

RESOLUTION No.

37052

Amend Transportation Policy – Encroachments in the Public Right-of-Way based upon recommendations of Encroachments in the Public Right-of-Way workgroup (Resolution; amend TRN – 8.01)

WHEREAS, The City's Encroachment Policy (TRN 8.01) was adopted in June, 1982 and establishes three categories of encroachments: Above Grade (sky bridges, arcaded structures), At Grade and Below Grade; and

WHEREAS, Although TRN 8.01 mentions At-Grade encroachments these may be classified as "minor" encroachments; and

WHEREAS, TRN 8.01 provides very minor guidance and criteria for approving or allowing these types of At-Grade encroachments; and

WHEREAS, The Portland Bureau of Transportation (PBOT) established a work group and conducted outreach to internal and external stakeholders through a rule development process; and

WHEREAS, PBOT completed a draft Encroachments in the Public Right-Of-Way manual and made it available for comment and review; and

WHEREAS, this action will enable the completion and adoption of the draft Encroachments Manual and fulfill the recommendations of the work group; and

WHEREAS, PBOT is now beginning to implement recommended modifications to existing Transportation Administrative Rules.

NOW, THEREFORE, BE IT RESOLVED, that the City of Portland amends TRN 8.01 to read as attached Exhibit A as Non-Binding City Policy; and

BE IT FURTHER RESOLVED, that the City of Portland directs the Bureau of Transportation to bring to Council for adoption the draft Encroachments in the Public Right-Of-Way manual, any new Transportation Administrative rules, or any further changes to existing Transportation Administrative rules for inclusion in Portland Policy Documents; and

BE IT FURTHER RESOLVED, City Council authorizes the Director of the Bureau of Transportation to make further adjustments to TRN 8.01 pursuant and consistent with existing rule making authority delegated to the Director as needed to facilitate clarifications and modifications needed for the adoption of PBOT's draft Encroachment Manual dealing with minor encroachments in the public Right-Of-Way.

Adopted by the Council, JAN 08 2014

Commissioner Steve Novick
Prepared by: Kurt Krueger: slg
Date Prepared: December 13, 2013

LaVonne Griffin-Valade
AUDITOR OF THE CITY OF PORTLAND

By 
Deputy

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1146

Agenda No.

RESOLUTION NO.

37052

Title

Transportation Policy -

Amend TRN - 8.08 - Encroachments in the Public Right-of-Way based upon recommendations of Encroachments in the Public Right-Of-Way workgroup. (Resolution); amend TRN 8.01)

INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>DEC 27 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick <i>Ans</i>	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: Bureau of Transportation Interim Group Manager: Christine Leon Development & Capital Program Other <i>[Signature]</i>	ACTION TAKEN: JAN 02 2014 <i>Rescheduled to</i> JAN 08 2014 9:30 A.M. JAN 08 2014 CONTINUED TO JAN 08 2014 2 P.M.
Prepared by: Kurt Krueger:slg Date Prepared: 12-12-13 <i>[Signature]</i>	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date JANUARY 2, 2013	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

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 <i>[check]</i>	
2. Fish	2. Fish <i>[check]</i>	
3. Saltzman	3. Saltzman <i>[check]</i>	
4. Novick	4. Novick <i>[check]</i>	
Hales	Hales <i>[check]</i>	