

IMPACT STATEMENT

Legislation title: Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NW 20th Avenue LID project, through the exercise of the City's Eminent Domain Authority (Ordinance; C-10049)

Contact name: Marty Maloney, PBOT Right of Way Acquisition

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Presenter name: Marty Maloney

Purpose of proposed legislation and background information:

The City of Portland may exercise the power of eminent domain pursuant to Section 9-108 of the City Charter and 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, when the exercise of such power is deemed necessary by the City Council to accomplish public purposes for which the City has responsibility.

The City of Portland has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public.

The project known as NW 20th Avenue LID (the "Project") has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, and travel safeguarded.

The general character and scope of the improvement is to remove the existing dirt, gravel and/or hard surface; grade the street to its proper subgrade; construct an asphaltic concrete street with an aggregate base; construct stormwater management facilities; construct sidewalks on both sides of the street; and plant street trees in most locations except underneath the U.S. Highway 30 ramp connecting to the interstate 405 Freeway.

To accomplish the Project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 13, attached to this Ordinance and, by this reference incorporated herein.

All affected property owners have been contacted and informed as to the City's need for certain private property rights related to completion of the Project. All affected property owners have been invited, by mailing, to attend the reading of this agenda item.

Financial and budgetary impacts:

Property values associated with the property acquisitions have not yet been quantified since negotiations are not completed; however, an estimate for the right of way phase has been budgeted in the Transportation Operating Fund. The level of confidence for the estimate is moderate. Funds are available in the Transportation Operating Fund Budget, FY 2017-2018 Budget, SAP #T00502.L46

This legislation does not affect staffing levels nor result in a new or modified financial obligation or benefit now or in the future.

If City Council does not approve the ordinance, construction of the Project will not be feasible as planned, due to lack of property rights needed to make the improvements.

Community impacts and community involvement:

Property owners affected by property rights needed for the Project have been contacted and informed as to the City's need for certain private property rights related to completion of the Project.

PBOT has completed extensive outreach prior to and post Project formation with the NWDA Neighborhood Association, XPO Logistics, ODOT and Tri-Met.

Budgetary Impact Worksheet**Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount