

**ORDINANCE No. 188035**

Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for inspections of City-owned highway tunnels (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Federal Highway Administration (FHWA) published on July 14, 2015 its Final Rule in the Code of Federal Regulations (CFR) to establish the National Tunnel Inspection Standards (NTIS). The final rule is codified in Title 23 – Highways, CFR Part 650 – Bridges, Structures, Hydraulics, Subpart E – National Tunnel Inspection Standards.
2. 23 CFR Part 650 Subsection 650.503 makes each State Transportation Department responsible for inspecting, reporting and load rating all highway tunnels that are located on a public road within the boundaries of the State.
3. The City of Portland (City), through its Bureau of Transportation (PBOT), owns and maintains four (4) tunnels that would be classified as highway tunnels located on a public road, thus, subject to the requirements of 23 CFR 650 Subpart E.
4. In order to ensure that the State of Oregon remains in full compliance with the NTIS criteria, the Oregon Department of Transportation (ODOT) is proposing, by means of an Intergovernmental Agreement (IGA), to perform tunnel inventory, inspection, load rating, and reporting tasks to the FHWA on behalf of the City for its four (4) highway tunnels.
5. The ODOT is proposing to provide the tunnel inspection and related services and deliverables to the City at no direct cost to the City.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge is authorized to enter into an Intergovernmental Agreement with the Oregon Department of Transportation as outlined in a form similar to the agreement attached as Exhibit A.

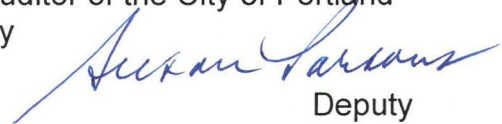
188035

Passed by the Council, **OCT 12 2016**

Commissioner Steve Novick  
Prepared by: Cameron Glasgow/tlck  
Date Prepared: September 7, 2016

**Mary Hull Caballero**  
Auditor of the City of Portland

By

  
Deputy

1104 1138

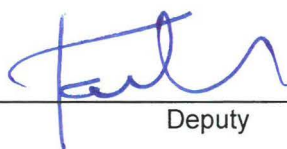
140

Agenda No. **ORDINANCE NO. 188035**

Title

Authorize an Intergovernmental Agreement with the Oregon Department of Transportation to Perform Inspections of City of Portland-owned Highway Tunnels (Ordinance)

for

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>COMMISSIONER STEVE NOVICK</b>	CLERK USE: DATE FILED <u>SEP 27 2016</u>
<b>COMMISSIONER APPROVAL</b>	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance and Administration - Hales	By:  Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick <i>Aw</i>	
<b>BUREAU APPROVAL</b>	<b>ACTION TAKEN:</b>
Bureau: <b>Transportation</b> Engineering Services Group Manager: Steve Townsen <i>SDT</i> Director: Leah Treat <i>SDT</i>	<b>OCT 06 2016 PASSED TO SECOND READING OCT 12 2016 9:30 A.M.</b>
Prepared by: Cameron Glasgow/tlck Date Prepared: 09/07/2016 Supervisor: Steve Townsen <i>SDT</i>	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>GF</i>	
<b>Council Meeting Date</b> October 5, 2016	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____
<b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> _____ (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 type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	