

Portland, Oregon

## FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

|   |  |   |
|---|--|---|
| 1. Name of Initiator<br>Scott Gibson  | 2. Telephone No.<br>503-823-7615   | 3. Bureau/Office/Dept.<br>Environmental Services /<br>Engineering Services Division |
| 4a. To be filed (hearing date):<br><br>July 3, 2013   | 4b. Calendar (Check One)<br><br>Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/> | 5. Date Submitted to<br>Commissioner's office<br>and FPD Budget Analyst:            |
| 6a. Financial Impact Section:<br><input checked="" type="checkbox"/> Financial impact section completed | 6b. Public Involvement Section:<br><input checked="" type="checkbox"/> Public involvement section completed                                  |   |

**1) Legislation Title:**

\*Authorize a Water Quality Preservation and Storm and Surface Water Drainage Easement with Clean Water Services and a Trail Easement with Tualatin Hills Park and Recreation District across portions of City-owned property (Ordinance)

**2) Purpose of the Proposed Legislation:**

To authorized the Bureau of Environmental Services to grant the easements in forms substantially the same as Exhibit 1 and Exhibit 2 attached hereto.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |   |                                    |                                    |                                |
|---|------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast  | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City       |                                    |                                    |                                |
- This project is located in unincorporated Washington County, outside the City of Portland city limits**

**FINANCIAL IMPACT****4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No.

**5) Expense:** What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the *level of confidence*.)

Not Applicable

**6) Staffing Requirements:**

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No

- **Will positions be created or eliminated in *future years* as a result of this legislation?**

No

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

| <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> |
|-------------|--------------------|------------------------|------------------------|-----------------------|--------------|--------------------------|---------------|
|             |                    |                        |                        |                       |              |                          |               |
|             |                    |                        |                        |                       |              |                          |               |
|             |                    |                        |                        |                       |              |                          |               |
|             |                    |                        |                        |                       |              |                          |               |

**[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]**

PUBLIC INVOLVEMENT

186137

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- YES: Please proceed to Question #9.
- NO: Please, explain why below; and proceed to Question #10.

This Council item is a recommendation to authorize BES to grant easements that are required by the Washington County conditional approval of Special Use and Development Review , Casefile 12-174-SU/D/FP for the SW 86<sup>th</sup> Avenue Pump Station and Appurtenances project E09051.

No public involvement activities were conducted specifically with regard to the required easements. However, there is a significant public involvement effort for the overall Fanno Creek Basin Sewer projects. This effort has been conducted by the BES Director's Office. Numerous informational flyers have been distributed to the community, project websites are frequently updated, BES public involvement staff will continue to engage stakeholders that include private property owners and elected officials. The project manager and public information office staff have been, and continue to attend neighborhood association meetings to brief the public on the project status and respond to questions and feedback.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Neighbors will have unrestricted access to the Fanno Creek recreational trail at SW 84<sup>th</sup> Ave.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Citizen Participation Organization 3 in Washington County, adjacent property owners, interested parties and stakeholders will all be advised prior to the start of construction of the SW 86<sup>th</sup> Ave Pump Station project.

c) How did public involvement shape the outcome of this Council item?

Public feedback and involvement received to date have affected the design of major facilities located on the project site. However, public involvement has not directly impacted the scope of this Council item.

d) Who designed and implemented the public involvement related to this Council item?

BES public involvement staff designed and implemented the public involvement plan.

e) Primary contact for more information on this public involvement process (name, title, phone, email):

Debbie Caselton, Sr. Community Outreach and Public Involvement Coordinator, 503-823-2831, debbie.caselton@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

Yes, BES staff will continue to inform and engage neighbors and stakeholders regarding Fanno Creek basin projects. Previous projects have generated significant interest from neighbors and stakeholders due to the history of the Fanno basin projects and system operation.

 Dean Marriott, Director, Bureau of Environmental Services 

APPROPRIATION UNIT HEAD (Typed name and signature)



# CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Dean Marriott, Director

City Council  
Agenda Item  
Staff Supplemental Report

TO: Commissioner Nick Fish  
THROUGH: Jim Blackwood

FROM: Scott T. Gibson, P.E. Principal Engineer BES Design Services Division *Scott*

DATE: June 7, 2013 *Wile Fy*

RE: Proposed Ordinance to authorize the Bureau of Environmental Services (BES) to execute a Water Quality Preservation and Storm and Surface Water Drainage Easement with Clean Water Services and a Trail Easement with Tualatin Hills Park and Recreation District (THPRD) across portions of City-owned property (Ordinance)

Requested Council Hearing Date: July 3, 2013

## I. RECOMMENDATION

Authorize the required Water Quality Preservation and Storm and Surface Water Drainage Easement with Clean Water Services and a Trail Easement with Tualatin Hills Park and Recreation District across portions of City-owned property (Ordinance)

## II. BACKGROUND

On September 12, 2012 the Washington County Department of Land Use and Transportation issued a Notice of Decision of the Hearings Officer in Casefile 12-174-SU/D/FP for the SW 86<sup>th</sup> Ave Pump Station and Appurtenances project. Condition I.D.9 requires BES to provide an easement to Clean Water Services over the Vegetated Corridor conveying storm and surface water management to Clean Water Services that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.

Condition II.C.4, of the Hearings Officer's decision requires BES to submit evidence of an easement providing for public pedestrian and bicycle access across Tax Lot 1S1240002301, along the alignment of the existing connection between the Terminus of SW 84<sup>th</sup> Avenue and the Fanno Creek Trail located within Tax Lot 1S1240002304. The proposed easement to THPRD will satisfy this condition of approval.

## III. FINANCIAL IMPACT

Not Applicable

## IV. LEGAL ISSUES

The City of Portland Bureau of Transportation, ROW Acquisition section has prepared the required easement documents with support from the City Attorney's office, and will coordinate with Clean Water Services and THPRD to finalize the easements and file the appropriate documents at Washington County.

No other legal issues have been identified with regard to the proposed contract amendment 2.

V. CONTROVERSIAL ISSUES

There is organized neighborhood opposition to the planned SW 86<sup>th</sup> Avenue Pump Station and Appurtenances projects, and Washington Co. has continued to receive correspondence from many of the property owners in the neighborhood regarding the planned project. Extensive public outreach efforts have been expended to communication with the various neighborhood and business associations, and the local citizens regarding the need to undertake the project.

VI. LINK TO CURRENT CITY POLICIES

The project is consistent with BES strategic planning and the BES CIP process. Construction will be performed in accordance with the City of Portland Standard Construction Specifications.

VII. CITIZEN PARTICIPATION

Public outreach for this project has been conducted by the BES Director's Office. Numerous information flyers have been distributed to the community, and the project manager and public information office have been, and continue to attend neighborhood association meetings to brief the public on the project status and respond to questions.

There was also significant citizen participation during the public hearing held in Washington County before the Hearings Officer. Several people who live in the neighborhood testified in opposition to the proposed projects. However, a conditional approval decision was issued by the Washington County Hearings Officer on September 12, 2012.

VIII. OTHER GOVERNMENT PARTICIPATION

The required easements will be convey to Clean Water Services and the Tualatin Hills Park and Recreation District.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

Not Applicable

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

Not Applicable

- X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? Not Applicable  
WHAT IS THEIR BUSINESS LICENSE NUMBER? Not Applicable

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IS THEIR ACCOUNT WITH THE CITY CURRENT? Not Applicable  
IF NOT, HOW MUCH IS OWING? Not Applicable