

ORDINANCE No. 183475

Authorize the Director of the Bureau of Environmental Services to execute an easement with Metro, as part of the East Side Combined Sewer Overflow Tunnel Project No. E07594. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services has designed the East Side Combined Sewer Overflow (ESCSO) Tunnel Project to comply with an Amended Stipulation and Final Order (ASFO) with the Oregon Department of Environmental Quality to reduce combined sewer overflow discharges to the Willamette River by December 1, 2011.
2. The ESCSO Tunnel Project alignment requires use of certain property owned by Metro for construction of the tunnel.
3. Metro requires that the City indemnify them for use of its property and right-of-way for any damage caused by the City or its representatives.
4. The established cost is \$65,750. Funds are available in the Sewer System Operating Fund, FY 2009-10 Budget, Bureau of Environmental Services, WBS No. E07594.L65, Account No. 561100.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services, or his designee, is authorized to execute an easement substantially in the form of the attached Exhibit A, with Metro, for the purpose described in Section 1.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

JAN 20 2010

Passed by the Council,
Dan Saltzman
Commissioner of Public Affairs

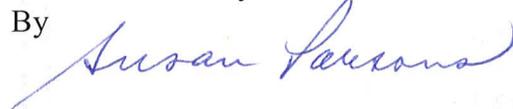
Patty Nelson
December 28, 2009

ESEN000020/561100/E07594.L65 - ord

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 183475
Title

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INTRODUCED BY Commissioner/Auditor: Saltzman	CLERK USE: DATE FILED <u>JAN 08 2010</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy ACTION TAKEN: JAN 13 2010 PASSED TO SECOND READING JAN 20 2010 9:30 A.M.
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL	
Bureau: Environmental Services Bureau Head: Dean C. Marriott <u><i>[Signature]</i></u>	
Prepared by: M. Patty Nelson Date Prepared: 12-28-09	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date January 13, 2010	
City Attorney Approval <u><i>[Signature]</i></u>	

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)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard ✓	
Adams	Adams _____	