

ORDINANCE No. 188096

*Authorize an Intergovernmental Agreement between the Bureau of Transportation and TriMet for the review and inspection of proposed improvements at the SW Bond Avenue and SW Porter Street intersection. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The North Macadam Transportation Development Strategy, adopted by City Council Resolution 36696 in 2009, identifies the SW Bond Avenue Extension as a Top Priority Project within the North Macadam Urban Renewal Area, and identifies several funding sources which may fund the Top Priority Projects, including (but not limited to) tax increment financing, transportation system development charges ("TSDCs"), and private development;
2. The South Waterfront Street Plan, Criteria and Standards, adopted by City Council in 2003 and amended in 2007, 2009 and most recently on February 17, 2016 by Resolution 37189, establishes the general location and design characteristics of the SW Bond Avenue Extension;
3. The SW Bond Avenue Extension is identified on the City-wide TSDC Capital Improvement Project list, adopted by City Council by Ordinance 181322, as amended, and the North Macadam TSDC Overlay Capital Improvement Project list, adopted by City Council by Ordinance 182652, as amended;
4. On September 28, 2016, City Council adopted Ordinance 188010 authorizing an Intergovernmental Agreement ("IGA") between the Bureau of Transportation ("PBOT") and the Portland Development Commission ("PDC") for funding of construction of the SW Bond Avenue Extension Phase 1 project;
5. PBOT and PDC both have sufficient funds budgeted in FY 2016-17 and proposed FY 2017-18 for construction, inspection and management of the SW Bond Avenue Extension Phase 1 project.
6. Tilikum Crossing Bridge of the People, and its street approaches including SW Porter Street, are under the control of the Tri-County Metropolitan Transportation District of Oregon ("TriMet") and form a critical component of the regional transportation system linking Portland's Central City with neighborhoods and employment areas in southeast Portland and Clackamas County.
7. SW Bond Avenue and SW Porter Street are designed to intersect at the same grade at an elevated intersection that requires close coordination between PBOT and TriMet to ensure the safe, efficient operation of the Intersection during and

after construction.

8. The Bureau's level of confidence in the cost estimate for the project, including the amount of compensation required by TriMet for their participation in the design and construction of the intersection, is high because plans, specifications and estimates for the structural phase of the project have been completed and plans for the traffic and civil improvements are underway.

NOW, THEREFORE, the Council directs:

- a. That the PBOT Director is hereby authorized to enter into an IGA substantially in the form attached hereto as Exhibit A, under which PBOT will provide financial compensation to TriMet for its staff costs associated with the design and construction of the SW Bond Avenue and SW Porter Street intersection, in an amount not to exceed One Hundred Thousand Dollars (\$100,000); and
- b. That the PBOT Director may approve changes to the IGA if such changes, in the opinion of the PBOT Director in consultation with General Counsel, do not materially change PBOT's obligations or risks.

Section 2. The Council declares that an emergency exists because construction of the SW Bond Avenue Extension Phase 1, including its intersection with SW Porter Street, must begin as soon as possible in order to meet the agreed upon deadline of opening the roadway at the same time as the opening of the OHSU Knight Cancer Research Building in summer or fall of 2018; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, NOV 17 2016

Commissioner Steve Novick
Prepared by: Steve Szigethy:tk
Date Prepared: October 19, 2016

Mary Hull Caballero
Auditor of the City of Portland

By *Gayla Jennings*

Deputy

1278
 Agenda No.
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<p>INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Novick <i>CW</i></p> <p>BUREAU APPROVAL</p> <p>Bureau: Transportation <i>AMP</i> Policy, Planning and Projects Manager: Art Pearce Director: Leah Treat <i>ST</i></p> <p>Prepared by: Steve Szigethy <i>SS</i> Date Prepared: 10/18/16 Supervisor: Dan Layden</p> <p>Impact Statement Completed <input checked="" 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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>GF</i></p> <p>Council Meeting Date Nov 16, 2016</p>	<p>CLERK USE: DATE FILED <u>NOV 08 2016</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p> <p>ACTION TAKEN: NOV 16 2016 CONTINUED TO NOV 17 2016 2 P.M</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
		YEAS NAYS
1. Fritz	1. Fritz	✓
2. Fish	2. Fish	_____
3. Saltzman	3. Saltzman	✓
4. Novick	4. Novick	✓
Hales	Hales	✓