

ORDINANCE No. 185249

Authorize Continuing Control Agreement with the TriMet to operate and maintain the I-205 Light Rail Project in City right-of-way (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Tri-County Metropolitan District of Oregon (TriMet) has entered into Full Funding Grant with the Federal Transit Administration (FTA) for acquisition, construction, operation and maintenance of the I-205 Light Rail Project.
2. The City has adopted Resolution No. 36130 (March 19, 2003) confirming its support of the project.
3. TriMet and its contractors have been issued permits to construct certain portions of the I-205 Light Rail Project in or above City streets in accordance with the Design and Construction Management Services Agreement (City Contract # 53100 , Ordinance # 181955) passed by Council on June 25, 2008.
4. As part of the project, rail tracks and certain other structures have been constructed, operated, and maintained in the public right-of-way within the City's jurisdiction, adjacent to the I-205 freeway, from E. Burnside Street south to the City limits.
5. Construction of the project is complete, and TriMet began revenue service on September 12, 2009.
6. The City owns the public right-of-way that is crossed by a portion of the Project alignment, and the City will be retaining the title interest in that property, but is willing to allow TriMet the permanent right to use such real property for construction, operation, and maintenance of the Project.
7. The FTA requires execution of an agreement between TriMet and the City to satisfy the continuing control requirements for the Project. Execution of this Continuing Control Agreement is a routine element of Project documentation.

182848

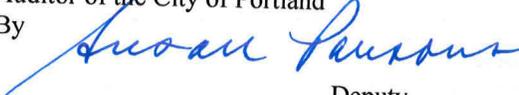
NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are hereby authorized to enter into a Continuing Control Agreement with the Tri-County Metropolitan Transportation District of Oregon in a form substantially in accordance with the Agreement attached to the original of this ordinance and, by reference, made a part hereof.

Passed by the Council, APR 11 2012

Mayor Sam Adams
 Prepared by: Teresa Boyle:LW:slg
 Date Prepared: March 13, 2012

LAVONNE GRIFFIN-VALADE
 Auditor of the City of Portland

By 
 Deputy

Agenda No. 185249
ORDINANCE NO.
Title

Authorize Continuing Control Agreement with the Tri-County Metropolitan Transportation District of Oregon to operate and maintain the I-205 Light Rail Project in City right-of-way. (Ordinance)

INTRODUCED BY
Commissioner/Auditor:
MAYOR SAM ADAMS
K. Griffin-Valade on behalf of Mayor Adams
COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Leonard

BUREAU APPROVAL

Bureau: Bureau of Transportation
Group Manager: Greg Jones
Development & Capital Program
Other: *Greg Jones*

Prepared by: Teresa Boyle:LW:slg
Date Prepared: March 12, 2012
TB LW 3/12

Financial Impact & Public Involvement Statement
Completed Amends Budget
Not Required

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes No

Council Meeting Date
APRIL 4, 2012

City Attorney Approval

CLERK USE: DATE FILED MAR 30 2012

behalf of Mayor Adams
LaVonne Griffin-Valade
Auditor of the City of Portland

By: *[Signature]*
Deputy

ACTION TAKEN:
APR 04 2012 PASSED TO SECOND READING APR 11 2012 9:30 A.M.

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)

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"/>	