

ORDINANCE No. 183766

*Authorize an Intergovernmental Agreement with Multnomah County for services related to County bridges and the Portland Streetcar Loop Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland (City) is the lead agency for the design and construction of the Portland Streetcar Loop Project (Project), which will run from the Pearl District in N.W. Portland to the Oregon Museum of Science and Industry in S.E. Portland.
2. The streetcar will operate across the Broadway Bridge and its east and west approach ramps and under the east viaducts of the Morrison and Hawthorne Bridges on Martin Luther King Jr. Boulevard requiring modifications and/or attachments to each structure.
3. With respect to the bridges identified above, ORS 382.305 to ORS 382.330 imposes obligations on Multnomah County (County) to “maintain, keep in good condition and repair and operate the bridges and their approaches”.
4. ORS 382.325 provides that the City may “lay and maintain upon the bridges and their approaches constructed by the City of Portland all rails and tracks necessary, desirable or convenient for the operation of streetcars”.
5. The City and the County agree that it is in the public’s best interest for the City to implement the Project. The City and County further agree that it is in the public’s best interest to work together cooperatively in furtherance of the Project.
6. On January 2, 2008, the City passed Ordinance No. 181501 authorizing an Intergovernmental Agreement (IGA) agreeing to the terms and conditions under which the City and County would work together during the design engineering phase of the project.
7. Ordinance No. 181501 anticipated that additional work would be necessary to address construction and operations of the Portland Streetcar Loop Project; said agreement has been reached on additional responsibilities during construction of the Project and operations of the Streetcar, including compensation to the County for their services (Construction and Operations IGA).
8. In addition, the County has agreed to grant the City an appropriate interest in certain real property for construction of water treatment facilities, environmental protections and an electrical substation and access pad related to the Project; and the City has agreed to compensate the County for said interest.

9. On April 28, 2010, the County issued Permit No. 68134 for the City to undertake certain initial construction on the bridges in advance of the formal execution of the Construction and Operations IGA and requests that Council approval of the Construction and Operations IGA be accomplished no later than May 21, 2010.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to enter into an Intergovernmental Agreement with Multnomah County, substantially in accordance with the Intergovernmental Agreement attached to the original of this Ordinance and, by reference, made a part hereof.
- b. The Mayor and the Auditor are hereby authorized to draw and deliver checks to Multnomah County, chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- c. The City's Project Manager is hereby authorized to agree to and execute, on behalf of the City, any amendment that does not increase the maximum compensation amount.

Section 2. The Council directs an emergency exists because the schedule for work on the Broadway Bridge is very time sensitive and has a direct bearing on the Project budget; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

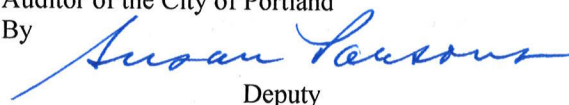
MAY 19 2010

Mayor Sam Adams
Prepared by: Vicky Diede:slg
Date Prepared: May 3, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

673

Agenda No.

ORDINANCE NO.

Title

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INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other: Prepared by: Vicky Dieder:slg Date Prepared: May 3, 2010 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date MAY 19, 2010 City Attorney Approval	CLERK USE: DATE FILED <u>MAY 14 2010</u> <i>LaVonne Griffin-Valade</i> LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
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AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	<input checked="" type="checkbox"/>	
Adams	<input checked="" type="checkbox"/>	