

188002

**ORDINANCE No.**

Authorize an Intergovernmental Agreement with the Oregon Department of Transportation as the Tax Administrator for the City of Portland Motor Vehicle Fuels Tax (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In January 2016, City Council referred a measure to City voters for the May 17, 2016 election authorizing the creation of a program dedicated to street repair and traffic safety through a temporary, ten-cents per gallon tax on motor vehicle fuels in Portland for vehicles not subject to weight-mile tax.
2. A temporary ten (10) cents per gallon tax on motor vehicle fuels in Portland for vehicles not subject to weight-mile tax is estimated to raise \$64 million over four years.
3. On May 17, 2016, the voters passed the ballot measure authorizing a temporary ten (10) cents per gallon tax on motor vehicle fuels in Portland, not subject to weight-mile tax.
4. The Oregon Department of Transportation provides the most efficient and cost effective tax administration for the City of Portland's motor vehicle fuels tax.
5. The estimated cost for the Oregon Department of Transportation to administer the tax collections is approximately 3% of gross revenues annually, starting in FY 16-17.
6. This Intergovernmental Agreement will authorize the Oregon Department of Transportation to exercise all supervisory and administrative powers with regard to the enforcement, collection and administration of the Motor Vehicle Fuel Tax, including all powers specified in ORS 319.010 to 319.430, and ORS 310.510 to 310.990.
7. The Bureau's level of confidence in the cost estimates for this project is medium based on ODOT's experience with administering the State Fuels Tax and other local jurisdictions.

NOW, THEREFORE, the Council directs:

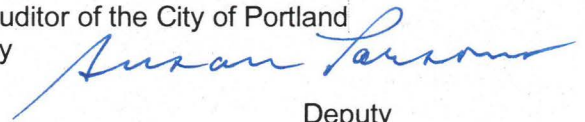
- a. That the Commissioner-in-Charge is hereby authorized to enter into an Intergovernmental Agreement with the Oregon Department of Transportation as the Tax Administrator for the City of Portland's Motor Vehicle Fuels Tax in a form similar to the contract attached as Exhibit A.
- b. The revenues from the Motor Vehicle Fuels Tax is in the FY 16/17 Adopted Budget.
- c. The Commissioner-in-Charge is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk. Increases to the grant amount must be approved by the City Council.

188002

Passed by the Council, **SEP 21 2016**

Commissioner Steve Novick  
Prepared by: Ken Lee:ck  
Date Prepared: 8/18/16

**Mary Hull Caballero**  
Auditor of the City of Portland  
By

A handwritten signature in blue ink, appearing to read "Susan Larson", is written over the word "By".

Deputy

1018 1055

Agenda No.  
**ORDINANCE NO. 188002**  
Title

Authorize an Intergovernmental Agreement with the Oregon Department of Transportation as the Tax Administrator for the City of Portland's Motor Vehicle Fuels Tax (Ordinance)

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|---|--|
| <b>INTRODUCED BY</b><br>Commissioner/Auditor:<br><b>COMMISSIONER STEVE NOVICK</b>   | CLERK USE: DATE FILED <u>SEP 06 2016</u>   |
| <b>COMMISSIONER APPROVAL</b><br>Mayor—Finance and Administration - Hales<br>Position 1/Utilities – Fritz<br>Position 2/Works – Fish<br>Position 3/Affairs - Saltzman<br>Position 4/Safety – Novick <i>Ans</i>   | Mary Hull Caballero<br>Auditor of the City of Portland<br><br>By: <u><i>[Signature]</i></u><br>Deputy<br><br>ACTION TAKEN: |
| <b>BUREAU APPROVAL</b><br>Bureau: <b>Transportation</b><br>Business Operations Group<br>Manager: <b>Alissa Mahar</b> <i>Ken Kenworthy for Alissa Mahar</i><br>Assistant Director:<br><b>Maurice Henderson</b> <i>M/HM 8/24/16</i><br>Prepared by: Ken Lee:ck <i>[Signature]</i><br>Date Prepared: August 18, 2016 | SEP 14 2016 PASSED TO SECOND READING SEP 21 2016 9:30 A.M.   |
| Impact Statement<br>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>  |  |
| Portland Policy Document<br>If "Yes" requires City Policy paragraph stated in document.<br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  |  |
| <b>City Auditor Office Approval:</b><br>required for Code Ordinances  |  |
| <b>City Attorney Approval:</b><br>required for contract, code, easement, franchise, comp plan, charter <i>AM</i>  |  |
| <b>Council Meeting Date</b><br><b>September 14, 2016</b>  |  |

|   |
|---|
| <b>AGENDA</b><br><b>TIME CERTAIN</b> <input checked="" type="checkbox"/><br>Start time: <u>10:30</u> <i>15</i><br>Total amount of time needed: <u>50 Mins</u><br>(for presentation, testimony and discussion) |
| <b>CONSENT</b> <input type="checkbox"/>   |
| <b>REGULAR</b> <input type="checkbox"/><br>Total amount of time needed: _____<br>(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"/> |      |