

ORDINANCE No. 185423

*Authorize an Intergovernmental Agreement with Oregon Department of Transportation to define the roles and responsibilities for acquiring real property to be used as part of right of way for road, street or construction of public improvements for the Division Street Reconstruction Project: SE 6th – César Chavez / SE 39th (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation (PBOT) applied to Metro for a grant in the amount of \$2,500,000 for the Division Street Reconstruction Project in 2005.
2. The Oregon Department of Transportation (ODOT) awarded the City of Portland \$2,500,000 in Metropolitan Transportation Improvement Program (MTIP) funds for construction of the Division Street Reconstruction Project.
3. The Division Street Reconstruction Project implements the recommendations of the Division Street Reconstruction Project Streetscape Plan adopted by City Council in June 2010 (Resolution No 36797).
4. On May 30, 2012, Council passed Ordinance No. 185354 authorizing PBOT to enter into an Intergovernmental Agreement with the Oregon Department of Transportation to receive the \$2,500,000 MTIP grant.
5. This supplemental Intergovernmental Agreement for Right of Way Services clarifies PBOT's obligations for acquiring the right of way necessary to construct the project with federal funds. All right of way is in the form of temporary construction easements.
6. The Bureau's level of confidence in the cost estimates for this project is optimal. The project scope and specifications are clearly understood and well defined.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to enter into an Intergovernmental Agreement with the Oregon Department of Transportation, substantially in accordance with the agreement attached to the original of this ordinance and, by reference, made a part hereof.

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, JUN 20 2012

Mayor Sam Adams
Prepared by: Elizabeth Mahon
Date Prepared: June 4, 2012

LAVONNE GRIFFIN-VALADE

Auditor of the City of Portland

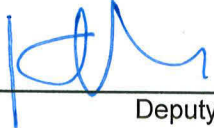
By Gayle Jennings

Deputy

Agenda No.
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 Title

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INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS	CLERK USE: DATE FILED <u>JUN 15 2012</u>
COMMISSIONER APPROVAL <i>Collected for Mayor Adams</i> Mayor—Finance and Administration - Adams	LaVonne Griffin-Valade Auditor of the City of Portland By: <u></u> Deputy ACTION TAKEN:
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: Elizabeth Mahon:slg Date Prepared: June 4, 2012 <i>aw Jy</i>	
Financial Impact & Public Involvement 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 June 20, 2012	
City Attorney Approval	

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	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	