

ORDINANCE No. 187657

*Amend contract with Otak, Inc. to revise the 100-year floodplain maps for Crystal Springs Creek for \$85,000 (Ordinance; amend Contract No. 30004334)

The City of Portland ordains:

Section 1. The Council finds:

1. City Council adopted Resolution No. 35715 in 1998 to guide the City's response to the Endangered Species Act. Specifically the resolution called on the City to:
 - i. Create an integrated, comprehensive city-wide approach;
 - ii. Work to support the recovery of native salmonids;
 - iii. Work proactively with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service;
 - iv. Work with local, regional and state partners;
 - v. Engage the community in the ESA response.
2. On March 8, 2006, City Council passed Resolution 36384, adopting the Portland Watershed Management Plan which includes actions for protecting Portland's rivers and restoring the upland activities that shape the watersheds.
3. In November of 2007, the Grey to Green Initiative was launched to address principal elements of the *Portland Watershed Management Plan* implementation, which included restoring fish passage at 8 culverts so that imperiled fish can access their historical habitats. The priority area for culvert replacement was Crystal Springs Creek, a tributary of Johnson Creek, because it provides the highest quality habitat and best opportunity for salmon recovery, and would assist the Bureau of Environmental Services in meeting its water quality and flood management responsibilities. Crystal Springs Creek had 9 culverts that prevented salmon, steelhead and lamprey from spawning and rearing in its 2.8 miles of cold, clean habitat.
4. Since 2010, the Bureau of Environmental Services (BES) has upsized or abandoned 9 culverts, including 2 culverts scheduled for construction in July 2016, and restored over a mile of instream habitat and riparian vegetation in Crystal Springs Creek. BES' comprehensive watershed based stormwater management in Crystal Springs has resulted in improvement to the public health, water quality and the environment by improving fish passage, water quality and reducing localized flooding.
5. As a result of these efforts, the hydraulics and hydrology of Crystal Springs Creek have improved and the extent of the floodplain has been reduced in some areas. Formalizing the changes to the floodplain through the Federal Emergency Management Agency's (FEMA) mapping process will benefit the community by reducing risk to private property, increasing home values, reducing regulatory requirements, and may reduce flood insurance rates. The FEMA remapping process requires a minimum of 10 months before new floodplain maps are effective.
6. The Bureau of Environmental Services originally engaged OTAK, Inc to revise the floodplain maps only at the SE Bybee and Glenwood Street culverts. BES now proposes to amend the contract to increase the effort to the entire watershed.

7. The established cost is \$85,000 which represents an increase of \$53,084 over the original contract amount of \$31,916. Funds are available in the Sewer System Operating Fund, FY 16 Budget and are additionally proposed for the FY 17 Budget for Bureau of Environmental Services, Cost Center ESWS000011.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge or his designee, is authorized to execute a contract amendment for the purposes described in Section 1, and in substantial conformance to the draft amendment in Exhibit A, in the amount of \$53,084 for a total not to exceed contract amount of \$85,000, and to extend the contract to October 1, 2017.
- 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 current construction activity in the community will greatly benefit from a revised floodplain map by the end of 2016. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAR 30 2016
Commissioner Nick Fish

[Kaitlin Lovell]
[03-9-16]

Cost Center: ESWS000011

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

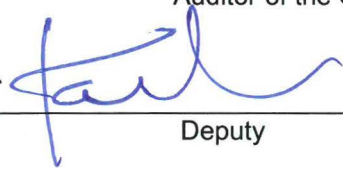
Agenda No.

ORDINANCE NO. 187657

Title

* ~~Authorize an Amendment to Contract 30004334~~ between the Bureau of Environmental Services and OTAK, Inc. to revise the 100-year floodplain maps for Crystal Springs Creek, (Ordinance) (contract amount \$85,000).

For \$85,000 (amend No. 30004334)

INTRODUCED BY Commissioner/Auditor: Nick Fish	CLERK USE: DATE FILED <u>MAR 22 2016</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Environmental Services Bureau Head: Michael Jordan Prepared by: Kaitlin Lovell Date Prepared: 3/9/16 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 type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>GF</i> Council Meeting Date 3/30/16	ACTION TAKEN: MAR 30 2016 RESCHEDULED TO MAR 30 2016 2 P.M.

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 15 mins (for presentation, testimony and discussion)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Novick</td> <td>4. Novick <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Hales</td> <td>Hales <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	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"/>	
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