

ORDINANCE No. 188010

*Authorize an Intergovernmental Agreement between the Bureau of Transportation and the Portland Development Commission for the funding of final design and construction of SW Bond Avenue Extension Phase 1(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Pursuant to the Charter of the City of Portland and Oregon Revised Statutes Chapter 457, the Portland City Council ("City Council") adopted the North Macadam Urban Renewal Plan in 1999 by Ordinance No. 173651 (including all amendments thereto, the "Plan"); the Plan established the North Macadam Urban Renewal Area ("URA") within which the Portland Development Commission ("PDC") has focused efforts to encourage private development, cure blight, and enhance economic development opportunities;
2. The North Macadam Transportation Development Strategy, adopted by City Council Resolution 36696 in 2009, identifies the SW Bond Avenue Extension as a Top Priority Project within the URA, and identifies several funding sources which may fund the Top Priority Projects, including (but not limited to) tax increment financing, transportation system development charges ("TSDCs"), and private development;
3. The South Waterfront Street Plan, Criteria and Standards, adopted by City Council in 2003 and amended in 2007, 2009 and most recently on February 17, 2016 by Resolution 37189, establishes the general location and design characteristics of the SW Bond Avenue Extension;
4. Resolution 37189 further directed that the Special Design Area segment of the SW Bond Avenue Extension be constructed as "interim," and that the City will lead a process to design the final Special Design Area;
5. The SW Bond Avenue Extension Phase 1 (SW River Parkway to SW Porter Street, illustrated in Exhibit 'B') furthers the goals of the Plan by facilitating redevelopment in the South Waterfront District and supporting the development of the Oregon Health & Science University ("OHSU") Schnitzer Campus within the larger Innovation Quadrant;
6. The design and construction of SW Bond Avenue Extension Phase 1 supports the Knight Cancer Challenge by providing street access to the Knight Cancer Research Building;
7. The SW Bond Avenue Extension is identified on the City-wide TSDC Capital Improvement Project list, adopted by City Council by Ordinance 181322, and the

North Macadam TSDC Overlay Capital Improvement Project list, adopted by City Council by Ordinance 182652;

8. On July 1 2015, City Council adopted Ordinance 187240 authorizing an Intergovernmental Agreement ("IGA") between the Bureau of Transportation ("PBOT") and PDC for funding of thirty percent preliminary design for the SW Bond Avenue Extension;
9. On March 30, 2016, City Council adopted Ordinance 187655 authorizing bidding for the surcharge and retaining wall construction contract for SW Bond Avenue Extension Phase 1 with TSDC funding able to cover expenses before the time that this IGA is authorized;
10. PBOT and PDC both have funds budgeted in FY 2016-17 and proposed FY 2017-18 for final design, construction, inspection and management of the SW Bond Avenue Extension Phase 1.
11. The Bureau's level of confidence in the cost estimate for this project is moderate as the project is defined and plans and specifications are in process.

NOW, THEREFORE, the Council directs:

- a. That the PBOT Director is hereby authorized to enter into an IGA substantially in the form attached hereto as Exhibit A, under which PDC will provide funding for the SW Bond Avenue Extension Phase 1 final design and construction; in an amount not to exceed Three Million Six Hundred and One Thousand Dollars (\$3,601,000); and
- b. That the PBOT Director may approve changes to the IGA if such changes, in the opinion of the PBOT Director in consultation with General Counsel, do not materially change PBOT's obligations or risks.
- c. The Office of Management & Finance Grants Management Division 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 Director's behalf.

Section 2. The Council declares that an emergency exists because construction of the SW Bond Avenue Extension Phase 1 must begin as soon as possible in order to meet the agreed upon deadline of opening the roadway at the same time as the opening of the OHSU Knight Cancer Research Building in summer or fall of 2018; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

188010

Passed by the Council, SEP 28 2016

Commissioner Steve Novick
Prepared by: Steve Szigethy:tk
Date Prepared: August 29, 2016

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

Agenda No. **188010**
ORDINANCE NO.
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p>	<p>CLERK USE: DATE FILED SEP 20 2016</p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Novick <i>aw</i></p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p> <p>ACTION TAKEN:</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Transportation <i>AMP</i> Policy, Planning and Projects Manager: Art Pearce Director: Leah Treat <i>LT</i></p> <p>Prepared by: Steve Szigethy <i>SS</i> Date Prepared: 8/29/16 Supervisor: Dan Layden <i>DL</i></p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>GA</i></p> <p>Council Meeting Date Sept 28, 2016</p>	

<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: _____ Total amount of time needed: 15 min (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Novick	4. Novick	✓	
Hales	Hales	✓	