

## ORDINANCE No. 186910

\*Authorize a Permit and Right of Entry from the Port of Portland to the City to allow Bureau of Environmental Services and its contractor to access Port-owned property for the Lower Columbia Slough Refugia Habitat Enhancement Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The lower nine miles of the Columbia Slough provide habitat for Endangered Species Act listed juvenile salmon. The lack of submerged large wood was identified as a critical habitat factor in the lower Columbia Slough.
2. The City of Portland plans to anchor approximately 35 large wood structures in the lower Columbia Slough near Smith and Bybee Wetlands and at Moore & Wright Islands. Large wood in quiet channels provides shelter opportunities for juvenile salmon as they journey from the Willamette and the Columbia Rivers to the ocean. In addition, large wood can provide habitat for birds, turtles, and insects.
3. In order to accommodate construction for this habitat enhancement project, BES plans to utilize a property owned by the Port of Portland as a staging area. Prior to approving access to the City, the Port requires a Permit and Right of Entry.
4. No cost to the City results from authorizing this Permit and Right of Entry.

NOW, THEREFORE, the Council directs:

- a. The Commissioner in Charge is authorized to execute a contract with the Port of Portland, attached as Exhibit A, 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.

Section 2. The Council declares that an emergency exists because initiation of the project's construction phase is imminent. This Permit and Right of Entry is required in order for BES to issue Notice To Proceed to the contractor. The project must stay on schedule due to regulated in-water work windows. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

186910

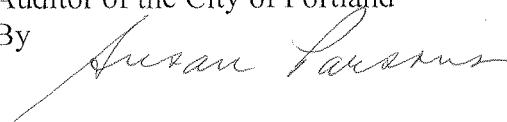
Passed by the Council,  
Commissioner Nick Fish

DEC 03 2014

David Helzer  
November 12, 2014

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

A handwritten signature in cursive script, appearing to read "Susan Parsons", written over a horizontal line.


Deputy

1244=

vj46

Agenda No. **186910**  
**ORDINANCE NO.** *the*  
Title *spellout*

\*Authorize a Permit and Right of Entry from the Port of Portland to City to allow **BES** and its contractor to access Port-owned property for the Lower Columbia Slough Refugia Habitat Enhancement Project.  
(Ordinance)

INTRODUCED BY Commissioner/Auditor: <b>FISH</b>	CLERK USE: DATE FILED <b>NOV 26 2014</b>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	By:  Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Environmental Services Bureau Head: Dean Marriott	
Prepared by: David Helzer Date Prepared: 11/12/14	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> <i>SM</i>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>WRs</i>	
Council Meeting Date <b>12/3/14</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____
Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <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 <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	