

ORDINANCE No. 186906

*Amend Intergovernmental Agreement with Metro and Gresham for the Powell-Division Transit and Development Project to accept additional Construction Excise Tax Grant funds of \$72,599 and increase Portland match funds by \$4,938 (Ordinance; amend Contract No. 30003807)

The City of Portland ordains:

Section 1. The Council finds

1. On January 2, 2014, City Council authorized acceptance of a Construction Excise Tax (CET) funded Community Development and Planning Grant (CDPG) from Metro for the Inner-Powell Outer-Division Transit and Development Project in the amount of \$377,401 (Ordinance 186395) and execution an Intergovernmental Agreement (IGA) with Metro (#932507) and Gresham (#932508) to complete the tasks and deliverables identified in Exhibits A and B of the IGA (30003807); the City Council also directed the Bureau of Planning and Sustainability to reimburse the Bureau of Transportation for tasks in Exhibits A and B of the IGA, not to exceed \$157,785 and to provide local match in the amount of \$75,207 in the form of salary, benefits, materials and services.
2. Costs for services performed by city staff to achieve the deliverables and milestones for this project were based on estimated staff salary and benefit costs and did not include bureau overhead charges; and pursuant to the terms of the IGA, funds received under this CET grant shall only be used for the purposes specified in the grant request and to achieve the deliverables and milestones set forth in Exhibit A; therefore, grant billings for this project shall not include Bureau overhead costs.
3. In a communication to Mayor Hales on June 23, 2014, Metro stated that due to the continued increase in construction excise tax revenues, the Metro Council approved additional funding in the amount of \$131,290 for both the City of Portland and the City of Gresham to fully fund the project.
4. Working with Metro staff it was determined that the City of Portland's total grant amount would be increased from \$377,401 by \$72,599 to \$450,000 and that the local match amount for the City of Portland amount be increased by \$4,938 from \$75,207 to \$80,145. These changes are consistent with the original grant request submitted by the cities of Portland and Gresham.
5. Working with the City of Gresham and Metro staff, the Milestones and Deliverables Schedule for Release of Funds was revised to reflect the work that will be completed with the additional funding.
6. Metro letters authorizing additional funds and acceptance of changes to the IGA, Exhibit A (Milestones and Deliverables Schedule for Release of Funds) are provided in Attachment 1.

NOW THEREFORE, The Council directs:

- a. The Mayor is hereby authorized to accept on behalf of the City of Portland additional Grant funding from Metro for the Construction Excise Tax Grant (CET) – Powell-Division Project to increase the total grant amount for the City of Portland from \$377,401 to \$450,000 and to increase the City of Portland’s local match amount from \$75,207 to \$80,145 (Attachment 1, Letter from Metro).
- b. The Mayor is hereby authorized to execute, in a form substantially similar to Attachment 2, (Amendment No. 1 to Contract 30003807), including revised IGA Exhibit A.
- c. The Mayor hereby authorizes waiving overhead charges for funds associated with this grant.
- d. The FY 2014-15 budget is hereby amended as follows:

GRANTS FUND

Fund 217

Business Area – PN

Bureau Program Expenses \$72,599

- e. The Office of Management & Finance Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor’s behalf.
- f. The Director of Bureau of Planning and Sustainability is authorized to accept on behalf of the City of Portland any subsequent modifications by Metro for the Construction Excise Tax Grant (CET) – Powell-Division Project provided such modifications do not increase the City of Portland’s financial obligation or risk. Any modifications that increase the City of Portland’s financial obligation or risk must be authorized by the Portland City Council.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the work approved by this grant. Therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

DEC 03 2014

Mayor Charlie Hales
Prepared by: Alexandra Howard
October 28, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

Agenda No. **186906**
ORDINANCE NO.
 Title

***Amend Intergovernmental Agreement with Metro and Gresham for the Powell-Division Transit and Development Project to accept additional Construction Excise Tax Grant funds of \$72,599 and increase Portland match funds by \$4,938 (Ordinance; amend Contract No. 30003807)**

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>NOV 26 2014</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>PH</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>Susan Anderson</i></p>	
<p>Prepared by: Alexandra Howard Date Prepared: October 28, 2014</p>	
<p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input checked="" 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>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: <i>Benjamin Walters</i></p>	
<p>Council Meeting Date November 26, 2014</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 X</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. Novick	4. Novick	✓	
Hales	Hales	✓	