

## ORDINANCE No.

185398 *As Amended*

Add new section to the Public Improvements Code to update and codify authority previously delegated to the Bureau of Transportation and the Bureau of Environmental Services with regard to real property interests and to delegate new authority. (Ordinance; add Code Section 17.16.140 and repeal ordinances)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 165059, passed by Council on February 5, 1992, authorizes the City Engineer to accept right-of-way dedications, easements, and other real property interests required for public improvements and to provide for payment. To ensure consistency and transparency in the City's transaction of the public's business, this authorization should be updated, clarified, and added to the Code.
2. Ordinance No. 173513, passed by Council on June 30, 1999, authorizes the Director of the Bureau of Environmental Services or designee to accept sewer easements and other interests in real property required for public improvements to the City's sewerage system. To ensure consistency and transparency in the City's transaction of the public's business, this authorization should be updated, clarified, and added to the Code.
3. Ordinance No. 166616, passed by Council on June 16, 1993, authorizes the City Engineer to release Bureau of Transportation and Bureau of Environmental Services easements no longer needed for public purposes. To ensure consistency and transparency in the City's transaction of the public's business, this authorization should be updated, clarified, and added to the Code.
4. Ordinance No. 173512, passed by Council on June 30, 1999, and Ordinance No. 176888, passed by Council on September 12, 2002, authorize the Director of the Bureau of Environmental Services, or designee, to release Bureau of Environmental Services easements no longer needed for public purposes. To ensure consistency and transparency in the City's transaction of the public's business, this authorization should be updated, clarified, and added to the Code.
5. Ordinance No. 182053, passed by Council on July 16, 2008 and codified in relevant part in Code Section 21.12.330, authorizes the Water Bureau to dispose of real property interests no longer needed for public purposes. The Bureau of Transportation seeks similar authority for its Director or designee.
6. Ordinance No. 179618, passed by Council on October 5, 2005 and since amended and codified in Code Section 3.15.020, authorizes the Chief Administrative Officer or designee to execute agreements concerning Office of Management and Finance-managed real property. The Bureau of Transportation seeks similar authority for its Director or designee with regard to renting or leasing real property or public right-of-way assigned to the Bureau of Transportation and not needed for public purposes.
7. Ordinance No. 177070, passed by Council on November 13, 2002, authorizes the City Engineer to designate and assign City-owned access control strips as public street areas. To ensure consistency and transparency in the City's transaction of the public's business, this authorization should be updated to include other City-owned property, clarified, and added to the Code.

- 8. Ordinance Nos. 165059, 173513, 166616, 173512, and 177070 should be repealed as no longer necessary.

NOW, THEREFORE, the Council directs:

- a. Code Chapter 17.16 is amended as shown in Exhibit A to update and codify authority previously delegated to the Bureau of Transportation and the Bureau of Environmental Services with regard to real property interests and to delegate new authority.
- b. Ordinance Nos. 165059, 173513, 166616, 173512, and 177070 are repealed.

Passed by the Council, JUN 06 2012  
 Dan Saltzman  
 Commissioner of Public Affairs

**LaVonne Griffin-Valade**  
 AUDITOR OF THE CITY OF PORTLAND  
 By

*Susan Parsons*  
 Deputy

[Dawn Hottenroth]  
 [May 11, 2012]

Agenda No. **ORDINANCE NO. 185398** As Amended  
Title

Add new section to the Public Improvements Code to update and codify authority previously delegated to the Bureau of Transportation and the Bureau of Environmental Services with regard to real property interests and to delegate new authority. (Ordinance; add Code Section 17.16.140 and repeal ordinances)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <i>Saltzman</i></p>	<p>CLERK USE: DATE FILED <u>MAY 24 2012</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - <i>Saltzman</i></p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Parsons</i> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: BES Bureau Head: <i>Deann Merriott</i></p>	<p><b>ACTION TAKEN:</b></p> <p>MAY 30 2012 PASSED TO SECOND READING <b>As Amended</b> JUN 06 2012 9:30 A.M.</p>
<p>Prepared by: Dawn Hottenroth Date Prepared: May 11, 2012</p>	
<p>Financial Impact &amp; Public Involvement Statement Completed <input 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>Council Meeting Date <b>May 30 and June 6</b></p>	
<p>City Attorney Approval <i>Yes</i></p>	

**AGENDA**

**TIME CERTAIN**   
Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**Part 2 of 2**

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	

Town OK