

**ORDINANCE No. 188404**

\*Authorize a Temporary Site Access Agreement with Portland Public Schools, as part of the NE 82<sup>nd</sup> Ave, NE Davis St to NE Everett St Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The general characteristics of this Safe Routes to School project was identified in PBOT's 2006 Engineering Review for Vestal Elementary school. Through relocation of the sidewalk, the project will improve pedestrian safety on NE 82<sup>nd</sup> Avenue in front of the school by creating a four foot buffer and standard full height concrete curb between pedestrians and moving vehicles. The project elements include approximately 240 linear feet of six foot wide sidewalk with concrete curb and the replacement of the SW corner ramp at the intersection of NE Everett Street and NE 82<sup>nd</sup> Avenue to meet ADA compliance. Four new trees will be planted in the buffer zone/planting strip.
2. Subject to indemnification by the City, Portland Public Schools has agreed to convey, at no charge, the necessary Temporary Site Access Agreement.


NOW, THEREFORE, the Council directs:

- a. The PBOT Director is hereby authorized to execute a Temporary Site Access Agreement with Portland Public Schools in substantially the same form as the agreement attached as Exhibit A.

Section 2. The Council declares that an emergency exists because delay in property acquisition may result in a delay in construction and impact the overall project completion; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, MAY 31 2017

Mayor Ted Wheeler  
Prepared by: Marty Maloney: SP  
Date Prepared: May 2, 2017

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

Deputy

\*Authorize the Bureau of Transportation to execute a Temporary Site Access Agreement with Portland Public Schools, as part of the NE 82<sup>nd</sup> Ave: NE Davis St to NE Everett St Project (Ordinance)

<b>INTRODUCED BY</b> Mayor/Auditor: <b>MAYOR TED WHEELER</b>	CLERK USE: DATE FILED <u>MAY 23 2017</u>
<b>MAYOR APPROVAL</b>	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>C Susan Parsons</i></u> Deputy  <b>ACTION TAKEN:</b>
Mayor—Finance and Administration - Wheeler <i>HW</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety – Eudaly	
<b>BUREAU APPROVAL</b>	
Bureau: <b>Transportation</b> Development, Permitting & Transit Group <b>Manager: Christine Leon</b> <b>Division Mgr:</b> <i>JY</i> <b>Assistant Director: Chris Warner</b>	
Prepared by: Marty Maloney: <i>MM</i> Date Prepared: 4/28/2017 Supervisor: David E. McEldowney <i>DM</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>OK</i>	
<b>Council Meeting Date</b> May 31, 2017	

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