



[Home](#) / [Council Clerk](#) / [Council Documents](#) / [Ordinance](#)

# 191971

Emergency Ordinance

## \*Authorize Intergovernmental Agreement with TriMet for maintenance of the Division Transit Project

Passed

The City of Portland ordains.

Section 1. The Council finds:

1. On August 8th, 2018 by Ordinance No. 189116, the City Council authorize a Design and Construction Management Services Agreement (Agreement) between the Tri- County Metropolitan Transportation District of Oregon (TriMet) and the City of Portland (City) for the Division Transit Project (Project).
2. Pursuant to ORS Chapter 190, the Parties have the authority to enter into this Agreement.
3. Metro began planning for the Powell-Division Corridor in 2014 by convening a project Steering Committee and holding a series of public open houses and meetings.
4. On October 2, 2015, the Federal Transit Administration (FTA) approved the Powell-Division Corridor Project for entry into Small Starts Project Development.
5. The committee of key stakeholders and community members approved the Powell-Division Corridor Project plan, formally known as the "Locally-Preferred Alternative," in November 2016.
6. On December 7, 2016, the Portland City Council approved Resolution No. 37254 adopting the Locally Preferred Alternative for the Powell Division Corridor Project and conditions of approval. This Locally Preferred Alternative was unanimously approved by the City of Gresham, Metro Council, the Multnomah County Commission, and the TriMet Board of Directors.
7. Powell-Division Corridor Project leadership was transferred from Metro to TriMet on

Introduced by

[Mayor Ted Wheeler](#)

City department

[Transportation](#)

Contact

Shawnea Posey

Administrative Specialist II

✉ [shawnea.posey@portlandoregon.gov](mailto:shawnea.posey@portlandoregon.gov)

📞 [503-823-5179](tel:503-823-5179)

Caitlin Reff

Manager I

✉ [caitlin.reff@portlandoregon.gov](mailto:caitlin.reff@portlandoregon.gov)

📞 [503-823-8758](tel:503-823-8758)

Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

November 20, 2024

December 20, 2016. The name of the Project was subsequently changed to the Division Transit Project to reflect the preferred alignment.

8. On March 22, 2017, the FTA approved the Project for project justification warrants, limiting the Project budget to less than \$175 million.
9. On August 15, 2018, the Portland City Council approved Ordinance No. 189116 authorizing the execution of a financing agreement with TriMet to provide a portion of the total local match funding as required by the FTA.
10. On April 17, 2019, City Council approved Ordinance No. 189463 authorizing execution of an Intergovernmental Agreement (IGA) for design and construction services for the Project and accepting a grant from TriMet to compensate for city staff time. The IGA and subsequent Amendments (Ordinances No. 190120, No. 190473, and No. 190880), document understandings and agreements related to services provided between TriMet and the City.
11. On December 19, 2019, City Council approved Resolution No. 37471 accepting the Building Healthy Connected Communities Along the Division Transit Corridor Report and accepted a status report on the progress toward items listed in the Division Transit Project Locally Preferred Alternative Conditions of Approval, including an update on Project final design and construction approach.
12. Construction of the Project began in January 2020 and was substantially complete in June 2022. The Project opened for passenger service in September 2022 as the first of its kind high-capacity bus service Frequent Express (FX), called the FX-2 Division.
13. The Project reached its goal of awarding 20 percent of the design funding and 36 percent of the construction funding to Disadvantaged Business Enterprise (DBE) firms, supporting businesses owned by people of color and women.
14. Now, the FX-2 Division provides 15-miles (12 in Portland) of high-capacity bus service between Union Station in downtown Portland and the Cleveland Ave Park & Ride in downtown Gresham. The FX-2 Division includes longer buses and all-door boarding for faster stops, bus lanes at key locations, forty-two enhanced transit stations, twenty new signalized crosswalks with improved lighting, 167 new ADA ramps, 35 upgraded or rebuilt traffic signals with fiber communications for next-generation transit signal priority, approximately 4.6 miles of new protected bike lanes, approximately 81,000 square feet of new sidewalks on the corridor, and other improvements.
15. The City and TriMet now desire to describe and agree to their respective maintenance responsibilities for facilities in the public right-of-way

constructed by the Project, which will take effect upon execution of this Agreement.

NOW, THEREFORE, the Council directs:

- A. The City Administrator, or designee is hereby authorized to execute an IGA with TriMet for maintenance of the Division Transit Project, in a form substantially similar to the contract attached to this Ordinance as Exhibit A

Section 2. The Council declares that an emergency exists because a delay in executing this contract may impact maintenance for these facilities; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

## Exhibits and Attachments

 [Exhibit A](#) 6.73 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  
November 20, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- The Division Transit Project is in final close-out and TriMet and the City wish to execute a maintenance agreement that will describe their respective responsibilities for facilities in public right-of-way constructed by the Project.

### Financial and Budgetary Impacts

- This contract is to determine future maintenance obligations and asset control along this completed project. There is no dollar amount or financial obligation associated with this contract.
- The capital project number for this project is T00465, which is no longer open for billing as the project is now in final close-out.
- There will be no update to the budget related to this contract.
- Construction is complete on the Division Transit Project. The Project opened for

passenger service in September 2022. The Project is in the final phase of close-out. The City and TriMet now desire to describe and agree to their respective maintenance responsibilities for facilities in public right-of-way constructed by the Project, which will take effect upon execution of this Agreement.

Economic and Real Estate Development Impacts

Not applicable

Community Impacts and Community Involvement

- This contract is administrative in nature and does not carry community impacts. Community outreach and involvement were conducted in earlier phases of this project.

100% Renewable Goal

Not applicable

Financial and Budget Analysis

This action authorizes an IGA with TriMet related to maintenance for the Division Transit Project facilities. The agreement outlines duties and responsibilities for asset maintenance and accessibility but does not assign explicit dollar obligations. Requirements outlined in the agreement are in alignment with existing right-of-way and asset maintenance operations. No additional resources are required as a result of this action.

Document History

Agenda	Council action
<a href="#">November 20, 2024</a> Consent Agenda <div>City Council</div>	Passed  <b>Aye (5):</b> Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler