

AN AGREEMENT

THIS AGREEMENT made and entered into as of the day and year executed by and between the CITY OF PORTLAND and the METROPOLITAN SERVICE DISTRICT (MSD).

WITNESSETH

WHEREAS the City of Portland and MSD desire to pursue the initiation of Phase I of the Johnson Creek Flood Control and Pollution Abatement Project, and

WHEREAS, for said purpose, it is appropriate that the City and other jurisdictions within the Johnson Creek drainage basin share the costs of initiating Phase I of the project in proportions as agreed to by the Mayor and MSD on October 30, 1979 and requested by MSD in resolution No. 79-106,

THEREFORE, in consideration of the mutual convenience herein contained, the parties agree as follows:

The City will make available to MSD the amount of fifteen thousand dollars (\$15,000). Expenditure of these funds will be made by MSD on activities necessary for the formation of a Local Improvement District for the purpose of financing the local share of the Johnson Creek Flood Control and Pollution Abatement Project. Specifically, these funds will be used for the following:

- 1) Technical support necessary to initiate the LID; including development of the Johnson Creek LID ordinance, identification of benefitted properties, compilation of ownership records and maps, preparation of initial assessment list and adoption of the ordinance.
- 2) Preparation of assessments, including estimates for all benefitted properties and adjustments as directed by the MSD Council.
- 3) Research of existing easements and determination of their legal status.
- 4) Legal services on all of the above.
- 5) Notices and public involvement.
- 6) Preliminary engineering; including specifications and cost estimates necessary to prepare the preliminary engineering report required by Section 5 of the MSD general LID Ordinance.

It is understood by the City and the Metropolitan Service District that, should the Local Improvement District be successfully formed, said money will be refunded to the City within two (2) years of the LID formation.

It is further understood that, should the Local Improvement District not be successfully formed, said money need not be refunded.

It is further understood that the proportions of the contributions provided for the purpose of the LID formation do not necessarily establish the degree of continuing obligation of the parties concerned.

DATED THIS _____ DAY OF _____, 1980.

METROPOLITAN SERVICE DISTRICT

CITY OF PORTLAND

By: _____
(Title)

By: _____
Mayor

By: _____
Auditor

Approved as to Form:

City Attorney

ORDINANCE NO. 148987

An Ordinance authorizing an agreement with the Metropolitan Service District for the City of Portland's share in the cost of Phase I of the Johnson Creek Flood Control and Pollution Abatement Project, transferring \$15,000 within the General Fund, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Flooding and other storm water runoff problems have persisted in the Johnson Creek Basin for years;
2. The multiplicity of City and County jurisdictions in the Basin has made it difficult to coordinate and jointly agree on an approach for solving drainage problems;
3. The City Council, by Resolution No. 32544 has petitioned the MSD Council to initiate a local improvement district within the Johnson Creek Basin for the purpose of financing the preparation of a functional plan for the control of flooding and pollution caused by storm water runoff;
4. MSD must secure funds from local jurisdictions within the Basin in order to finance the LID formation;
5. The City Council, by Resolution No. 32544 has agreed to finance the City's fair share of the costs of forming such a local improvement district;
6. It is appropriate that fifteen thousand dollars (\$15,000) be transferred within the general fund from General Operating Contingencies to the Office of the Mayor and expended in accordance with the agreement attached as Exhibit "A" to the original only hereof and by this reference made a part hereof.

ORDINANCE No.

NOW, THEREFORE, the Council directs:

- a. The Mayor and Auditor are authorized to enter into an agreement with the Metropolitan Service District in the form of Exhibit "A", attached to the original only hereof and by this reference made a part hereof.
- b. The Mayor and Auditor are authorized to draw and deliver warrants for payments due pursuant to this agreement, not to exceed fifteen thousand dollars (\$15,000).
- c. The 1979-80 Budget is hereby amended to transfer appropriations as follows:

FROM:

General Fund	
General Operating Contingency (AU 201)	\$ 15,000

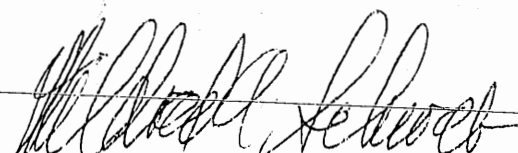
TO:

General Fund	
Office of the Mayor (AU 195)	
Miscellaneous Services (260)	\$ 15,000


Section 2. Inorder that the agreement with the Metropolitan Service District described in Section 1., above may hereby commence without delay, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JAN 2 1980**

Mayor McCready
James Throckmorton
December 26, 1979


PRESIDENT OF THE COUNCIL AND ACTING
Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 27

ORDINANCE No. 148987

Title

An Ordinance authorizing an agreement with the Metropolitan Service District for the City of Portland's share in the cost of Phase I of the Johnson Creek Flood Control and Pollution Abatement Project, transferring \$15,000 within the General Fund, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed DEC 27 1979

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By James C. Hall
Deputy

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>CM</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Planning
Prepared By: JT:t Date: 12/26/79
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: Frank Frost <i>FRANK FROST</i>

NOTED BY
City Attorney
City Auditor <i>JD</i>
City Engineer