

## IMPACT STATEMENT

**Legislation title:** \*Authorize the Bureau of Environmental Services to execute easements with Tualatin Hills Park and Recreation District, as part of the SW 86<sup>th</sup> Avenue Pump Station and Appurtenances Project No. E09051. (Ordinance)

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**Presenter name:** Scott Gibson

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

The purpose of the proposed legislation is to authorize the Director of the Bureau of Environmental Services, or his designee to execute easements substantially in the form of the attached Exhibits 1 and 2 with Tualatin Hills Park & Recreation District (THPRD). THPRD requires that the City indemnify them for use of the permanent and temporary easement areas for any damage caused by the City or its representatives.

The temporary access easement is needed for the planned construction of permanent improvements to the existing flow diversion manhole AMN802 that controls flow to the Fanno Basin pump station from the Fanno Creek Interceptor pipeline as an element of the SW 86<sup>th</sup> Ave pump station and appurtenances project E09051. The permanent access easement is needed for BES pump station maintenance crews for ongoing operation and maintenance activities at the same location.

### **Financial and budgetary impacts:**

The negotiated and established cost of the easements is \$2,600. Funds are available in the Sewer System Operating Fund, FY 2014-2015 Budget, Bureau of Environmental Services Project E09051, Account No. 563300 (permanent asset) and 549000 (temporary non-asset).

The estimated cost for the design and implementation of the items required by the Obligations Agreement with THPRD is \$106,000. Funds are available in the Sewer System Operating Fund, FY 2014-2015 Budget, Bureau of Environmental Services Project E09051. The Obligation Agreement requirements are described below in the Community Impacts and Community Involvement section.

The total estimated cost of the easements and the Obligation Agreement implementation is \$108,600.

### **Community impacts and community involvement:**

Discuss the impacts of the legislation relating to all of the following if relevant. Describe who is impacted, how they are impacted, how any negative impacts have been addressed, and how the benefits are distributed. Describe how public involvement and input shaped the bureau's recommended action.

- Users of the THPRD Fanno Creek Recreation Trail will be affected during the construction of improvements at manhole AMN802 by periodic, short-term trail closure for material and equipment deliveries.
- As part of the consideration for THPRD granting the access easements the City entered into an Obligations Agreement with THPRD that provides.
  - The City will be responsible to restore the Fanno Creek Trail from SW 90<sup>th</sup> Ave to the Fanno Creek Bridge. Restoration work will include, but not necessarily be limited to:
    - Removal of the existing asphalt surface
    - Installation of a root barrier

- Pruning of intruding tree roots and clean cuts to tree roots that have been disturbed
- Application of mulch in critical root zones impacted by restoration activities and heat
- Overlay of a 10-foot wide minimum 4-inch thick, asphalt course that meets Oregon Department of Transportation (ODOT) specifications.
- Asphalt edges shall be beveled and tampered, and mulch added along edges of asphalt (12" run per 1" rise)
- Trail restoration work shall meet THPRD Trail Plan Standards
- The City will install a screen wall and vegetation as appropriate to screen a new gate actuator assembly that will be installed on the top slab of the rehabilitated MH AMN802
- The City will not remove branches or trees on THPRD property without permission. To protect tree canopy, access will be limited to vehicles under eight feet tall and no wider than the width of the paved trail.
- The City will require the construction contractor to install and maintain construction fencing around active construction areas near the trail. During evenings and other non-work hours the active construction zone will be fenced and secured.
- The City will require the construction contractor to provide adequate traffic flaggers to separate construction traffic and recreational trail traffic during any construction activities within the Access Easement and Temporary Access Easement for Construction areas.
- Aside from the times when construction vehicles are accessing the site, the trail will remain open to the public and free of obstructions.
- We do not anticipate that any individuals or groups will be testifying with regard to this proposed legislation.

### Budgetary Impact Worksheet

**Does this action change appropriations?**

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

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