

ORDINANCE No. 187940

*Authorize an Intergovernmental Agreement with the Oregon Department of Transportation to define the roles and responsibilities for real property to be obtained and used as part of right-of-way for road, street or construction of public improvements for the Foster Road Transportation and Streetscape Project. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On June 11, 2014, Council adopted Resolution #37079 to accept the recommendations of the Foster Road Transportation and Streetscape Plan to improve the multi-modal safety and access along Foster Rd between Powell Blvd and 90th Ave, and in support of the redevelopment goals of the Lents Town Center Urban Renewal District.
2. In 2012 and 2013 Council adopted Resolutions #36876 and #37031 that authorized the Portland Bureau of Transportation (PBOT) to submit for the federal funding through the Regional Flexible Funds Program administered by Metro.
3. In 2013, PBOT was awarded a \$3.313 million in grant of federal funds for the design and construction of the Foster Road Transportation & Streetscape Project from the Region Flexible Funds.
4. On June 26th of 2016, Council adopted Ordinance #187853 that accepted the Intergovernmental Agreement with the Oregon Department of Transportation that allows PBOT to use the grant funding for design and construction of the Foster Road Transportation & Streetscape Project.
5. This Agreement clarifies PBOT's obligations for acquiring the right-of-way necessary to construct the project with federal funds.
6. The Bureau's level of confidence in the cost estimates for this project is low. The cost estimate for the design and construction will be developed during the design phase.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge and the Auditor are authorized to enter into an

Intergovernmental Agreement with the Oregon Department of Transportation, substantially in accordance with the agreement attached to the original of this ordinance and, by reference, made a part hereof.

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

Passed by the Council, AUG 10 2016

Commissioner Steve Novick
Prepared by: Rich Newlands: tlc
Date Prepared: July 12, 2016

Mary Hull Caballero
Auditor of the City of Portland

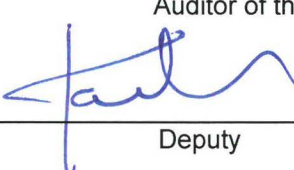
By 
Deputy

Agenda No.
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Title

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INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>AUG 02 2016</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Transportation Policy, Planning and Projects Manager: Art Pearce Director: Leah Treat Prepared by: Rich Newlands :tlck Date Prepared: July 12, 2016 Supervisor: Dan Layden	ACTION TAKEN:
Impact 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 type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date August 10, 2016	

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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	