



City of Oregon City

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Staff Report

File Number: 19-529

Agenda Date: 11/6/2019

Status: Consent Agenda

To: City Commission

Agenda #: 8b.

From: Public Works Director John Lewis

File Type: Contract

SUBJECT:

Amendment No. 1 to Intergovernmental Agreement No. 32587 with the Oregon Department of Transportation

RECOMMENDED ACTION (Motion):

Authorize approval of Amendment No. 1 Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for Right of Way Services related to the Meyers Road Extension Project (CI 17-001).

BACKGROUND:

The Meyers Road Extension, located between High School Avenue and Highway 213, is identified in the 2013 Transportation System Plan as project D46 - Meyers Road West Extension. This extension of Meyers Road will help to serve many purposes including:

- Relieving congestion on Glen Oak Road; and
- Providing a new access through the area to foster future development of land parcels adjacent to the road; and
- Providing access for the Oregon City School District Transportation and Maintenance Facility, a future park at the corner of High School Avenue, and an additional access (from the south) to Clackamas Community College.

In order to construct the new eastern approach of the signalized intersection of Meyers Road and Highway 213, the City was required to submit a Grant of Access Application to the Oregon Department of Transportation (ODOT). In Condition of Approval #4 for the Grant of Access, ODOT is requiring that the existing reservation of access for the Berge/Emmert property (19842 Highway 213, tax lot 3S-2E-9C-700) to Cascade Highway South (OR 213) at Engineering Station 272+20, East side, MP 3.88 (most northerly existing access) shall be purchased.

Oregon state law (ORS 35.235) mandates that parties authorized by law to acquire property through condemnation first adopt a resolution stating the necessity and the purpose for which the property is required. In November 2018, City Commission adopted Resolution No. 18-38 declaring the necessity and intent to appropriate real property and authorizing the institution of condemnation proceedings, if necessary, for the Meyers Road Extension Project. This included the driveway to be removed/acquired at STA OR 272+20, as noted in Attachment 2, Exhibit 1 Meyers Road Right of Way.

The original IGA for the Meyers Road Extension Project, which was authorized in January 2019, contains information about the Right of Way services that ODOT is performing for the project. Amendment No. 1 updates the Terms of the Agreement and Payment for Services and Expenditures to clarify that if the expenses go over the preliminary estimate of \$60,500, agency is responsible for these costs. The Special Provisions Exhibit A, Acquisition Phase is updated to address an incorrect timeline for filing Recommendations for Condemnation; this has been updated to the current Department of Justice time frame.

BUDGET IMPACT:

Amount:

FY(s):

Funding Source: