

## IMPACT STATEMENT

**Legislation title:** \*Authorize the Bureau of Transportation to acquire certain temporary property rights necessary for construction of the Springwater Connector 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 Springwater Connector 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.

PBOT has been developing Neighborhood Greenways to connect neighborhoods, schools, parks, jobs, commercial centers, transit and other destinations in the City of Portland. The Springwater Connector project will connect the 70's and 80's greenways with the Springwater Trail. Proposed project elements include pavement markings (sharrows), wayfinding signs, speed bumps, pedestrian scale lighting, tree planting, and improvement of two sections of gravel streets.

To accomplish the Project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 18, 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 #T00632.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:**

A public involvement plan was developed in coordination with Portland Parks and Recreation.

To date, property owners and residents living near the project area have been notified using mailers (beginning in early 2018), signage with project details and contact information, and door-to-door hand-delivered materials detailing the plan.

The Brentwood-Darlington and Lents Neighborhood Associations were notified in September 2018 with project information and an offer to present at an upcoming meeting (presentations still outstanding).

The project manager also attended a Whitman Elementary School bike and walk to school day to provide project information to parents, students, and school staff.

**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 1-16-19