

Legislation Details (With Text)

File #: 22-91 **Version:** 1

Type: Action Item **Status:** Passed

In control: City Council

On agenda: 3/14/2022 **Final action:** 3/14/2022

Title: Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Hilfiker Lane SE at Commercial Street SE Improvement Project.

Ward(s): 3
Councilor(s):Phillips
Neighborhood(s): Faye Wright, Morningside
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

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

Attachments: 1. Intergovernmental Agreement for Right-of-Way Services (IGA #34465), 2. Project Location Map

Date	Ver.	Action By	Action	Result
3/14/2022	1	City Council	approved	Pass

TO: Mayor and City Council

THROUGH: Kristin Retherford, Interim 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 Hilfiker Lane SE at Commercial Street SE Improvement Project.

Ward(s): 3
Councilor(s):Phillips
Neighborhood(s): Faye Wright, Morningside
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

SUMMARY:

The Hilfiker Lane SE at Commercial Street SE Improvement Project will construct bike lanes and left-turn lanes on Hilfiker Lane SE and replace the traffic signal to enhance safety and efficiency at the intersection. Design has progressed to the point where it is now necessary to begin the right-of-way acquisition process. The Intergovernmental Agreement specifies City and Oregon Department of Transportation responsibilities to acquire right-of-way for the project

ISSUE:

Shall Council authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the Hilfiker Lane SE at Commercial Street SE Improvement Project?

RECOMMENDATION:

Authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the Hilfiker Lane SE at Commercial Street SE Improvement Project.

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 (ODOT) to allow the City to assume responsibility for the administration and management of federally funded local transportation projects. The terms and conditions of the Certification Agreement require that a separate Intergovernmental Agreement for Right-of-Way Services with ODOT be executed when right-of-way acquisition is required. The Intergovernmental Agreement for Right-of-Way Services for the Hilfiker Lane SE at Commercial Street SE Project (Attachment 1) defines the responsibilities of ODOT and the City throughout the right-of-way acquisition process.

Key highlights of the Intergovernmental Agreement for Right-of-Way Services are:

- The City will prepare legal descriptions, conduct 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.
- Construction of the project is scheduled for 2023.

A location map of the project area is included as Attachment 2.

BACKGROUND:

Pedestrian and bicycle fatalities account for a significant portion of Oregon fatalities. Oregon's Transportation Safety Action Plan identifies pedestrian and bicycle crashes as a primary safety focus area. This project will provide pedestrian and bicycle safety improvements at the intersection of

Hilfiker Lane SE and Commercial Street SE.

Brian D. Martin, PE
City Engineer

Attachments:

1. Agreement for Right-of-Way Services (IGA #34465)
2. Project Location Map