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191694

Emergency Ordinance

*Authorize Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation to define roles and responsibilities regarding the use of real property for construction of public improvements related to the SW Shattuck Rd at OR10 Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In December 2021, City Council executed an Intergovernmental Agreement with the Oregon Department of Transportation for a safety project at SW Shattuck Rd and OR10 via Ordinance No. 190659; and
2. This supplemental Right of Way Services Agreement outlines the Portland Bureau of Transportation's obligations for acquiring the right-of-way necessary to construct the project with federal funds.

NOW, THEREFORE, the Council directs:

- A. That the Commissioner-in-Charge is hereby authorized to execute an Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation in a form similar to the contract attached as Exhibit A.
- B. The Commissioner-in-Charge is authorized to execute amendments, approved as to form by the City Attorney, to the scope of the services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk. increases to the grant amount must be approved by the City Council.
- 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 Commissioner-in-Charge's behalf.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Transportation

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Requested Agenda Type

Consent


Date and Time Information

Requested Council Date

April 24, 2024

Section 2. The Council declares that an emergency exists to meet federal-aid schedule requirements; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-rowsa-contract-shattuck-rowsa.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-rowsa-contract-shattuck-rowsa.pdf) 3.14 MB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
April 24, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- To execute IGA with ODOT for the right of way phase on the federally-funded safety project at SW Shattuck RD and OR10

Financial and Budgetary Impacts

- The total cost of this project is \$1,136,751. The project is funded through a federal ARTS grant administered by ODOT in the amount of \$1,048,312 and a local match of \$88,439.
- Costs for this project will be posted to PBOT Capital Project T01105.D42, which is included in PBOT's FY 24-25 budget and five-year CIP forecast.
- This agreement is to initiate the Right of Way process for the project. There is no change requested to the original IGA and no change to the dollar amount associated with the grant.
- There will be no update to the budget for this project.

Community Impacts and Community Involvement

- This project will provide safety improvements at the intersection of SW Shattuck Rd and OR10 which will greatly benefit the community. Community involvement is ongoing and will be the responsibility of the PBOT project manager. There is no known community opposition or risks associated with this project.

100% Renewable Goal

N/A

Agenda Items

331 Consent Agenda in [April 24-25, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/24)
(<https://www.portland.gov/council/agenda/2024/4/24>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea