

ORDINANCE No. 184379

*Authorize the Bureau of Environmental Services to execute a temporary construction easement with WREH Lloyd Plaza LLC as part of the Oak A Basin Phase 1 Sewer Project No. E08387 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Sewer reconstruction is required in order to disconnect public combined sewage from a combined sewer overflow pipe under the Banfield Expressway (I-84).
2. Insufficient construction access exists along an existing City of Portland sewer utility easement through property owned by WREH Lloyd Plaza LLC, between NE Irving Street and the I-84 rights of way.
3. WREH Lloyd Plaza LLC requires the City indemnify them for temporary use of the property on either side of the existing easement for any damage caused by the City or its representatives.
4. The negotiated cost for the temporary use of property owned by WREH Lloyd Plaza LLC, for the life of the Oak A Phase 1 Reconstruction Project is \$6,850. Funds are available in the Sewer System Operating Fund FY 2010-2011 Budget, Bureau of Environmental Services Project E08387.

NOW, THEREFORE, the council directs:

- a. The Director of the Bureau of Environmental Services, or his designee, is authorized to execute easements substantially in the form of the attached Easement with Exhibits A and B, with WREH Lloyd Plaza LLC, for the purposes described in Section 1.
- b. The Commissioner of Public Affairs 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.

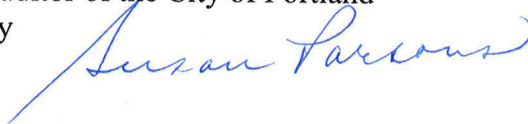
Section 2. The Council declares that an emergency exists because delay in execution of the required easement at this location may result in a delay of construction and impact the overall project completion. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, JAN 26 2011
Dan Saltzman
Commissioner of Public Affairs

Scott Gibson
Dec. 29, 2010

E08387 – ord

LaVonne Griffin-Valade
Auditor of the City of Portland
By



Deputy

Agenda No.
ORDINANCE NO. 184379
 Title

*Authorize the Bureau of Environmental Services to execute a temporary construction easement with WREH Lloyd Plaza LLC as part of the OAK A BASIN PHASE 1 SEWER PROJECT, BES Capital Improvement Project E08387 (Ordinance).

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: <i>Saltzman</i></p>	<p>CLERK USE: DATE FILED <u>JAN 21 2011</u></p>
<p style="text-align: center;">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 <i>Dan Saltzman</i></p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Environmental Serv. Bureau Head: Dean Marriott <i>[Signature]</i></p> <p>Prepared by: Scott Gibson Date Prepared: Dec. 29, 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 January 20, 2011</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval <i>D.H.</i></p>	

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	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	