



## Legislation Details (With Text)

**File #:** 21-336      **Version:** 1

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

**In control:** City Council

**On agenda:** 7/26/2021      **Final action:** 7/26/2021

**Title:** Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Union Street NE Family Friendly Bikeway Project.

Ward(s): 1  
 Councilor(s): Stapleton  
 Neighborhood(s): CAN-DO  
 Result Area(s): Safe Community; Welcome and Livable Neighborhood; Safe and Reliable Infrastructure

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Intergovernmental Agreement No. 33228 for Right-of-Way Services, 2. Project Location Map, 3. Public Comments received by 3:00 p.m. 7-26-21.pdf

Date	Ver.	Action By	Action	Result
7/26/2021	1	City Council		
7/26/2021	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 with the Oregon Department of Transportation for Right-of-Way Services for the Union Street NE Family Friendly Bikeway Project.

Ward(s): 1  
 Councilor(s): Stapleton  
 Neighborhood(s): CAN-DO  
 Result Area(s): Safe Community; Welcome and Livable Neighborhood; Safe and Reliable Infrastructure

**SUMMARY:**

The Union Street NE Family Friendly Bikeway Project will construct a bikeway along Union Street NE between Commercial Street NE and 12<sup>th</sup> Street NE. The City currently has funding for the first phase of the Project between Commercial Street NE and Summer Street NE. Execution of the

Intergovernmental Agreement with the Oregon Department of Transportation will allow the City to begin right-of-way acquisitions for the Project.

**ISSUE:**

Shall Council authorize the City Manager to execute the attached Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Union Street NE Family Friendly Bikeway Project between Commercial Street NE and 12<sup>th</sup> Street NE?

**RECOMMENDATION:**

Authorize the City Manager to execute the attached Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Union Street NE Family Friendly Bikeway Project between Commercial Street NE and 12<sup>th</sup> Street NE (Attachment 1).

**FACTS AND FINDINGS:**

The first phase of the Union Street NE Family Friendly Bikeway Project (Project) includes approximately 2,700 feet of street modifications to provide bike facilities on Union Street NE from the eastern edge of Commercial Street NE to the western edge of Summer Street NE. The street will be upgraded with new road striping to provide dedicated bike lanes, vehicle parking pockets, and public transit stop modifications. Additionally, the intersection of Union Street NE and Liberty Street NE will be improved to include a traffic signal and bulb out corners to improve safety for both bicycles and pedestrians (Attachment 2, Project Location Map).

Construction of the first phase of the Project is scheduled for 2023. The City will seek funding for the section from Summer Street NE to 12<sup>th</sup> Street NE in the future.

On January 13, 2016, Council authorized the City Manager to execute a Local Agency Certification Agreement (Certification Agreement) with the Oregon Department of Transportation (ODOT) to allow the City to assume responsibility for the administration and management of federally funded local transportation projects. The Union Street NE Family Friendly Bikeway Project meets the criteria of the Certification Agreement. The terms and conditions of the Certification Agreement require that a separate Right-of-Way Services Agreement with ODOT be executed when right-of-way acquisition is required. The Right-of-Way Services Agreement for the Project defines the responsibilities of ODOT and the City throughout the right-of-way acquisition process.

Key highlights of the Right-of-Way Services Agreement for the Project 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.

- ODOT 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  
City Engineer

**Attachments:**

1. Intergovernmental Agreement No. 33228 for Right-of-Way Services
2. Project Location Map