

## ORDINANCE No. 189125

\*Amend an Intergovernmental Agreement with the Oregon Department of Transportation for the Red Electric Trail: SW Bertha Blvd to SW Capitol Highway project to change project limits and relocate a water line (Ordinance; amend Contract No. 30002431)

The City of Portland ordains:

Section 1. The Council finds:

1. In September 2011, City Council executed an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for the Red Electric Trail: SW 30<sup>th</sup> Ave to SW Vermont St project via Ordinance No. 184888.
2. In August 2013, City Council amended the 2011 IGA (Amendment 1) to reflect the revised project limits, schedule, and updated processes under the Local Agency Certification Program via Ordinance No. 186229.
3. In July 2015, City Council amended the 2011 IGA (Amendment 2) to as well as revise the project schedule, ODOT reporting requirements, and ODOT personnel estimate and contact information via Ordinance No. 187313.
4. The City of Portland Bureau of Transportation (PBOT) and ODOT have agreed that a water line in the project area will need to be relocated. Portland Water Bureau will be reimbursed in the amount of \$130,000 to relocate the line. As a result, \$130,000 is being added to the total funding amount.
5. This IGA amendment serves to update the specified project limits for the Red Electric Trail Project; to add federal and local funding; to add language relating to the Americans with Disabilities Act, the Federal Accountability and Transparency Act, and the Cargo Preference Act; and to update references to Local Agency Certification Program Agreement 30890.

NOW, THEREFORE, the Council directs:

- a. That the City, through its Bureau of Transportation, is authorized to execute an Intergovernmental Agreement amendment with Oregon Department of Transportation in a form similar to the contract attached as Exhibit A;
- b. The Director of PBOT may approve changes to the IGA if such changes, in the option of the Director in consultation with General Counsel, do not materially change the City's obligations or risks; and

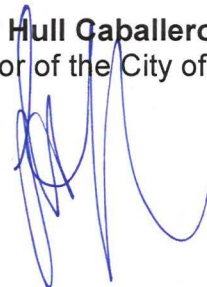
- c. The Office of Management & Finance Grants Management Division is authorized to perform all administrative matters in relation to the IGA on behalf of the Director of PBOT.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant, therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, AUG 22 2018

Commissioner Dan Saltzman  
Prepared by: Nicole Peirce, SP  
Date Prepared: 07/09/18

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



Deputy

Agenda No.  
**Ordinance NO. 189125**  
 Title

\*Amend an Intergovernmental Agreement with the Oregon Department of Transportation for the Red Electric Trail: SW Bertha Blvd to SW Capitol Highway project to change project limits and relocate a water line (Ordinance; amend Contract No. 30002431)

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>Dan Saltzman</b></p>	<p>CLERK USE: DATE FILED <u>AUG 14 2018</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration – Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>[Signature]</i></p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero                  Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u>                  Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: PBOT                  Group: Policy, Planning &amp; Projects                  Group Manager: Art Pearce                  Director: Chris Warner <i>[Signature]</i></p> <p>Prepared by: Nicole Peirce; CI <i>[Signature]</i>                  Supervisor: Millicent Williams <i>[Signature]</i>                  Date Prepared: July 16, 2018</p>	<p><b>ACTION TAKEN:</b></p>
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document                  If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b>                  required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b>                  required for contract, code, easement, franchise, charter, Comp Plan <i>[Signature]</i></p>	
<p>Council Meeting Date <b>August 22, 2018</b></p>	

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