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191878

Emergency Ordinance

*Approve Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation for the the NE 122nd Ave Safety & Access: Beech St – Wasco St Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public.
2. 122nd Avenue serves as an important street in the city of Portland for people walking, taking transit and driving.
3. In June 2019 the Portland Bureau of Transportation (PBOT) applied for federal aid Regional Flexible Funds administered by Metro regional government (Metro) for the NE 122nd Ave Safety & Access: Beech St – Wasco St Project.
4. On March 16, 2022, the Council approved Ordinance 190740 accepting a grant in the amount of \$4,543,700 and approving an Intergovernmental Agreement with the Oregon Department of Transportation for the NE 122nd Ave Safety & Access: Beech St – Wasco St Project.
5. This agreement with the Oregon Department of Transportation will provide for Right of Way Services.
6. The project number for this is T01034. The grant number is TR000336.

NOW, THEREFORE, the Council directs:

- A. That the Deputy City Administrator is hereby authorized to execute an Intergovernmental Agreement in a form similar to the contract attached as Exhibit A.
- B. That the Deputy City Administrator is authorized to execute amendments, approved as to form by the City Attorney, to the scope of

Introduced by

[Mayor Ted Wheeler](#)

City department

[Transportation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

September 4, 2024

the services or the terms and conditions of this Agreement, provided the changes do not increase the City's financial risk.

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

Exhibits and Attachments

 [Exhibit A](#) 7.36 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
September 4, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

- This agreement with the Oregon Department of Transportation will provide for Right of Way Services.
- Council previously approved an IGA to fund the NE 122nd Safety & Access Project, this agreement will allow the Oregon Department of Transportation to provide oversight of the Right of Way acquisition process as required by federal regulations.

Financial and Budgetary Impacts

- No long-term financial impacts or changes to City policy or budget are required.
- The project is currently in the Bureau of Transportation's budget (SAP Cost Object Number: T01034).
- The grant number for this project is TR000336.
- The funding and payment for the Right of Way Services are set forth in the Project Agreement. This Agreement commits no additional funding for the Right of Way Services.
- There is no additional funding requested.

Community Impacts and Community Involvement

- The design of this project has begun, and work is ongoing to determine the crossing locations and signal type(s). The Project Team has begun outreach to adjacent property owners and businesses, and a public meeting is anticipated in the fall of 2024. Broader construction notification will continue throughout the project design and construction from 2024-2026.
- Adding additional crossings for people walking and biking are generally supported by neighbors and the broader community.
- To further enhance safety access management at the crossing locations is being explored. This could require a change in travel patterns for people driving.
- PBOT staff have been engaging with the community since 2018 on the development of the 122nd Avenue Plan. Early outreach identified additional crossings as a high priority, which led to staff applying for this funding.

100% Renewable Goal

- This action does not have an anticipated impact on the City's total energy use.
- This action does not have an anticipated impact on the City's renewable energy use.

Document History

Item 766 Consent Agenda in [September 4-5, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/4)
(<https://www.portland.gov/council/agenda/2024/9/4>)

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea