

Portland, Oregon  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Travis Ruybal	2. Telephone No. 823-5487	3. Bureau/Office/Dept. Parks
4a. To be filed (hearing date): January 15, 2014	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input type="checkbox"/></span> <span>Consent <input checked="" type="checkbox"/></span> <span>4/5ths <input type="checkbox"/></span> </div>	5. Date Submitted to Commissioner's office and CBO Budget Analyst: January 7, 2014
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed	6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

**1) Legislation Title:**

Pay claim of Michael P. Wilkins.

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

On December 26, 2002, by Ordinance 177163, the Council authorized the acceptance of an easement from Michael P. Wilkins and Wildish Land Company for a portion of the Columbia Slough Recreational Trail. Michael P. Wilkins requested, and the Council also authorized by Ordinance 177163, that the City enter into an agreement to build a fence within the trail easement area to protect his private property from trespassers who might come from the trail. The Easement was recorded and the Letter of Agreement for the construction of the fence was executed on February 7, 2003. The fence construction required approval of Peninsula Drainage District #2. Despite its best efforts to do so, Portland Parks and Recreation has not been able to obtain the Drainage District's approval to construct the fence. Michael P. Wilkins has made a claim that the City is in breach of its agreement to construct the fence, but offered to release the City from its obligation to build the fence in return for the payment of money. The City Attorney has advised that there is risk that Wilkins might prevail on the claim. Portland Parks and Recreation has determined that it is in the public interest to resolve this matter amicably. The parties have negotiated, and have agreed that \$50,000 is fair compensation to Michael P. Wilkins for releasing the City from its obligation to build the fence.

**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 checked="" 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       |                                    |                                    |   |

### 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 year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. 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**.)*

Net fiscal impact is \$6,500. The payment to Mr. Wilkins is \$50,000.00, but we are reducing our payment to the construction contractor by \$43,500. Source of funding is the Columbia Slough Trail Project. \$460k grant and \$150,000 SDC.

**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 positions will be affected.
- **Will positions be created or eliminated in future years as a result of this legislation?**  
No positions will be affected.

*(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.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

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

**PUBLIC INVOLVEMENT**

186422

**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 is a small component of a larger trail project that provide increased recreational and transportation opportunities to the community. The project has been completed and will not change any existing uses. Therefore public involvement was not deemed necessary.

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

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

**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?**

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

**d) Who designed and implemented the public involvement related to this Council item? N/A**

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

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

No future public involvement is anticipated due to the nature of this ordinance.

Mike Abbaté

APPROPRIATION UNIT HEAD (Typed name and signature)