

ORDINANCE No. 188411

* Amend Intergovernmental Agreement for Levee Analysis Cost-Sharing Phase II--Multnomah Co. Drainage District No. 1 and Sandy Drainage Improvement Company--to amend loan agreement and parties to the agreement (Ordinance; amend Contract No. 30005824)

The City of Portland ordains:

Section 1. The Council finds:

1. On November 18, 2015, the Council passed Ordinance 187448, which authorized the execution of an intergovernmental agreement for repayment of a Business Oregon Infrastructure Finance Authority ("IFA") loan for an engineering analysis for Phase II of what is now known as the Levee Ready Columbia project (the "Phase II Loan"). Multnomah County agreed to administer the collection and repayment of the Phase II Loan.
2. An Intergovernmental Agreement for Levee Analysis Cost-Sharing Phase II (MCDD and SDIC) (the "IGA") was executed by parties to the agreement on January 13, 2016.
3. Anticipated changes in the Phase II Loan agreement between Multnomah County and the IFA have made it necessary to amend the authorized scope of work eligible for payment from the IFA loan and to extend the loan repayment schedule. The Parties additionally wish to amend the IGA so that changes can be made to the IFA Loan Agreement with regard to the scope of work eligible for reimbursement from the IFA Loan proceeds and changes to the IFA Loan repayment schedule without the need for future amendments to the IGA.
4. Pursuant to Section 2 of the IGA, the Columbia Corridor Drainage Districts Joint Contracting Authority ("JCA") will assume the duties and responsibilities for receipt and distribution of the funding and entering into contracts under the IGA, and therefore should become a party to the IGA.
5. The execution of the first amendment to the IGA by all the Levee Ready Columbia partners must occur before the end of fiscal year 2017 to cover additional eligible projects and to extend the loan repayment schedule.
6. This modification to the IGA will not increase the cost of the City's obligations under the Phase II Loan.

NOW, THEREFORE, the Council directs:

- a. The Chief Administrative Officer of the Office of Management and Finance or designee is authorized to execute the first amendment to the IGA in a form substantially similar to the draft agreement attached as Exhibit A.

Section 2. The Council declares that an emergency exists because a delay in approving the amendment would interfere with the scope of work needed to complete the engineering analysis and timelines established for receipt and repayment of the Loan; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: MAY 31 2017

Mayor Ted Wheeler
Prepared by: Ken Rust
Date Prepared: May 15, 2017

Mary Hull Caballero
Auditor of the City of Portland

By 

Deputy

Amend

* Authorize the first amendment to the Intergovernmental Agreement for Levee Analysis Cost-Sharing Phase II (MCDD and SDIC) to amend loan agreement and parties to the agreement (Ordinance; amend Contract No. 30005824)

spell out - see contract

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>MAY 23 2017</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>HW</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Office of Management and Finance Bureau Head: Tom Rinehart <i>TR</i></p> <p>Prepared by: Ken Rust <i>KR</i> Date Prepared: 5/15/2017</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></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: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>WJ</i></p> <p>Council Meeting Date 5/31/2017</p>	

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: <u>minutes</u> (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 type="checkbox"/>	
4. Eudaly	4. Eudaly <input checked="" type="checkbox"/>	
Wheeler	Wheeler <input checked="" type="checkbox"/>	