor
City Engineer