

Legislation Details (With Text)

File #: 16-049 **Version:** 1

Type: Action Item **Status:** Passed
In control: City Council

On agenda: 6/6/2016 **Final action:** 6/6/2016

Title: Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the 12th Street SE Southbound Widening Improvement Project

Ward(s): 1
Councilor(s): Bennett
Neighborhood(s): CANDO, Grant, Highland, NEN, and West Salem

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Intergovernmental Agreement for Right-of-Way Services Agreement, 2. Vicinity Map

Date	Ver.	Action By	Action	Result
6/6/2016	1	City Council		
6/6/2016	1	City Council	approved	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the 12th Street SE Southbound Widening Improvement Project

Ward(s): 1
Councilor(s): Bennett
Neighborhood(s): CANDO, Grant, Highland, NEN, and West Salem

ISSUE:

Shall Council authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way Services (Attachment 1) with the Oregon Department of Transportation for the 12th Street SE (Hoyt Street SE to Fairview Avenue SE) Southbound Widening Improvement Project?

RECOMMENDATION:

Authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way

Services (Attachment 1) with the Oregon Department of Transportation for the 12th Street SE (Hoyt Street SE to Fairview Avenue SE) Southbound Widening Improvement Project.

SUMMARY AND BACKGROUND:

The 12th Street SE Southbound Widening Improvement Project is a federally funded project that includes approximately 2,000 feet of street modifications to widen 12th Street SE from Hoyt Street SE to Fairview Avenue SE (Attachment 2, Vicinity Map). The project will install a southbound right-turn lane at Fairview Avenue SE, as well as provide storm system modifications, sidewalk improvements, utility relocations, and traffic signal modifications.

The project is currently in the design phase and has reached the point where right-of-way activities are ready to commence.

FACTS AND FINDINGS:

On January 13, 2016, Council authorized the City Manager to execute a Local Agency Certification Agreement (Certification Agreement) with the Oregon Department of Transportation to allow the City to assume responsibility for the administration and management of federally funded local transportation projects.

The 12th Street SE Southbound Widening Improvement Project meets this criterion and must be completed in accordance with the Certification Agreement. The terms and conditions of the Certification Agreement require that a separate Right-of-Way Services Agreement with the Oregon Department of Transportation be executed if right-of-way acquisition is required. The Right-of-Way Services Agreement for the project defines the responsibilities of the Oregon Department of Transportation and the City throughout the right-of-way acquisition process. Key highlights of the Right-of-Way Services Agreement are as follows:

- The City will prepare legal descriptions and appraisals, recommend just compensation, make monetary offers, negotiate terms, file for condemnation (if necessary), close all transactions, and co-sign the necessary right-of-way certification documentation.
- The Oregon Department of Transportation will provide oversight to the City and co-sign the necessary right-of-way certification documentation.

Council approval to acquire right-of-way for the Project will be addressed under a separate staff report at a later date.

Brian D. Martin, PE
Assistant City Engineer

Attachments:

1. Intergovernmental Agreement for Right-of-Way Services Agreement
2. Vicinity Map

05/19/2016