

Legislation Details (With Text)

File #: 23-169 **Version:** 1

Type: Action Item **Status:** Passed

In control: City Council

On agenda: 5/8/2023 **Final action:** 5/8/2023

Title: Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Pedestrian Safety Improved Crossings Project

Ward(s): Ward 1, 2, 5, 6
Councilor(s): Gonzalez, Hoy, Nishioka, Stapleton
Neighborhood(s): ELNA, Highland, NEN, NESCA
Result Area(s): Safe, Reliable, and Efficient Infrastructure

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

Attachments: 1. Intergovernmental Agreement, 2. Project Location Map

Date	Ver.	Action By	Action	Result
5/8/2023	1	City Council	approved	Pass

TO: Mayor and City Council

THROUGH: Keith Stahley, City Manager

FROM: Brian D. Martin, PE, Acting Public Works Director

SUBJECT:

Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Pedestrian Safety Improved Crossings Project

Ward(s): Ward 1, 2, 5, 6
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Neighborhood(s): ELNA, Highland, NEN, NESCA
Result Area(s): Safe, Reliable, and Efficient Infrastructure

SUMMARY:

The Intergovernmental Agreement specifies City and Oregon Department of Transportation responsibilities to acquire right-of-way for the Pedestrian Safety Improved Crossings 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 Pedestrian Safety Improved Crossings 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 Pedestrian Safety Improved Crossings project (Attachment 1).

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 Pedestrian Safety Improved Crossings project (Attachment 2, Project Location Map) meets the criteria of the Certification Agreement. 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 Project defines the responsibilities for 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, provide valuation, 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.

BACKGROUND:

This project will provide enhanced pedestrian crossings to improve safety at three locations on major arterial streets including State Street at 21st Street SE, Lancaster Drive NE at Weathers Street NE, and River Road N near River Road City Park. Each of these three locations has high pedestrian and vehicle traffic, leading to many opportunities for conflicts. Due to long distances between crossings, pedestrians cross mid-block creating potentially unsafe conditions.

Allen Dannen, PE,
Acting City Engineer

Attachments:

1. Intergovernmental Agreement
2. Project Location Map