

9211

ORDINANCE No. 184055

*Authorize Streetcar Crossing Agreement with the Union Pacific Railroad Company related to the construction of the Portland Streetcar Loop Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland (City) currently is constructing the Portland Streetcar Loop Project (Project) that will extend Streetcar service across the Broadway Bridge and south to the Oregon Museum of Science and Industry (OMSI).
2. A portion of the Project will run on the existing vehicular grade separation (the Broadway Bridge) at Broadway Street located at Union Pacific Railroad Company (Railroad) Milepost 0.93, DOT No. 807 468P on Railroad's Kenton Subdivision in Portland, Multnomah County, Oregon.
3. It is necessary for the Railroad to grant the City a Crossing Agreement.
4. Additionally, the Railroad and the City desire to agree to other terms and conditions related to the construction, use and maintenance of the Portland Streetcar system.

NOW, THEREFORE, the Council directs:

- a. The Council hereby authorizes the Mayor and the City Auditor to enter into the Streetcar Crossing Agreement with the Union Pacific Railroad Company, substantially in accordance with the agreement attached to the original of this Ordinance.
- b. The Mayor and the Auditor are hereby authorized to draw and deliver checks payable to the Union Pacific Railroad Company, chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- c. The City's Project Manager is hereby authorized to negotiate, agree to and execute, on behalf of the City, any amendment to the Streetcar Crossing Agreement, which does not increase the compensation amount.

Section 2. The Council declares an emergency exists because a delay in related construction would adversely impact both schedule and budget; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, **AUG 18 2010**

Mayor Sam Adams
Prepared by: Vicky Diede:slg
Date Prepared:

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

1159

✓140

Agenda No.
ORDINANCE NO. 184055
 Title

*Authorize Streetcar Crossing Agreement with the Union Pacific Railroad Company related to the construction of the Portland Streetcar Loop Project (Ordinance)

INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Pittmann</i> COMMISSIONER APPROVAL	CLERK USE: DATE FILED <u>AUG 13 2010</u> <i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland
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: <i>Greg Jones</i>	
Prepared by: Vicky Diede:slg <i>vd</i> Date Prepared: July 23, 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 August 18, 2010	
✓ City Attorney Approval <i>M. Adams</i>	By: <i>[Signature]</i> Deputy ACTION TAKEN:

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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	