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191491

Ordinance

Authorize legal services agreement with Law TMR PLLC for outside counsel related to Portland Harbor

Passed

Amended by Council

The City of Portland ordains:

Section 1. The Council finds:

1. City of Portland requires the services of an outside legal counsel to provide the professional, technical, and expert legal advice and services regarding Portland Harbor.
2. The law firm of Law TMR, PLLC has the required expertise and resources to provide these services.
3. The City desires to enter into a Legal Services Agreement with Law TMR, PLLC with a not-to-exceed contract amount of \$2,235,281 over a five-year term. The contract will expire on October 31, 2028, unless otherwise amended and approved by the City Attorney and Chief Procurement Officer.
4. Sufficient appropriation exists in the City Attorney's Office and Bureau of Environmental Services current operating budgets.

NOW, THEREFORE, the Council directs:

- A. The City Attorney and Chief Procurement Office are authorized to negotiate terms and conditions determined reasonable for an outside counsel Legal Services Agreement and to enter into a contract with Law TMR PLLC, for Portland Harbor legal services for a five-year term and an amount not to exceed \$2,235,281.
- B. The Mayor and City Auditor are authorized to draw and deliver checks chargeable to the City Attorney's office when demand is presented and approved by the proper authorities.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed as amended by Council
October 18, 2023

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[City Attorney](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date
October 18, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

Provides legal services to the City Attorney's Office for work related to the Portland Harbor Superfund Site.

Financial and Budgetary Impacts

Legal services provided under this contract will not exceed a total of \$2,235,281. The initial price agreement will be for a 5-year term.

This request will not increase the FY23-24 adopted Portland Harbor Superfund budget. The remaining years under this agreement are included in the BES requested budget within the Environmental Remediation Fund. Funds are available in ESST000022. Services under this contract will support the City's liability management efforts for the Portland Harbor Superfund, which will eventually determine the City's ultimate financial obligation.

Community Impacts and Community Involvement

Not applicable – All work performed and generated under this agreement shall be privileged and confidential.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

This legislation allows the city of Portland to enter into a contract with Law TMR PLLC for a five-year term and an amount not to exceed \$2,235,281. Funding will come from the Environmental Remediation Fund. This will require no additional appropriation as the funds have already been appropriated in the adopted budget.

Agenda Items

845 Consent Agenda in [October 11, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/11)
(<https://www.portland.gov/council/agenda/2023/10/11>)

Passed to second reading as amended

Item 845 was pulled from the Consent Agenda for discussion.

Vote called. (Y-Mapps, Ryan; N-Gonzalez, Wheeler; Rubio absent). Item failed to pass.

Motion to reconsider: Moved by Wheeler and seconded by Mapps. (Y-Mapps, Ryan, Wheeler; N-Gonzalez; Rubio absent)

Motion to remove the emergency clause: Moved by Wheeler and seconded by Mapps. (Y-4; Rubio absent)

Passed to second reading as amended October 18, 2023 at 9:30 a.m.

**883 Regular Agenda in [October 18, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/18)
(<https://www.portland.gov/council/agenda/2023/10/18>)**

Passed As Amended

Motion to amend Directive A to change the term to two years for amount not to exceed \$400,000 per year: Moved by Gonzalez and seconded by Mapps. (Y-Gonzalez; N-Mapps, Rubio, Ryan, Wheeler). Motion failed to pass.

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea