

ORDINANCE No. 185250

Authorize an Intergovernmental Agreement with TriMet for maintenance of the I-205 Light Rail Project in City right-of-way (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In June 2008, by Ordinance No. 181955, the City Council authorized a Design and Construction Management Services Agreement (Agreement) between the Tri-County Metropolitan Transportation District of Oregon (TriMet) and the City of Portland (City) for the I-205 Light Rail Project (Project).
2. As part of the Project, rail tracks and certain other structures have been constructed, operated and maintained in the public right-of-way of adjacent to the I-205 freeway within the City's jurisdiction from NE Glisan Street to SE Clatsop Street.
3. Construction is complete, and the Project opened for passenger service in September 2009. The Project is in the final phase of close-out.
4. TriMet has made certain betterments to the City's public right-of-way in the locations where the rail has been placed, as well as reducing the City's costs for maintenance of the subject area.
5. The City and TriMet have entered into the Banfield Light Rail Project Maintenance Agreement dated May 14, 1985, describing the parties' respective maintenance responsibilities related to the Banfield Light Rail Project (Banfield Maintenance Agreement). The parties have also entered a Westside Light Rail Project Maintenance Agreement dated April 1994 which described their respective maintenance obligations related to the Westside Light Rail Project. Most recently, the parties have entered into an Interstate MAX Light Rail Project Maintenance agreement dated January 2006, that describes maintenance obligations related to the Interstate MAX Light Rail Project.
6. The City and TriMet now desire to describe and agree to their respective maintenance responsibilities for facilities in public right-of-way constructed by the Project, which will take effect upon execution of this Agreement.

185250

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to execute an Intergovernmental Agreement with TriMet for maintenance of the I-205 Light Rail Project, in a form substantially in accordance with the amendment attached to the original of this ordinance and, by reference, made a part hereof.

Passed by the Council, APR 11 2012

Mayor Sam Adams

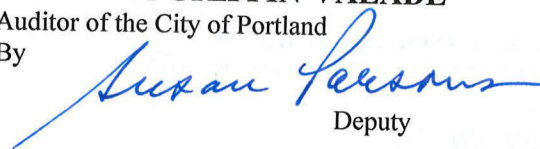
Prepared by: Teresa Boyle:LW:slg

Date Prepared: March 12, 2012

LAVONNE GRIFFIN-VALADE

Auditor of the City of Portland

By

A handwritten signature in blue ink, appearing to read "Susan Parsons", is written over the printed name and title of the Deputy Auditor.

Deputy

185250

Agenda No. **185250**
ORDINANCE NO.
Title

Authorize an Intergovernmental Agreement with Tri-County Metropolitan Transportation District of Oregon for maintenance of the I-205 Light Rail Project in City right-of-way. (Ordinance)

INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>[Signature]</i> COMMISSIONER APPROVAL	CLERK USE: DATE FILED <u>MAR 30 2012</u> <i>[Signature]</i> LaVonne Griffin-Valade Auditor of the City of Portland
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: <i>[Signature]</i>	ACTION TAKEN: APR 04 2012 PASSED TO SECOND READING APR 11 2012 9:30 A.M.
Prepared by: Teresa Boyle:LW:slg Date Prepared: March 12, 2012 <i>[Signature]</i>	
Financial Impact & Public Involvement 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 4, 2012	
City Attorney Approval	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (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"/>	