



Nick Fish, Commissioner  
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## IMPACT STATEMENT

Date: September 5, 2017

Council Date: October 18, 2017

Legislation Title: Authorize the Water Bureau to acquire certain permanent property rights necessary for construction of the Penridge Mains Replacement Project (Ordinance)

Contact Name: Mary Ellen Collentine

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Presenter Name: Teresa K. Elliott, P.E., Chief Engineer

### **Purpose of proposed legislation and background information:**

The purpose of the proposed legislation is to authorize the Water Bureau to acquire certain permanent and temporary easements necessary for the construction of the Penridge Mains Replacement Project (Project) through the exercise of the City's Eminent Domain Authority.

Pursuant to City Charter, Section 9-108, the City may exercise the power of eminent domain when deemed necessary by the City Council to accomplish public purposes for which the City has responsibility, as long as the power is exercised in accordance with the Oregon Revised Statutes Chapter 35 (Eminent Domain; Public Acquisition of Property), including those procedures that apply to notification, valuation, negotiation, relocation, and early possession if necessary. The subject properties included in this Project are 494, 421 and 430 Skyline Crest Rd., Portland, Oregon, and are located within the Penridge service area in Northwest Portland.

The Penridge Mains were acquired by the City when it annexed the Sylvan Water District in 1986. The Project area has been identified as having deficient fire flow and service pressure because certain mains are undersized. While the Oregon Health Division requires that the water distribution system have no less than 20 psi, some service pressures in the Project area have a maximum static pressure of 20-25 psi.

This Project will replace the Water Bureau's undersized mains in the Penridge service area with proper sized mains. When completed, the Project will improve the fire flow and service pressures within the Penridge service area.

**Financial and budgetary impacts:**

The cost to acquire the Project easements will be determined by an Administrative Determination of Just Compensation that will comply with the requirements of ORS Chapter 35, Eminent Domain; Public Acquisition of Property. Funding for the Project in the amount of \$230,000 is available in the Water Fund in the FY 2017-18 Budget. The total Project estimate is \$2,530,000 (W02004).

The proposed legislation will not create, eliminate or re-classify any positions now or in the future.

**Community impacts and community involvement:**

The Project is located in the traveled way of NW Skyline Crest Road. The road is a narrow residential street, portions of which are privately owned.

The main community impact will be disruption of local traffic along narrow streets, but the Water Bureau will maintain access to local residents throughout the Project. During the construction hours, workers will flag drivers around the work area. During non-work hours, the road will be open as is normal. The Water Bureau will use the area to store equipment and materials for the project and for working room during construction. The Water Bureau will be in contact with the property owners during the course of the construction.


Water Bureau designated staff will inform impacted owners within the Project area of the proposed legislation to obtain eminent domain authority to acquire the easements on their property. Based on this information, area owners may testify at the City Council meeting. No other individuals are anticipated to testify.

**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


9/14/17

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Michael Stuhr, P.E., Administrator Date