

## **ORDINANCE No. 185093**

\*Amend Intergovernmental Agreement with Portland Development Commission for construction of the North District Infrastructure Conduit Project in the SW Moody Ave right-of-way. (Ordinance; amend Contract No. 30002422)

The City of Portland ordains:

Section 1. The Council finds:

1. In September 2009, the City and TriMet submitted an application for federal funds under the Transportation Investment Generating Economic Recovery (TIGER) program, part of the American Recovery and Reinvestment Act (ARRA). The Federal Transit Administration (FTA) awarded \$23,203,988 in TIGER funding for the SW Moody Avenue portion of the application.
2. The resulting SW Moody Avenue Improvement Project (SW Moody Avenue: SW River Parkway – SW Gibbs Street) includes final design and construction of approximately 3,200 feet of roadway elevated on 14 feet of fill in the heart of the South Waterfront District to facilitate intense urban redevelopment of the area as planned by the City and nearby property owners. SW Moody will include three traffic lanes, dual streetcar tracks, and pedestrian and bike facilities. Fiber optic, sewer, storm water and water infrastructure will support future development.
3. Planned streets within the North District currently lack urban infrastructure, i.e. fiber, district energy, sewer, storm water, to support future development. In anticipation of future development needs, installing conduit concurrent with other infrastructure projects is appropriate to efficiently prepare the North District for future development.
4. The SW Moody Avenue Improvement Project is currently under construction and can accommodate a conduit route for the future extension of anticipated urban utility needs such as power, fiber, and district energy components.
5. In order to maximize efficiency and minimize a future cost for this work, the Parties desire to work together to install this conduit route for future use upon development of the adjacent properties.
6. Portland Bureau of Transportation and Portland Development Commission, under their respective charter authorities, are authorized to enter into cooperative agreements for the improvement of the community.
7. On August 31, 2011, Council passed Ordinance No. 184840, Contract No. 30002422, authorizing an Intergovernmental Agreement (IGA) with the Portland Development Commission for construction of the North District Infrastructure Conduit Project in the SW Moody Ave right-of-way.

8. The Bureau's level of confidence in the cost estimates for this project is high. This underground work has been completed and the amount in the IGA amendment represents the final cost.

NOW, THEREFORE, the Council directs:

- a. The Council hereby delegates to the Director of the Bureau of Transportation the authority to execute the First Amendment to the Intergovernmental Agreement with the Portland Development Commission for construction of the North District Infrastructure Conduit Project, substantially similar in form as the amendment attached to the original of this Ordinance, and by this reference made a part hereof, with approval of the City Attorney.
- b. The FY 2011-2012 budget is hereby amended as follows:

GRANTS FUND

Fund: 217

Business Area – TR00

Bureau Program Expenses – 563300 - \$16,073.

- c. The OMF Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.

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

Passed by the Council,

JAN 11 2012

Mayor Sam Adams

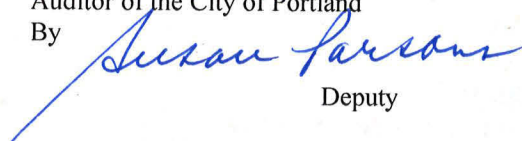
Prepared by: Chris Armes:slg

Date Prepared: January 4, 2012

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

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Agenda No. **185093**  
**ORDINANCE NO.**  
 Title

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<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>MAYOR SAM ADAMS</b>  <i>[Signature]</i>  <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>          Bureau: Bureau of Transportation          Group Manager: Greg Jones          Development &amp; Capital Program          Other: <i>[Signature]</i>          Prepared by: Chris Armes:slg: <i>[Signature]</i>          Date Prepared: January 4, 2012 <i>51</i></p> <p><b>Financial Impact &amp; Public Involvement Statement</b>          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>          Not Required <input type="checkbox"/></p> <p><b>Portland Policy Document</b>          If "Yes" requires City Policy paragraph stated in document.          Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>Council Meeting Date</b>  <b>January 11, 2012</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>JAN 06 2012</u></p> <p><i>in behalf of Mayor Adams</i>          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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	