

## Legislation Details (With Text)

**File #:** 19-578 **Version:** 1

**Type:** Action Item **Status:** Passed

**In control:** City Council

**On agenda:** 12/9/2019 **Final action:** 12/9/2019

**Title:** Amendment to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

Ward(s): 2  
Councilor(s): Andersen  
Neighborhood(s): SESNA  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Vicinity Map, 2. Attachment 2 - Right-of-Way Services Agreement Number 32537.pdf, 3. Attachment 3 - Amendment 1 to Right-of-Way Services Agreement No 32537.pdf

Date	Ver.	Action By	Action	Result
12/9/2019	1	City Council		
12/9/2019	1	City Council	approved	Pass

**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Peter Fernandez, PE, Public Works Director

**SUBJECT:**

Amendment to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

Ward(s): 2  
Councilor(s): Andersen  
Neighborhood(s): SESNA  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**ISSUE:**

Shall City Council authorize the City Manager to execute Amendment Number 1 to the Intergovernmental Agreement with ODOT for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project?

## **RECOMMENDATION:**

Authorize the City Manager to execute Amendment Number 1 to the Intergovernmental Agreement with ODOT for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

## **SUMMARY:**

Design and right-of-way funds have been budgeted in the FY 19-20 construction budget to widen McGilchrist Street SE between 12<sup>th</sup> Street SE and 25<sup>th</sup> Street SE to a 3-lane arterial roadway with additional turn lanes and an additional eastbound travel lane east of 22<sup>nd</sup> Street SE. The project will also realign 22<sup>nd</sup> Street SE at the intersection with McGilchrist Street SE as shown on the attached Project Location Map (Attachment 1). The initial Intergovernmental Agreement for Right-of-Way Services (Agreement) approved by City Council on May 14, 2018 (Attachment 2) included \$15,000 for ODOT oversight. Amendment Number 1 to the Agreement (Attachment 3) will increase ODOT participation to \$304,000 so they can take a more active role in acquiring right-of-way on behalf of the City.

## **FACTS AND FINDINGS:**

The right-of-way phase of the project is being funded with \$4,575,280 of federal funds and \$524,720 of match funds from the Urban Renewal Agency. ODOT and City staff have determined that sharing right-of-way acquisition responsibilities will save time and reduce costs. Key highlights of Amendment Number 1 to the Agreement are as follows:

- The City will perform all preliminary work, prepare all legal descriptions, conduct environmental site assessments, review appraisals, recommend just compensation, close all transactions, file for condemnation (if necessary), and record all conveyance documents for right-of-way acquisitions.
- The City and ODOT will share responsibilities for appraising properties, making monetary offers, negotiating relocations, and co-signing the necessary right-of-way certification documentation.

## **BACKGROUND:**

City staff initially planned to complete all right-of-way acquisition activities using consultant appraisers and in-house resources. Recently, ODOT informed the City that they have resources available to play a larger role in the right-of-way acquisition process. ODOT has expertise providing valuations on small acquisitions as well as negotiating Union Pacific Railroad acquisitions, both of which are required for the project. ODOT assisted the City in a similar manner for the Brown Road NE project with great success.

Brian D. Martin, PE  
City Engineer

**Attachments:**

1. Project Location Map
2. Intergovernmental Agreement for Right-of-Way Services
3. Amendment Number 1 to the Intergovernmental Agreement for Right-of-Way Services