

## IMPACT STATEMENT

**Legislation title:** Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the NE 148<sup>th</sup> Avenue: NE Glisan Street to NE Halsey Street project, through the exercise of the City's Eminent Domain Authority (Ordinance)

**Contact name:** Marty Maloney, PBOT Right of Way Acquisition

**Contact phone:** 503-823-7933

**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 the NE 148<sup>th</sup> Avenue: NE Glisan Street to NE Halsey Street project (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 Project will design and construct sidewalk improvements on the East side of NE 148<sup>th</sup> Avenue. The Project will also upgrade all ADA ramps and some driveway connection along the East side of NE 148<sup>th</sup> Avenue.

To accomplish the Project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 12, 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 2018-2019 Budget, SAP #T00596.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:**

PBOT sent mailings out to affected property owners in May of 2018 with information regarding the project.

The project manager visited with most property owners individually to discuss the project as well.

**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

KK 8-24-18