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191632

Ordinance

Authorize contract with Prologis LP to fund 30 years of anticipated power and maintenance costs for a new traffic signal at N Schmeer Rd and N Whitaker Rd for \$150,000

Passed

Amended by Council

The City of Portland ordains:

Section 1. The Council finds:

1. Prologis LP intends to fund and construct a traffic signal at the intersection of N Schmeer Road and N Whitaker Road as part of Public Works Permit TB0121, and after construction completion and City acceptance, the City will be responsible for all future maintenance, operations, and repair of the traffic signal; and
2. As this traffic signal will primarily serve site traffic on two parcels of land as shown in Figure 1. Future uses on these sites are expected to include a mix of High-Cube Warehouse, Parcel Distribution, Last-Mile Delivery Station (LMDS), and possible Manufacturing. Prologis LP has prepared a standard maintenance agreement to provide the City with a lump sum payment in the amount of \$150,000 to cover anticipated power and maintenance costs for the traffic signal for the following thirty years (30-years) (Exhibit A); and
3. The City has a commitment to invest in external partnership, including clarifying the priorities and expectations for each relationship; and
4. The City has commitment to reducing its unfunded maintenance liability by recouping costs associated with maintenance of traffic signals that primarily serve private entities such as Prologis LP; and
5. The City has an interest in creating a transportation system that is safe, efficient, comfortable, and accessible to people of all ages and abilities.
6. The maintenance agreement states that Prologis LP will pay the City a lump sum amount of \$150,000 for thirty years' (30-year)-worth of maintenance (estimated at \$5,000 per year for thirty years).

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

Charles Radosta

Engineering Supervisor

✉ Charles.Radosta@portlandoregon.g

📞 [503-823-8133](tel:503-823-8133)

Requested Agenda Type

Regular

Date and Time Information


Requested Council Date


February 14, 2024

NOW, THEREFORE, the Council directs:

- A. That the Director of the Portland Bureau of Transportation is hereby authorized to execute the standard maintenance agreement with Prologis LP attached as Exhibit B.
- B. The Director of the Portland Bureau of Transportation 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.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/tb0121-whitaker-schmeer-exhibits-for-ordinance.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/tb0121-whitaker-schmeer-exhibits-for-ordinance.pdf) 1.73 MB

 [Exhibit B - As Amended \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-tb0121-whitaker-schmeer-portland-signal-agreement-final-to-sign.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-tb0121-whitaker-schmeer-portland-signal-agreement-final-to-sign.pdf) 132.94 KB

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 as amended by Council
February 14, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this Ordinance is to authorize a maintenance agreement with Prologis LP for anticipated power and maintenance costs for a new traffic signal.

Prologis LP intends to fund and construct a traffic signal at the intersection of N Schmeer Road and N Whitaker Road, and after construction completion and City acceptance, the City will be responsible for all future maintenance, operations, and repair of the traffic signal.

As this traffic signal will primarily serve site traffic on two parcels of land for future uses on these sites are expected to include a mix of High-Cube Warehouse, Parcel Distribution, Last-Mile Delivery Station (LMDS), and possible manufacturing. Prologis LP has prepared a maintenance agreement to provide the City with a lump sum payment in the amount of \$150,000.00 to cover anticipated power and maintenance costs for the traffic signal for the following 30 years.

Financial and Budgetary Impacts

- Funding for this maintenance agreement comes from Prologis LP in a lump sum amount to the City of \$150,000.00.
- This dollar amount is based on previously executed maintenance agreements and assumes an average traffic signal maintenance cost of \$5,000.00 per year for 30 years. This agreement does not include costs associated with anticipated inflation.
- The funds provided by Prologis LP will be used to supplement Signals & Street Lighting & ITS & Communications operating maintenance costs for the traffic signal at N Schmeer Road and N Whitaker Road.
- No changes to the Portland Bureau of Transportation (PBOT) staffing levels are requested with this ordinance.

Community Impacts and Community Involvement

N Schmeer Road and N Whitaker Road are main thoroughfares connecting N Portland industrial areas, community event areas, freeways, and neighborhoods.

The proposed traffic signal will primarily serve Amazon delivery vehicles, only interrupting through traffic when Amazon vehicles enter or exit the facilities in the area. It is crucial that the traffic signal is well maintained and operate as efficiently as possible to best serve N Portland residents.

The lump sum maintenance amount provided by Prologis LP to address this signal will allow more signal infrastructure maintenance and signal incident response funds to be used at other traffic signals that do not solely serve private entities, a benefit to traffic flow for all users within the City.

100% Renewable Goal

N/A

Budget Office Financial Impact Analysis

This action authorizes maintenance and power contract with Prologis LP for new traffic signal at N Schmeer Road and N Whitaker Road. Prologis LP will pay the City for a lump sum of \$150,000 to cover power and maintenance, expected to cover associated costs for 30 years, after which the City will be responsible for further costs. No additional funds are required currently as a result of this action.

Agenda Items

98 Consent Agenda in [January 31, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/31) (<https://www.portland.gov/council/agenda/2024/1/31>)

Passed to second reading

Passed to second reading February 7, 2024 at 9:30 a.m.

Agenda item 98 was pulled from the Consent Agenda for discussion.

129 Regular Agenda in [February 7, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/2/7) (<https://www.portland.gov/council/agenda/2024/2/7>)

Passed to second reading as amended

Motion to substitute Exhibit B: Moved by Mapps and seconded by Rubio. (Y-3; Ryan and Gonzalez absent)

Passed to second reading as amended February 14, 2024 at 9:30 a.m.

154 Regular Agenda in [February 14, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/2/14) (<https://www.portland.gov/council/agenda/2024/2/14>)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea