

## ORDINANCE No. 184303

\*Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for the Right-of-Way Services Agreement for the N Killingsworth St Project Phase II. (Ordinance)

The City of Portland ordains:

### Section 1. The Council finds

1. In August 2003, the Portland City Council adopted the Killingsworth Street Improvement Planning Project Final Report which created a streetscape plan located within the Interstate Corridor Urban Renewal Area. The Report included the contributions of over 1000 community members and created a streetscape concept plan, new streetlight standards, and design guidelines for Killingsworth Street between North Interstate Avenue and Northeast Martin Luther King Jr. Boulevard (NE MLK).
2. Phase I of the project between Interstate Avenue and Commercial Avenue was completed in 2008, including new sidewalks and decorative street pavers, new street trees, ornamental lighting and street furnishings, new crosswalks and curb extensions.
3. Phase II will construct new sidewalks, install new street lights, plant new street trees and other pedestrian amenities between N Commercial Avenue and NE MLK. This Project will be conducted as a part of the Congestion Mitigation and Air Quality (CMAQ) Program under Title 23, United States Code. The total Project cost is estimated at \$3,377,000, which is subject to change. The CMAQ funds are limited to \$400,000 and are for Preliminary Engineering only. Eligible costs for the Project will be reimbursed at the full federal share or until the \$400,000 limit is reached.
4. On May 19, 2010, Council approved Ordinance No. 183764 that authorized an IGA with ODOT to receive grant funding that covered design engineering and construction of the project, estimated at approximately \$400,000. This Intergovernmental Agreement will authorize the services of ODOT right-of-way personnel to review the temporary construction easements necessary to build this project.
5. The Bureau's level of confidence in the cost estimates for this project is low, because the project has not yet been engineered.

NOW, THEREFORE, the Council directs:

- a. The Mayor is hereby authorized to execute an Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the N. Killingsworth St Project Phase II, in substantially the form of the attached exhibit for this purpose.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **DEC 15 2010**

Mayor Sam Adams

Prepared by: Winston Sandino:slg

Date Prepared: December 3, 2010

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

1603

Agenda No.  
**ORDINANCE NO. 184303**  
Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b></p> <p><b>COMMISSIONER APPROVAL</b></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><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Transportation Group Manager: Greg Jones Development &amp; Capital Program Other: <i>Greg Jones</i></p> <p>Prepared by: Winston Sandino: slg <i>W/S</i> Date Prepared: December 3, 2010 <i>PS</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 <b>December 15, 2010</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>DEC 10 2010</u></p> <p><i>on behalf of Mayor Adams</i></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	