

# **ORDINANCE NO. 184774**

Authorize the Portland Water Bureau to acquire fee title to property necessary for construction of the Interstate Facility Rehabilitation Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Water Bureau has designed the Interstate Facility Rehabilitation Project to make efficient use of land and resources at the existing operations facility located at 1900 N Interstate in the City of Portland.
2. The Interstate Facility Rehabilitation Project requires acquisition of certain real property interests to construct the project.
3. Acquisition efforts will be completed in accordance with Eminent Domain procedures provided for in ORS Chapter 35 (Eminent Domain; Public Acquisition of Property), including those procedures that apply to notification, valuation, negotiation, relocation and early possession if necessary.
4. It is necessary to acquire possession of the real property interests as soon as possible so that the design may be finalized and construction can begin on schedule.
5. Funds are available in the Water Fund, FY 2011-2012 Budget.

NOW, THEREFORE, the Council directs:

- a. The Water Bureau Administrator or his designee and/or City Attorney are authorized to acquire certain real property interests for the Interstate Facility Rehabilitation Project under the Eminent Domain Authority of the City, including filing an action to acquire the property interests described herein or negotiating just compensation with property owners within available project budget funds.
- b. There is hereby authorized the creation of a fund in the amount estimated to be the just compensation for each interest in the property which, if necessary, shall be deposited with the clerk of the court where an action is commenced.
- c. The property affected by this ordinance is described as follows: The fee interest described in Exhibit A and depicted in Exhibit B, attached hereto.
- d. The Mayor and Auditor are hereby authorized to draw and deliver a warrant chargeable to the Water Fund when demand is presented and approved by the proper authority.

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Passed by the Council,

JUL 27 2011

Commissioner Leonard  
Ben Gossett  
June 22, 2011

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By  Deputy

766-791

Agenda No.  
**ORDINANCE NO. 184774**  
Title

Authorize the Portland Water Bureau to acquire fee title to property necessary for construction of the Interstate Facility Rehabilitation Project (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Leonard</b></p>	<p>CLERK USE: DATE FILED <u>JUL 15 2011</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard <i>Leonard</i></p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Water</p> <p>Bureau Head: David G. Shaff <i>[Signature]</i></p> <p>Prepared by: Ben Gossett Date Prepared: June 22, 2011</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date <b>July 20, 2011</b></p> <p><b>City Attorney Approval</b></p>	<p><b>ACTION TAKEN:</b></p> <p><b>JUL 20 2011 PASSED TO SECOND READING JUL 27 2011 9:30 A.M.</b></p>

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <b>10 minutes</b> (for presentation, testimony and discussion)</p>

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