

**RESOLUTION NO. 65-2013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, GRANTING SIGNING AUTHORITY OF A LOCAL AGENCY AGREEMENT AND A RIGHT-OF-WAY SERVICES AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE DESIGN AND CONSTRUCTION OF A MULTIUSE PATH ALONG 17<sup>TH</sup> AVENUE BETWEEN MCLOUGHLIN BOULEVARD AND OCHOCO STREET (CIP-2013-T05).**

**WHEREAS**, the City has identified the need for improvements to the pedestrian and cyclist infrastructure on 17<sup>th</sup> Avenue in both its Transportation System Plan and its Capital Improvement Plan; and

**WHEREAS**, the City has applied for and received a Regional Flexible Funds Grant from Metro in the amount of \$2,969,000; and

**WHEREAS**, ODOT as the grant administrator for the Regional Flexible Funds will need to perform Contracting and Right-of-Way Services; and

**WHEREAS**, ORS 190.110, 366.572, and 366.576, allow the City to enter into cooperative agreements with the State for the performance of work on certain types of improvement projects with the allocation of costs, terms and conditions mutually agreeable to the contracting parties; and

**WHEREAS**, the City of Milwaukie is required to contribute at least a 10.27% grant match in the amount of \$310,000; and

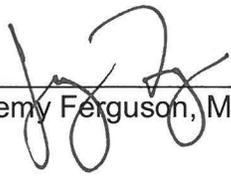
**WHEREAS**, sufficient funds exist between Funds In-lieu of Construction (FILOC) (\$160,000), Transportation (\$70,000) and Stormwater (\$80,000) System Development Charges to pay for the City match.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor of Milwaukie and Milwaukie's Legal Counsel may sign a;

1. a Local Agency Agreement with ODOT for the funding of the 17<sup>th</sup> Avenue Multiuse Path Project, and
2. a separate Intergovernmental Agreement for Right-of-Way Services.

Introduced and adopted by the City Council on August 6, 2013.

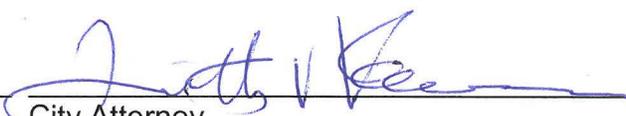
This resolution is effective on August 6, 2013.

  
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Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

  
\_\_\_\_\_  
Pat DuVal, City Recorder

  
\_\_\_\_\_  
City Attorney

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