



Steve
Novick
Commissioner

Leah Treat
Director

DATE: April 23, 2014
TO: Commissioner Steve Novick
FROM: David McEldowney, Right-of-Way Acquisition Manager
RE: **Public Hearing for consideration of a street vacation request** for a portion of N. Argyle St east of N. Kerby Ave – Staff Supplemental Report

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- 1. Ordinance Title:** Set a hearing date, 9:30 a.m. Wednesday, JUN 11, 2014, to vacate a portion of N Argyle St east of N Kerby Ave (Report; VAC-10087)
 - 2. Contact Name, Department, & Phone Number:**
Karl Arruda, Right-of-Acquisition, 503-823-7067
 - 3. Requested Council Date:** May 7, 2014
-

Consent Agenda Item: X or **Regular Agenda Item:** _____
EXPLAIN *why this does or does not require a presentation or Council discussion:*
Public testimony will be taken at the public hearing.

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 a portion of N. Argyle Street east of N. Kerby Avenue was initiated by the Bureau of Transportation on November 1, 2012 on behalf of the Bureau of Environmental Services. The street vacation is in connection with the adjacent property owner's remedial actions required by the Oregon Department of Environmental Quality due to contamination that exists within the public right-of-way. The proposed vacation is depicted on Exhibit 1 attached hereto.

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 January 28, 2014.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185
FAX 503-823-7576 • TTY 503-823-6868 • www.portlandoregon.gov/transportation

An Engineer's Report was completed on April 4, 2014, 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?

No opposition to this street vacation request is expected.

Supportive?

PBOT and BES staff are supportive of this street vacation 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?

Estimated cost is \$14,000.

Where are these funds coming from?

Property Tenant, Precision Equipment, Inc.

Funds are available in the Transportation Operating Fund, 9TR000001857, FY 13-14 Budget.

Agenda No.
REPORT NO.

Title

Set a hearing date, 9:30 a.m. Wednesday, June 11, 2014, to vacate a portion of N Argyle St east of N Kerby Ave (Report; VAC-10087)

<p>INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK</p>	<p>CLERK USE: DATE FILED <u>MAY 02 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety – Novick <i>CW</i></p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Transportation Interim Group Mgr. Christine Leon Development Svcs / Streetcar / RWA Other: Greg Jones <i>AB Dry</i></p> <p>Prepared by: Karl Arruda:slg <i>KNA</i> Date Prepared: April 7, 2014</p>	
<p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p>ACTION TAKEN: MAY 07 2014 ACCEPTED</p>
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date May 7, 2014</p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	

AGENDA

TIME CERTAIN
Start time: _____
Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	