

ORDINANCE No. 187635

Authorize the Director of the Bureau of Environmental Services to sign lease documents with Friends of Zenger Farm and enter into an Intergovernmental Agreement as the sponsor of a Metro grant to the Friends of Zenger Farm (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Metro has decided to grant certain funds to the Friends of Zenger Farm ("FZF"), which operates the non-profit Zenger Farm on property leased from the City and located at 11741 SE Foster Road. FZF intends to use the funds for the construction of certain improvements on the property.
2. Bond covenants require Metro to seek the cooperation of a government entity in order to ensure that the funds will benefit the public.
3. Because FZF, a private entity, will be constructing the improvements, the Bureau of Environmental Services ("BES") has agreed to guarantee that the improvements will remain on public property or, if the property sells to a private entity, to record an easement in favor of the City that protects the improvements. The City's obligations will continue until 2027, as required by Metro's bond covenants.
4. BES has also agreed to accept certain of FZF's improvements as capital assets.
5. BES has agreed to modifications of the current lease with FZF to meet requirements of the Metro grant. BES will consolidate these modifications, along with the three previous lease amendments, into a new revised lease document.
6. An Intergovernmental Agreement between Metro and the City is necessary in order to memorialize this arrangement.

NOW, THEREFORE, the Council directs:

- a. That the Director of the Bureau of Environmental Services is authorized to enter into an Intergovernmental Agreement with Metro in a form substantially similar to the agreement attached as Exhibit A.
- b. That the Director of the Bureau of Environmental Services is authorized to sign any lease or lease amendments with Friends of Zenger Farm.

Passed by the Council:

MAR 23 2016

Commissioner Nick Fish

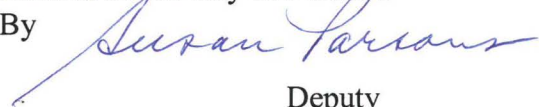
Prepared by: Jonas Biery

Date Prepared: [February 22, 2016]

Mary Hull Caballero

Auditor of the City of Portland

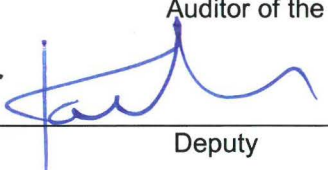
By



Deputy

250 274
Agenda No. 187635
ORDINANCE NO.
Title

Authorize the Director of the Bureau of Environmental Services to sign lease documents with Friends of Zenger Farm, and to enter into an Intergovernmental Agreement as the sponsor of a Metro grant to the Friends of Zenger Farm (Ordinance)

INTRODUCED BY Commissioner Fish	CLERK USE: DATE FILED <u>MAR 08 2016</u>
COMMISSIONER APPROVAL	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN:</p> <p>MAR 16 2016 PASSED TO SECOND READING MAR 23 2016 9:30 A.M.</p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	
Bureau: Environmental Services Bureau Head: Michael Jordan	
Prepared by: Jonas Briery Date Prepared: February 22, 2016	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
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	
<input checked="" type="checkbox"/> City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date <u>3-16-16</u>	

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