

ORDINANCE No. 184504

*Authorize an Intergovernmental Agreement and accept a grant in the amount of \$50,000 from the Oregon Department of Transportation for construction of Interstate 205 Multiuse Path improvements adjacent to NE 97th Ave from Glisan St to Davis St (Ordinance; C-10035)

The City of Portland ordains:

Section 1. The Council finds:

1. The City Council approved formation of the NE 97th Avenue Green Street LID on June 2, 2010 with the passage of Ordinance No. 183849.
2. The NE 97th Avenue Green Street LID has sufficient contingency funds to cover the cost of the Interstate 205 Multiuse Path improvements, and such improvements will provide additional benefit to the properties in the NE 97th Avenue Green Street LID for which assessment will be imposed by a separate and subsequent ordinance; however, it is preferable to have the Oregon Department of Transportation to cover the cost of these improvements in lieu of property owners participating in the NE 97th Avenue Green Street LID bearing this expense.
3. The Bureau of Transportation applied to the Oregon Department of Transportation for a grant in the amount of \$50,000.00 on March 25, 2010 for construction of Interstate 205 Multiuse Path improvements adjacent to the improvements to NE 97th Avenue on March 23, 2010, which will be for the mutual benefit of both the Bureau of Transportation and the Oregon Department of Transportation.
4. The Oregon Department of Transportation notified the City of Portland on October 1, 2010 that it will award a grant for the for construction of Interstate 205 Multiuse Path improvements to the Bureau of Transportation in the amount of \$50,000.00.
5. No Bureau of Transportation match is required by this grant beyond local improvement district funds already committed to this project; and
6. The Oregon Department of Transportation approved plans for the project work in their right-of-way area on February 28, 2011 and will issue a permit for project work in their right-of-way area, which include a sidewalk on the west side of NE 97th Avenue. The extent of Bureau of Transportation's compensation to the Oregon Department of Transportation will be a permit fee for working in the Oregon Department of Transportation right-of-way. The Bureau of Transportation will not pay the Oregon Department of Transportation for easements or other property rights for this project, and a portion of the newly-constructed sidewalk will remain in the Oregon Department of Transportation right-of-way.

7. The Oregon Department of Transportation grant is included in the Proposed FY2011/2012 budget.

NOW, THEREFORE, the Council directs:

- a. The Mayor is hereby authorized to accept on behalf of the City of Portland a grant from the Oregon Department of Transportation for the Interstate 205 Multiuse Path improvements adjacent to NE 97th Avenue from Glisan Street to Davis Street to the Bureau of Transportation in the amount of \$50,000.00.
- b. That the Director of the Bureau of Transportation is authorized to provide such information and assurances as are required for the grant period.
- c. That the Director of the Bureau of Transportation and the City Auditor are authorized to enter into an Intergovernmental Agreement with the Oregon Department of Transportation to begin construction of the Interstate 205 Multiuse Path improvements, substantially in accordance with the Agreement attached to the original of the Ordinance as Exhibit A and, by reference, made a part hereof.
- d. That the Mayor and the City Auditor are hereby authorized to draw and deliver checks chargeable to the Transportation Fund, AU 159 when demand is presented and approved by the proper authorities.
- e. The OMF Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 06 2011

Mayor Sam Adams
Prepared by: Andrew Aebi:slg
Date Prepared: March 24, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Emily Matasa

Deputy

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Agenda No.

ORDINANCE NO. 184504

~~Authorize an Intergovernmental Agreement and~~ Title

* Accept a grant in the amount of \$50,000.00 from the Oregon Department of Transportation for construction of Interstate 205 Multiuse Path improvements adjacent to NE 97th Ave from Glisan St to Davis St and ~~authorize an Intergovernmental Agreement~~ (Ordinance; C-10035)

INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Dillmann on behalf of Mayor Adams</i> COMMISSIONER APPROVAL	CLERK USE: DATE FILED <u>APR 01 2011</u>
Mayor—Finance and Administration - Adams	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <i>fritz</i> Deputy
Position 2/Works - Fish	ACTION TAKEN:
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>Greg Jones</i>	
Prepared by: Andrew Aebi:slg Date Prepared: March 24, 2011 <i>AA 3/24/11</i>	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date April 6, 2011	
City Attorney Approval	

AGENDA <i>1092</i>
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 MIN (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. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	