

ORDINANCE No. 188403

*Authorize Intergovernmental Agreement for Right of Way Services with Oregon Department of Transportation to define roles and responsibilities regarding the use of real property for construction of public improvements related to the Downtown I-405 Pedestrian Safety & Operational Improvements Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In March 2016, City Council executed an Intergovernmental Agreement with the Oregon Department of Transportation for the Downtown I-405 Pedestrian Safety & Operational Improvements Project via Ordinance No. 187652; and
2. This supplemental Right of Way Services Agreement outlines the Bureau of Transportation's obligations for acquiring the right-of-way necessary to construct the project with federal funds.

NOW, THEREFORE, the Council directs:

- a. The Commissioner-in-Charge is hereby authorized to execute an Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation in a form similar to the contract attached as Exhibit A.
- b. The Commissioner-in-Charge is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk. Increases to the grant amount must be approved by the City Council.
- d. 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 Commissioner-in-Charge's behalf.

Section 2. The Council declares that an emergency exists because a Right of Way phase was not included in the initial project scope and further delay will impact the construction schedule; this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAY 31 2017

Mary Hull Caballero
Auditor of the City of Portland

By 

Mayor Ted Wheeler
Prepared by: Gabriel Graff: SP
Date Prepared: 4/27/17

Deputy

Agenda No.
ORDINANCE NO. 188403
 Title

*Authorize Intergovernmental Agreement for Right of Way Services with Oregon Department of Transportation to define roles and responsibilities regarding the use of real property for construction of public improvements related to the Downtown I-405 Pedestrian Safety & Operational Improvements Project (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>MAY 23 2017</u></p>
<p>MAYOR APPROVAL Mayor—Finance and Administration - Wheeler <i>W</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p>
<p>BUREAU APPROVAL Bureau: Transportation <i>AW</i> Policy, Planning & Projects Group Manager: Art Pearce Director: Leah Treat</p> <p>Prepared by: Gabe Graff <i>GG</i> Date Prepared: 4/26/17 Supervisor: Millicent Williams <i>MW 5/10/17</i></p>	<p>ACTION TAKEN:</p>
<p>Impact Statement Completed <input 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>GT</i></p>	
<p>Council Meeting Date 5/31/17</p>	

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