

IMPACT STATEMENT

Legislation title: Vacate portions of SW Hall St, SW Lincoln St, SW Grant St, and SW Sherman St at SW Naito Pkwy subject to certain conditions and reservations (Hearing; Ordinance; VAC-10089)

Contact name: Karl Arruda, PBOT Right-of-Way Acquisition

Contact phone: 503-823-7067

Presenter name: Karl Arruda

Purpose of proposed legislation and background information:

The purpose of this legislation is to vacate a portion of SW Hall Street, SW Lincoln Street, SW Grant Street, and SW Sherman Street at SW Naito Parkway (the "Street Area"), subject to certain conditions and reservations.

On July 31, 2013 the Bureau of Transportation ("PBOT" or "Petitioner") initiated the vacation request for the Street Area. The City of Portland ("City"), by and through PBOT, and the Oregon Department of Transportation ("ODOT") jointly own the land adjacent to the Street Area (except the property abutting SW Hall Street, which is owned solely by ODOT). This land was used for a portion of the SW Harbor Drive / Route 99 Highway from the 1940s until the road was removed in the 1970s for construction of Tom McCall Waterfront Park.

PBOT discovered that portions of SW Hall, Lincoln, Grant, and Sherman Streets had not been vacated as previously thought, and since these areas are no longer needed for street purposes, the vacation of these lots will facilitate future projects. A portion of the SW Lincoln right-of-way, covered by a light rail structure, also needs to be transferred to Tri-Met as part of the City's contribution for the Portland-Milwaukie Light Rail Project ("PMLR").

The Planning and Sustainability Commission ("PSC") reviewed and approved the street vacation request on February 14, 2017. A Bureau Director's Report was completed on July 10, 2017, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the PSC's recommendation, is attached.

In accordance with ORS 271.100, the Council fixed a time and place for public hearing before the Council; the Office of the City Auditor ("Auditor") published notice thereof, and posted notice in the areas proposed for vacation. The Street Area is depicted on Exhibits 2A, 2B, and 2C of the ordinance.

The ordinance complies with state law under ORS 271 and City Code, Chapter 17.84 and will complete the street vacation process.

Financial and budgetary impacts:

The process for vacating streets is a cost recovery program, typically paid for by the Petitioner, and does not have a net impact on PBOT's budget. Expenses for processing a street vacation request typically range between \$8,000 and \$25,000+, depending on the complexity. Due to this proposal's complex history, extensive survey work, and coordination with ODOT, this street vacation falls in the upper part of the range and is estimated (with moderate confidence) to be approximately \$30,000.

The Petitioner for this street vacation will cover the actual expenditures incurred by City staff for the processing of this request. The SAP Cost Object is 9TR000001917. The revenue and expenses are occurring in Fiscal Years 2016-17 and 2017-18.

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, Petitioner and ODOT will not be able to consolidate the Street Area with the adjacent property, and the City will not be able to transfer to TriMet the portion of SW Lincoln Street covered by the light rail structure. This transfer is required as part of the City's contribution to the PMLR.

Community impacts and community involvement:

Pursuant to ORS 271.110, the Auditor published notice of the public hearing in the Daily Journal of Commerce and has posted the notice near the Street Area. The Auditor also sent notices to the surrounding property owners in the 'affected area' as defined in said statute.

Comments were also solicited from City Bureaus, government agencies, public utilities and affected neighborhood and business associations in the area. No objections were received. PBOT and BES established certain conditions, which have been satisfied in advance with the recording of two (2) Declarations of Covenants (also known as "Springing Easements").

The PSC advertised and then held a public hearing on February 14, 2017. No one from the public came forward to testify in support or opposition of the vacation, and the PSC ultimately approved the vacation request.

There do not appear to be any other impacts to the community from vacating the Street Area. No opposition to this street vacation request is expected. There is no future public involvement anticipated since this ordinance will conclude the street vacation process.

Information regarding the advertising details can be provided by Toni Anderson, City Auditor's Office, 503-823-4022, or toni.anderson@portlandoregon.gov.

100% Renewable Goal:

Not applicable.

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