

IMPACT STATEMENT

Legislation title: *Authorize Bureau of Transportation to acquire certain temporary rights necessary for construction of the Safe Routes to School Signalized Crossings and Street Lighting project through the exercise of the City's Eminent Domain Authority (Ordinance)

Contact name: Marty Maloney, PBOT Right of Way Acquisition

Contact phone: 503-865-6342

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 Safe Routes to School Signalized Crossings and Street Lighting ("Project") will construct five signalized crossings and upgrade corners with ADA improvements at NE MLK Blvd & NE Going St, E Burnside St & SE 16th Ave, SE Washington St & SE 86th Ave, SE 148th Ave & SE Main St, NE Glisan St & NE 113th Ave. In addition, the Project will replace street lighting on NE Glisan St from NE 82nd to NE 162nd.

To accomplish the Project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 8, 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:

The project is a bundled plan set comprising six capital projects, all with their own construction funding streams coming from a variety of sources including Fixing Our Streets and System Development Charges. 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 FY 2021-22 CIP Budget. The level of confidence for the estimate is moderate.

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 project emerged from the 2017 Safe Routes to Schools public involvement effort and has broad support in the community. Pedestrian crossing signal projects and street lighting projects are typically non-controversial and supported by neighbors and the broader community. There will be some temporary construction easements, and the project manager is currently working with neighbors.

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

mjc 3-25-2021