

IMPACT STATEMENT

189120

Date: July 9, 2018

Council Date: August 8, 2018

Legislation Title: Authorize the Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the North Jantzen Avenue Main Installation Project through the exercise of the City's Eminent Domain Authority (Ordinance)

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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 construction of the North Jantzen Avenue West of North Pavilion Ave Water Main 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 property is along North Jantzen Avenue located on Hayden Island in Portland, Oregon, a portion of which is required for temporary working room and staging during construction, and three permanent easements for operation and maintenance for Water Bureau utilities.

The existing North Jantzen Avenue main segment is predominately concrete-asbestos (Transite) pipe installed by the Jantzen Beach Water Company prior to Water Bureau ownership. The Project ranks high in the Rank Data Base due to the benefit of separating the transite main from the system. Transite main does not impact water quality, but is a hazard to crews when doing repairs or other work on the main. The Hayden Island Master Plan recommended replacement of this main to minimize risk of crews being exposed to safety risks to make repairs. Water Bureau crews have responded to multiple leaks to services off of this main which have resulted in shutdowns to large businesses in the area. Many of these service connections are non-

standard and need to be brought up to current PWB standards. Replacement of the main and service work will remove a significant safety hazard, reduce outages and bring the existing water services in to compliance with current Water Bureau standards. The replacement main will be situated within existing easements; however, it is necessary to acquire permanent easements for a hydrant, a service line, and for access. Two temporary easements will be used for staging during the duration of construction.

Financial and budgetary impacts:

The cost to acquire the Project easements will be determined by an appraisal that will comply with the requirements of ORS Chapter 35, Eminent Domain; Public Acquisition of Property. Funding for the Project is available in the Water Fund in the FY 2018-19 Budget. The total project is estimated at \$1,375,403. 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 primarily in existing easements along North Jantzen Avenue, which serves as an access route for houseboat owners and a storage unit complex. The primary community impact will be the temporary construction easement in which the Water Bureau will require exclusive use during construction. The Water Bureau will use the area to store equipment and materials for the project, and for working room during construction.

Outreach for this project began during the design phase with information mailed to 383 area residents, businesses, and property owners. Water Bureau staff have also been in contact with property owners/managers of properties that will be directly impacted by this work. Communications with owner, residents, and businesses will continue throughout the construction phase.

The Water Bureau has contacted property owners about specific impacts to their properties, including the proposed legislation to obtain eminent domain authority to acquire the easements. Staff will continue to provide up-to-date information on the project, and will work with property owners, residents, and businesses to address issues and concerns as they occur.

100% Renewable Goal:

This is not applicable to this council action.

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

Michael Stuhr, P.E., Administrator

Date