

## ORDINANCE No. 189142

\*Authorize Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation to define roles and responsibilities for the use and acquisition of real property for construction of public improvements related to the East Portland Access to Employment and Education project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. City Council, on September 7, 2016, adopted Ordinance No. 187972 to accept a grant in the amount of \$5,267,000 from the Oregon Department of Transportation and authorize an Intergovernmental Agreement for the East Portland Access to Employment and Education project; and
2. The Right-of-Way Services Agreement attached as Exhibit A outlines the Bureau of Transportation's obligations for acquiring the right-of-way necessary to construct the project with state 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.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform transportation safety improvements 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 29 2018

Commissioner: Dan Saltzman  
Prepared by: Timur Ender; IR  
Date Prepared: July 23, 2018

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

Deputy

Agenda No. **189142**  
**ORDINANCE NO.**  
 Title

\*Authorize Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation to define roles and responsibilities regarding the use and acquisition of real property for construction of public improvements related to the East Portland Access to Employment and Education project (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Dan Saltzman</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and 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><b>BUREAU APPROVAL</b></p> <p>Bureau: <b>Transportation</b></p> <p>Policy, Planning &amp; Projects <i>[Signature]</i></p> <p>Group Manager: <b>Art Pearce</b></p> <p>Interim Director: <b>Chris Warner</b> <i>[Signature]</i></p> <p>Prepared by: Timur Ender <i>[Signature]</i></p> <p>Date Prepared: July 23, 2018</p> <p>Supervisor: Steve Szigethy <i>[Signature]</i></p> <p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document</p> <p>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, comp plan, charter <i>[Signature]</i></p> <p><b>Council Meeting Date</b> <b>August 21, 2018</b></p>	<p>CLERK USE: DATE FILED <u>AUG 21 2018</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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AGENDA
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>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	✓	
2. Fish	2. Fish	_____	_____
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	