

885

ORDINANCE No. 183807

*Authorize the Portland Bureau of Transportation to indemnify Bridgeport Condominium Owners' Association for a building eyebolt and span wire attachment to the property owners' building in connection with the Portland Streetcar Loop Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On October 22, 2009, the Federal Transit Administration announced the approval of the Project Construction Grant Agreement that would make available \$75 million in federal funds to the Portland Streetcar Loop Project through an Intergovernmental Agreement with Tri-Met.
2. In November 2009, Notice to Proceed was issued to Stacy and Witbeck, Inc. for the rail, civil and electrical construction of the Portland Streetcar Loop Project.
3. It has been determined that it would be beneficial to attach the Streetcar overhead electrical wire to a building for Bridgeport Condominiums located at 1120 NW 11th Avenue (also referenced as 1N1E34BB tax lot 80000) via an eyebolt, which would eliminate a catenary pole in the sidewalk.
4. The Owners' Association has agreed to convey the required easement to the City, subject to indemnification from the City.
5. With the attachment of streetcar overhead wires to private property, it is typical that the City would indemnify a property owner, as is the recommendation of the Streetcar Project Manager and the Portland Bureau of Transportation.

NOW, THEREFORE, the Council directs:

- a. The City Engineer is hereby authorized to execute the easement with Bridgeport Condominium Owners' Association, in substantially the same form as the easement attached as Exhibit A.

Section 2. The Council declares that an emergency exists because delay in property acquisition at this location will result in a construction delay of the Streetcar Project and overall project completion; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAY 26 2010**

Mayor Sam Adams
Prepared by: Dee A. Walker
Date Prepared: May 3, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By 

Deputy

Agenda No.
ORDINANCE NO. 183807

Title

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<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: Transportation Group Manager: Greg Jones Development & Capital Program</p> <p>Other:</p> <p>Prepared by: Dee A. Walker:sg Date Prepared: May 3, 2010</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date May 26, 2010</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>MAY 21 2010</u></p> <p><i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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