

## IMPACT STATEMENT

**Legislation title:** \*Authorize the Bureau of Transportation to reallocate property rights between the City and the Oregon Department of Transportation for jointly owned property along SW Naito Pkwy, immediately north of I-405, and waive the requirements of Disposition of City Real Property Policy (Ordinance; waive ADM-13.02)

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**Presenter name:** David McEldowney

### **Purpose of proposed legislation and background information:**

Since 1941, the City and State have jointly owned multiple parcels of land along what is now present-day SW Naito Parkway. These parcels were developed with the Harbor Drive expressway, which was removed in 1974, with most of the land being converted to Waterfront Park.

Unlike most City-controlled streets, which would need to be vacated as laid out in ORS 271, these parcels are fee-owned right-of-way that were never dedicated to the public and thus can be declared as surplus property and sold. The City owns a 6/10ths undivided interest in the property and ODOT has a 4/10ths undivided interest.

In early 2021, PBOT, in conjunction with the Homelessness Urban Camp Impact Reduction Program and various Council staff, had identified these parcels as a good location either for creating a new sanctioned camp or for relocating an existing sanctioned camp.

ODOT is agreeable to the sanctioned camp use, provided that the camp would be located on parcels owned 100% by the City. Given the time constraints, the only feasible option is a trade of property interests that would essentially result in the City obtaining 100% ownership in 60% of the property and ODOT obtaining 100% interest in 40% of property. To accomplish this reallocation of property rights for the fee-owned right-of-way, City and ODOT need to execute and record the deeds transferring the property interests.

ADM-13.02 – Disposition of City Real Property requires a consistent process for the identification, notification, and disposition of excess and surplus real property. While the City is not divesting its interest in the 31,110 sf of property that would become wholly owned by the City, the City would be transferring its undivided 60% in 21,300 sf of fee-owned right-of-way to ODOT. PBOT is requesting that the conditions of ADM-13.02 be waived to expedite the transfer process.

**Financial and budgetary impacts:**

- These property rights transfers will require minimal staff time and recording fees, and all expenses are included in the FY2020-21 and FY2021-22 budgets. No additional appropriations are required.
- 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, the City will not be able to locate or relocate a sanctioned camp at this location.

**Community impacts and community involvement:**

- No community impacts are expected from the transfer of property rights.

**Budgetary Impact Worksheet**

**Does this action change appropriations?**

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

mjc 6-10-2021