

ORDINANCE NO. 183504

*Authorize the Director of the Bureau of Transportation to execute an intergovernmental agreement with Portland Development Commission in the amount of \$150,000 and authorize a competitive bidding process for construction of street improvements in the 10800 and 10900 blocks of SE Center St adjacent to Earl Boyles Park (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks and Recreation previously participated in the Boise/Earl Boyles Park Local Improvement District to improve SE Boise Street frontage along the south side of Earl Boyles Park. This frontage improvement was completed at no cost to the Portland Development Commission, and was assessed to Portland Parks and Recreation and one other property owner with the passage of Ordinance No. 176683 on July 3, 2002.
2. The 10800 and 10900 blocks of SE Center Street constitute the last remaining frontage abutting Earl Boyles Park not improved to City standards except for a "paper" right-of-way abutting the 10800 block of SE Francis Street on the north side of Earl Boyles Park, which is not an existing street and is not currently used by the public for transportation purposes. Design work for the remaining substandard frontage of SE Center Street has been completed, with funding equally shared between the Portland Development Commission and Portland Parks and Recreation.
3. Improvements to Earl Boyles Park were dedicated on July 9, 2007, which has increased usage of the park. The lack of street frontage improvements and a designated parking area has resulted in parking conflicts between park users and residents of 10808 SE Center Street, 10820 SE Center Street, 10828 SE Center Street, 10832 SE Center Street and 10906 SE Center Street on the south side of Earl Boyles Park. These parking conflicts, in turn, jeopardize emergency access for park users and local residents.
4. The Bureau of Transportation applied to the Portland Development Commission on October 29, 2009 for funding in the amount of \$150,000.00 for construction of 330 centerline feet of street improvements on SE Center Street to address these park access and parking issues.
5. The Portland Development Commission notified the Bureau of Transportation on December 17, 2009, that it will fund street improvements on SE Center Street in the amount of \$150,000.00.
6. The intergovernmental agreement (Agreement) attached as Exhibit A was approved as to form by the City Attorney on January 15, 2010. The Agreement covers the anticipated Bid and Award phase of the SE Center Street - Earl Boyles Park Project as well as actual project construction. The City Council is being asked to approve this Agreement, as the authority to enter into such an Agreement has not been delegated to the Director of the Bureau of Transportation.

7. No Bureau of Transportation match is required for this funding.
8. No Portland Parks and Recreation match is required for this funding.
9. The City Engineer is currently in the process of preparing specifications for this project.
10. Existing procurement authority is limited to the extent of Section 5.33.040 of City Code. The amount of the 2010 Local Improvement Districts (LIDs) construction contract to include the NE 109th Avenue LID improvements, the SE 31st Avenue LID improvements, and the SE Center Street improvements at Earl Boyles Park may exceed the threshold at which the Purchasing Agent has the authority to advertise for bids and to award the construction contract.

NOW, THEREFORE, the Council directs:

- a. That the Director of the Bureau of Transportation is hereby authorized to make an application to the Portland Development Commission for a grant in the amount of \$150,000.00.
- b. That the Director of the Bureau of Transportation is authorized to provide such information and assurances as are required for the grant period.
- c. That the Director of the Bureau of Transportation and the City Auditor are authorized to enter into an Intergovernmental Agreement with the Portland Development Commission to provide Lents Town Center Urban Renewal Area funds to begin construction of the SE Center Street – Earl Boyles Park street improvement project, substantially in accordance with the Agreement attached to the original of the Ordinance as Exhibit A and, by reference, made a part hereof.
- d. That the Director of the Bureau of Transportation and the City Auditor are hereby authorized to draw and deliver warrants chargeable to the Transportation Fund, AU 159 when demand is presented and approved by the proper authorities.
- e. The FY2009/2010 budget is hereby amended as follows:

GRANTS FUND

Fund:	217007
Business Area:	TR00
Bureau Program Expenses – Payroll:	\$44,500
Bureau Program Expenses – Construction Contract	\$44,300

- f. The FY2010/2011 budget is hereby amended as follows:

GRANTS FUND

Fund:	217007
Business Area:	TR00
Bureau Program Expenses – Payroll:	\$16,500
Bureau Program Expenses – Construction Contract	\$44,700

- g. The Bureau of Purchases shall advertise for bids, prepare a contract for City Council approval, and award the contract through the competitive bid process. The improvements may be constructed in whole or in part by the City, or the City may seek bids for any portion of the local improvement. The manner in which the improvement is constructed shall be at the sole discretion of the City Engineer.

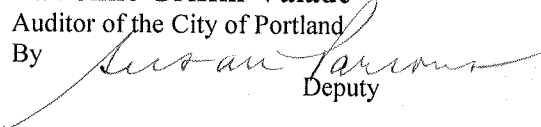
Section 2. The Council declares that an emergency exists since the grant must be accepted in advance of advertising for bids on or after February 15, 2010 for the 2010 Local Improvement District's construction contract; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

FEB 03 2010

Mayor Sam Adams
Prepared by: Andrew Aebi:slg
Date Prepared: January 22, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Deputy

Agenda No. **183504**
ORDINANCE NO.
 Title

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<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Gilman on behalf of Mayor Adams</i> COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>AHA 1/22/10 Greg Jones</i></p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <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>Council Meeting Date February 3, 2010</p> <p><input checked="" type="checkbox"/> City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>JAN 29 2010</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>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. Saltzman	3. Saltzman _____	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	