

ORDINANCE No. 189497

*Authorize the Bureau of Transportation to execute temporary easements with the Port of Portland and other entities, as part of the North Rivergate Freight Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The North Rivergate Freight Project will design and construct a roadway overcrossing to elevate North Rivergate Boulevard over the existing Union Pacific railroad tracks between North Time Oil Road and North Lombard Street. As part of the project a frontage road will be created parallel to North Rivergate Boulevard which will provide access to the northerly properties fronting North Rivergate Boulevard. The project will include completion of sidewalk facilities along the North side of North Rivergate Boulevard as well as the newly created frontage road.
2. To facilitate the aforementioned construction, a temporary detour route is needed for local traffic. The City has identified a private road owned by the Port of Portland and seven other entities, all of which have agreed to donate a Temporary Public Roadway Easement and Limited Rights of Entry to the City, subject to indemnification by the City. The easement will provide access so needed roadway improvements can be made, as well as allowing the public to use this detour route.
3. PBOT also will need to acquire a separate temporary construction easement from the Port of Portland to facilitate a driveway reconnection as well as to provide an independent temporary access to the Port of Portland's property during construction of the Project. Execution of the temporary construction easement is dependent on indemnification by the City.

NOW, THEREFORE, the Council directs:

- a. The PBOT Director is hereby authorized to execute the easements in substantially the same form as the easements attached as Exhibit A and B.

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 15 2019**

Commissioner Chloe Eudaly
Prepared by: Marty Maloney: CB
Date Prepared: 4/22/2019

Mary Hull Caballero
Auditor of the City of Portland


By



Deputy

Agenda No.
Ordinance NO. 189497
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Chloe Eudaly</p>	<p style="text-align: right;">MAY 07 2019</p> <p>CLERK USE: DATE FILED _____</p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p>ACTION TAKEN:</p>
Mayor—Finance & Administration – Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Hardesty	
Position 4/Safety - Eudaly	
<p style="text-align: center;">BUREAU APPROVAL</p>	
Bureau: PBOT Group: Development, Permitting & Transit Group <i>lw</i> Group Manager: Christine Leon <i>lw</i> Director: Chris Warner <i>lw</i>	
Prepared by: Marty Maloney; CI <i>DM</i> Supervisor: David E. McEldowney <i>DM</i> Date Prepared: April 22, 2019	
<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, charter, Comp Plan <i>15 km</i></p>	
Council Meeting Date May 22, 2019	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>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"/></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. Hardesty	3. Hardesty	_____	_____
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	