



Sam
Adams
Mayor

Tom
Miller
Director

DATE: November 18, 2011
TO: Mayor Sam Adams
FROM: David McEldowney, Right-of-Way Acquisition Manager
RE: **Public Hearing for consideration of a street vacation request for a portion of NW Irving St between NW 4th Ave and NW 5th Ave – Staff Supplemental Report**

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- 1. Ordinance Title:** Set a hearing date, 9:30 a.m. Wednesday, JAN 04, 2012, to vacate a portion of NW Irving St between NW 4th Ave and NW 5th Ave (Report; VAC-10077)
 - 2. Contact Name, Department, & Phone Number:**
Lance Lindahl, Right-of-Way Acquisition, 503-823-7465
 - 3. Requested Council Date:** November 30, 2011

Consent Agenda Item: X **or** **Regular Agenda Item:** _____
Explain why this does or does not require a presentation or Council discussion:
Public testimony will be taken at the public hearing.

EMERGENCY ITEM (answer below): _____ **or** **NON-EMERGENCY ITEM:** X
If emergency, why does this need to take effect immediately:

4. History of Agenda Item/Background:

A request to vacate a portion of NW Irving Street between NW 4th Avenue and NW 5th Avenue was received by the Bureau of Transportation on May 2, 2008. The street vacation is proposed in order for TriMet to have control over property that has been improved with Light Rail tracks and switches for the operation and maintenance of their facilities. Access is prohibited for pedestrians and vehicles. The proposed vacation is depicted on Exhibit 1 attached hereto.

Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. No substantive objections were received.

The Planning and Sustainability Commission reviewed and approved the proposed street vacation on April 12, 2011.

An Engineer's Report was completed on October 14, 2011, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the Planning and Sustainability Commission recommendation, will be forwarded to your office under separate cover, along with a recommended Street Vacation Ordinance for consideration by City Council.

1120 S.W. 5th Avenue, Suite 800 • Portland, Oregon, 97204-1914 • 503-823-5185
FAX 503-823-7576 or 503-823-7371 • TTY 503-823-6868 • www.portlandoregon.gov

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To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW 5th Ave, Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

ORS 271.120 requires that a public hearing be held prior to City Council taking action on the street vacation request. This memo is to serve as a formal request to schedule the required public meeting. The Office of the City Auditor will publish and post notice of the scheduled public hearing. The public notice will provide information on how to obtain information about the proposed street vacation, including copies of the Engineer's Report and Planning and Sustainability Commission Recommendation.

5. Purpose of Agenda Item:

The purpose of this request is to schedule a public hearing for consideration of the proposed street vacation request.

6. Legal Issues:

None

7. What Individuals or Groups Are or Would Be Opposed to This Ordinance?

No opposition is expected.

Supportive?

PBOT staff is supportive of this request.

8. How Does This Relate to Current City Policies?

This action is consistent with current City policies (City Code Chapter 17.84).

9. Community Participation:

Comments were solicited from affected neighborhood associations and public utilities.

10. Other Government Participation:

Comments were solicited from City Bureaus and government agencies.

11. Financial Impact:

How much money is involved? Approximately \$6,500.

Where are these funds coming from? Funds for this action are covered as part of operating program services budgeted in the FY 11-12 Transportation Operating Fund.

1253 -

Agenda No.
REPORT
Title

Set a hearing date, 9:30 a.m. Wednesday, JAN 04, 2012 to vacate NW Irving St between NW 4th Ave and NW 5th Ave (Report; VAC-10077)

INTRODUCED BY
Commissioner/Auditor:
MAYOR SAM ADAMS
L. Lindahl
COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Leonard

BUREAU APPROVAL
Bureau: Bureau of Transportation
Group Manager: Greg Jones
Development & Capital Program
Greg Jones

Prepared by: Lance D. Lindahl:slg
Date Prepared: November 7, 2011
slg

Financial Impact & Public Involvement Statement
Completed Amends Budget
Not Required

Portland Policy Document
If "Yes" requires City Policy paragraph stated in document.
Yes No

Council Meeting Date
November 30, 2011

City Attorney Approval

CLERK USE: DATE FILED NOV 22 2011

on behalf of Mayor Adams
LaVonne Griffin-Valade
Auditor of the City of Portland

By: *Susan Parsons*
Deputy

ACTION TAKEN:
NOV 30 2011 ACCEPTED

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	