



Steve
Novick
Commissioner

John
Widmer
Interim
Director

DATE: June 12, 2013
TO: Commissioner Steve Novick
FROM: David McEldowney, Right-of-Way Acquisition Manager
RE: **Public Hearing for consideration of a street vacation request for portions of SE Sherrett Street and SE Umatilla Street west of SE Grand Avenue – Staff Supplemental Report**

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1. **Ordinance Title:** Set a hearing date, 9:30 a.m. Wednesday, AUG 07 2013, to vacate portions of SE Sherrett St and SE Umatilla St west of SE Grand Ave (Report; VAC-10080)
2. **Contact Name, Department, & Phone Number:**
John Deyo, Right-of-Way Acquisition, 503-823-4285
3. **Requested Council Date:** June 26, 2013

Consent Agenda Item: _____ **or** **Regular Agenda Item:** X

Explain why this does or does not require a presentation or Council discussion:
Staff has been directed to schedule these types of request on the regular agenda.

EMERGENCY ITEM (answer below): _____ **or** **NON-EMERGENCY ITEM:** X
If emergency, why does this need to take effect immediately:

4. History of Agenda Item/Background:

A request to vacate portions of SE Sherrett Street and SE Umatilla Street west of SE Grand Avenue was received by the Bureau of Transportation on August 12, 2010. Pursuant to Stipulated General Judgment, Case No. 0912-17034 dated April 6, 2010, the City was ordered to initiate this street vacation as a partial exchange for the granting of easements to BES required for the Sellwood Pump Station Project No. E08467.

Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. No substantive objections were received.

The Planning and Sustainability Commission reviewed and approved the proposed street vacation on September 11, 2012.

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An Engineer's Report was completed on May 23, 2013, recommending approval of the street vacation, subject to certain conditions and reservations. The Report, inclusive of the Planning and Sustainability Commission recommendation, will be forwarded to your office under separate cover, along with a recommended Street Vacation Ordinance for consideration by City Council.

ORS 271.120 requires that a public hearing be held prior to City Council taking action on the street vacation request. This memo is to serve as a formal request to schedule the required public meeting. The Office of the City Auditor will publish and post notice of the scheduled public hearing. The public notice will provide information on how to obtain information about the proposed street vacation, including copies of the Engineer's Report and Planning and Sustainability Commission Recommendation.

5. Purpose of Agenda Item:

The purpose of this request is to schedule a public hearing for consideration of the proposed street vacation request.

6. Legal Issues:

None.

7. What Individuals or Groups Are or Would Be Opposed to This Ordinance?

None.

Supportive?

PBOT staff is supportive of this request.

8. How Does This Relate to Current City Policies?

This action is consistent with current City policies (City Code Chapter 17.84).

9. Community Participation:

Comments were solicited from affected neighborhood associations and public utilities.

10. Other Government Participation:

Comments were solicited from City Bureaus and government agencies.

11. Financial Impact:

How much money is involved? Approximately \$23,000.

Where are these funds coming from? Funds for this action were charged directly to the Bureau of Environmental Service's Sellwood Pump Station Project No. E08467 to cover staff costs for processing this street vacation.

Agenda No.
REPORT NO.
Title

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INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>JUN 21 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick <i>AA</i>	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Prepared by: John Deyo:slg Date Prepared: June 3, 2013	ACTION TAKEN: JUN 26 2013 ACCEPTED <i>John B. Deyo</i>
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date June 26, 2013	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	