

Calendar No. 2571

ORDINANCE No. 108068

Title

An Ordinance authorizing execution of an agreement between the City and the Port of Portland for the rental of tie-down space for City aircraft used in insect control at the Troutdale Airport for a period of three years from July 1, 1958, authorizing the drawing and delivery of warrants at \$214.00 per year, and declaring an emergency.

Filed MAY 23 1958

Will Gibson
Auditor of the CITY OF PORTLAND

By *R. L. Juey* Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Schrunk	

INTRODUCED BY
Mayor Schrunk

DRAWN BY
RLH:gm
Date **5/23/58**

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety **T.O.S. - 7.D.**

Utilities

Works

City Attorney *[Signature]*

NOTED FOR CITY AUDITOR
[Signature]

APPROVED

Date

By *[Signature]*
City Engineer

Date

By

ORDINANCE No. 108068

An Ordinance authorizing execution of an agreement between the City and the Port of Portland for the rental of tie-down space for City aircraft used in insect control at the Troutdale Airport for a period of three years from July 1, 1958; authorizing the drawing and delivery of warrants at \$214.00 per year, and declaring an emergency.

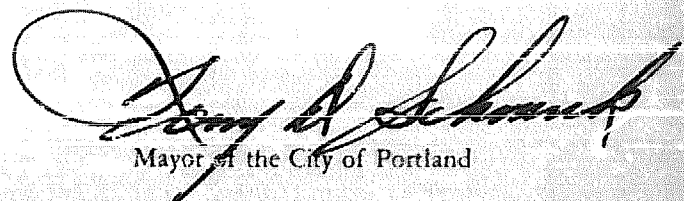
The City of Portland does ordain as follows:

Section 1. The Council finds that the City presently rents base facilities for the aircraft belonging to the Bureau of Insect Control from the Port of Portland on the Portland-Troutdale Airport; that the present rental agreement expires June 30, 1958; that due to the investment the City has made in such facilities, it is desirable to continue to rent such space for a further period of three years beginning July 1, 1958; that the yearly rental for the space of approximately 130 feet by 83 feet will be \$214.00 per year, which is a reasonable rental for the space; now, therefore, the Mayor and Auditor hereby are authorized and directed to execute an agreement with the Port of Portland substantially in accordance with the form of agreement attached hereto marked Exhibit "A" and by this reference made a part of this ordinance, which agreement shall be approved as to form by the City Attorney.

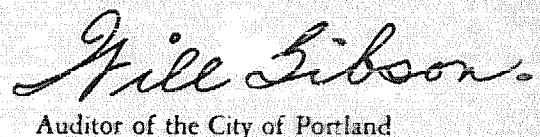
Section 2. The Mayor and Auditor are hereby authorized to draw and deliver warrants in payment of the rental obligation authorized by Section 1 of this ordinance, said amounts to be chargeable to the appropriation Bureau of Insect Control (2560.325).

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the City may continue to occupy the tie-down space presently occupied at the Portland-Troutdale Airport; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAY 28 1958


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

the airport under the direction and control of the City shall at all times observe the rules and regulations applicable to aircraft and persons using the Troutdale Airport, a copy of which rules and regulations are hereto attached and by this reference made a part of this agreement.

IN WITNESS WHEREOF, the Port has caused this agreement to be signed by its authorized officers, and the City acting by and through its Mayor as Commissioner of Public Safety and its Auditor, pursuant to Ordinance No. _____, passed by the Council _____.

CITY OF PORTLAND

By _____
Mayor

By _____
Auditor

THE PORT OF PORTLAND

By _____

Approved as to form:

By _____

City Attorney

EXHIBIT "A"

A G R E E M E N T

THIS AGREEMENT entered into this _____ day of _____, 1958, by and between the CITY OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter called "City", and THE PORT OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter called "Port",

W I T N E S S E T H:

For and in consideration of the mutual covenants and promises herein contained, the parties hereto covenant and agree as follows:

1. The Port hereby rents to the City a parcel of land on Troutdale Airport approximately 130 feet x 83 feet, hereinafter called the "Site", said site being shown on a plat hereto attached and by this reference made a part of this agreement.
2. The City agrees to pay to the Port the sum of \$214.00 per year as rental for the Site, said rental being determined on the basis of two cents (\$.02) per square foot per year, to the nearest dollar.
3. For the same consideration the Port hereby grants to the City the privilege of using the runway and taxiway and other common user facilities of Troutdale Airport for the purpose of operating aircraft operated under the control of the City, through its Bureau of Insect Control, which operation is recognized to be a public purpose.
4. This agreement shall remain in effect for a term beginning July 1, 1958 and ending June 30, 1961, unless extended beyond such termination date by mutual consent and agreement of the parties hereto.
5. The right to use the common user facilities of the airport is and shall be subject to suspension and termination by the Port at any time when the Port or any competent governmental authority deems such suspension or termination is necessary or convenient to preserve the public peace and safety; to serve military aircraft on station or maneuvers; to accommodate scheduled or special trips of certified air carriers and/or when weather or other conditions are such as to cause unusual hazards to the operation of aircraft at the Airport, or as otherwise provided in the rules.
6. The right of tenancy and to use of the airport, as herein provided, is at all times subject to a provision that all aircraft operated by the City and all personnel who come upon