

ORDINANCE No. 187266

Authorize the Bureau of Environmental Services to execute a settlement agreement with Bruce Ankarberg as part of the Luther Road Habitat Restoration Project No. E06947 for \$27,989. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In 2014, the Bureau of Environmental Services constructed the Luther Road Habitat Restoration Project to protect the Lents Trunk Sewer, treat stormwater discharges, restore a portion of Johnson Creek and its floodplain, improve stream habitat and water quality, protect natural areas and create a needed community resource.
2. The Luther Road Habitat Restoration Project required the acquisition of a Temporary Access Easement (the "Easement") from Bruce Ankarberg in order to complete the project. The Easement is attached hereto as Exhibit 1.
3. Section I of the Easement states that the City would complete a 2-inch grind and overlay over Mr. Ankarberg's private roadway within the area comprising the Easement following the City's use of said roadway by construction vehicles.
4. In lieu of the City completing the grind and overlay work, the City has agreed to pay Mr. Ankarberg a sum of money as identified in the settlement agreement attached as Exhibit 2 (the "Agreement").
5. The estimated cost is \$27,989. Funds are available in the Sewer System Operating Fund, FY 2014-2015 Budget, Bureau of Environmental Services Project E06947, Account No. 549000 (temporary non-asset).

NOW, THEREFORE, the Council directs:

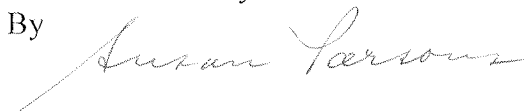
- a. The Director of the Bureau of Environmental Services, or his designee, is authorized to execute the Agreement substantially in the form of the attached Exhibit 2 with Bruce Ankarberg, for the purpose described in Section 1, and to amend it, provided that such amendment does not result in an increase of the established cost identified herein.
- b. The Mayor and City Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget.

Passed by the Council,
Nick Fish
Commissioner of Public Affairs

Scott Gibson
June 9, 2015
WBS E06947 - ord

JUL 22 2015

Mary Hull Cabellero
Auditor of the City of Portland
By



Deputy

774 792

Agenda No.

ORDINANCE NO.

Title

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<p align="center">INTRODUCED BY Commissioner/Auditor: FISH</p> <p align="center">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p align="center">BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Mike Jordan <i>[Signature]</i></p> <p>Prepared by: Scot T Gibson Date Prepared: June 9, 2015</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> <i>Edm</i></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:</p> <p>City Attorney Approval: <i>[Signature]</i></p> <p>Council Meeting Date July 15, 2015</p>	<p>CLERK USE: DATE FILED JUL 10 2015</p> <p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p> <p>JUL 15 2015 PASSED TO SECOND READING JUL 22 2015 9:30 A.M.</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	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"/>	