



[Home](#) / [Council Documents](#)

191475

Emergency Ordinance

***Authorize Intergovernmental Agreement with Oregon Department of Transportation for Right of Way Services to define roles and responsibilities regarding the use of real property for construction of public improvements related to the N Willamette Boulevard Active Transportation Corridor Project**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In March 2022, City Council executed an Intergovernmental Agreement with the Oregon Department of Transportation for the Willamette Active Transportation Corridor Project via Ordinance No. 190743; and
2. This supplemental Right of Way Services Agreement outlines the Bureau of Transportation's obligations for acquiring the right-of-way necessary to construct the project with federal 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 substantially similar to the Agreement 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.

Section 2. The Council declares that an emergency exists because a Right of Way phase was not included in the initial project scope and further delay will impact the construction schedule; this Ordinance shall be in full force and effect from and after its passage by the Council.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type


Consent

Date and Time Information

Requested Council Date

October 11, 2023

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-730-18925_k22133-rowso_willametteatcv2.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-730-18925_k22133-rowso_willametteatcv2.pdf) 1.84 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
October 11, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- The Right of Way Services Agreement with the Oregon Department of Transportation (ODOT) outlines the roles and responsibilities for the right of way phase related to the N Willamette Boulevard Active Transportation Corridor Project. There is no impact to the budget or any City policies.
- PBOT anticipates acquiring temporary construction easements to construct the planned improvements. No permanent acquisitions are anticipated.

Financial and Budgetary Impacts

- This IGA amendment does not change the existing financial obligations outlined in the associated grant for this project (passed by council in March 2022).

Community Impacts and Community Involvement

- Public involvement for the design concept has occurred through avenues including over 25 public meetings and presentations over the past two years, rounds of mailings to impacted properties and residents, information on the project website, and an online map that received over 2,000 views the first day it was published.
- Additional outreach to property and business owners will occur as the project moves through the final design engineering and construction phases.

100% Renewable Goal

N/A

Agenda Items

858 Consent Agenda in [October 11, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/11)
(<https://www.portland.gov/council/agenda/2023/10/11>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea