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191007

Emergency Ordinance

*Authorize Intergovernmental Agreement with the Oregon Department of Transportation for right-of-way services for the Outer Powell Transportation Safety Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Oregon Department of Transportation is designing and constructing right of way improvements on SE Powell Blvd east of Interstate 205 known as the Outer Powell Transportation Safety Project.
2. At the conclusion of the construction ODOT intends to transfer jurisdiction to the City of Portland Bureau of Transportation.
3. The project requires a certain piece of right of way currently managed by the Portland Water Bureau.
4. PBOT and ODOT have determined that it is advantageous to the project for PBOT to acquire the right of way with reimbursement from ODOT.
5. ODOT has agreed to reimburse the PBOT for all costs related to the transaction not to exceed \$100,000.

NOW, THEREFORE, the Council directs:

- A. The Commissioner-in-Charge is hereby authorized to enter into an Intergovernmental Agreement 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 total project cost by twenty percent (20%) or greater.

Introduced by

[Commissioner Jo Ann Hardesty](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date
September 28, 2022

Section 2. The Council declares that an emergency exists because ODOT is ready to move the project to bid and it is necessary to complete this transaction; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A](#) (1.04 Mb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
September 28, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

Authorize agreement with ODOT to provide funding for PBOT to acquire property from the Portland Water Bureau for ODOT's Outer Powell Transportation Safety Project.

Financial and Budgetary Impacts

This agreement will provide up to \$100,000 for PBOT to acquire a certain property from the Portland Water Bureau. The capital project number is T00891, and it is an ODOT project with PBOT reimbursed for services. There is no PBOT contribution to the project. The amount was determined based on the agreed upon value of the property and estimated PBOT staff time. The document is an intergovernmental agreement and requires council approval. ODOT is using their standard Right of Way Services Agreement with some amendments to avoid having to have legal counsel draft a special agreement.

Community Impacts and Community Involvement

The larger ODOT project has had extensive public involvement, this is an administrative manner related to the overall project.

100% Renewable Goal

The action has an impact of the City's renewable goals.

Agenda Items

804 Consent Agenda in [September 28, 2022 Council Agenda](#)

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea