

## IMPACT STATEMENT

**Legislation title:** \*Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Safer Access to Bus Shelters project, through the exercise of the City's Eminent Domain Authority (Ordinance)

**Contact name:** Ellen Kilmer, PBOT Right of Way Acquisition

**Contact phone:** 503-823-4506

**Presenter name:** Ellen Kilmer

### **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 Safer Access to Bus Shelters 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 is a pedestrian access-to-transit improvement project focusing on SE Stark St and SE 146<sup>th</sup> Ave. Scope includes sidewalk infill, ADA-compliant curb ramps, pedestrian crossing improvements, striping and signage improvements, and new traffic signals.

To accomplish the Project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 6, 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 2019-2020 Budget, SAP #T00635.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:**

This crossing location for this project was identified through the larger Growing Transit Communities Plan (GTC Plan), adopted in July 2017. Broad community engagement, as part of the GTC Plan development, was conducted, starting in 2015, to identify needs, potential improvements, and priorities. This community engagement included meetings with GTC Community Advisor Group, Neighborhood Associations, safety committees, etc; events at the Rosewood Initiative Community Center; mailings; an online survey; and more. These conversations narrowed the GTC Plan's focus to three main corridors in East Portland, including Outer SE Stark St.

The project development stage identified the rights-of-way needs for the work at this intersection. The affected property owners have been contacted either by the Project Development Project Manager and/or through a General Information Notice mailing.

### **Budgetary Impact Worksheet**

#### **Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.  
☒ **NO:** Skip this section

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

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