

IMPACT STATEMENT

Legislation title: Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SE 86th Ct and Steele St Local Improvement District project, through the exercise of the City's Eminent Domain Authority (Ordinance)

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Purpose of proposed legislation and background information:

The City of Portland may exercise the power of eminent domain pursuant to Section 9-108 of the City Charter and in accordance with Eminent Domain procedures provided for in ORS Chapter 35 (Eminent Domain; Public Acquisition of Property), including those procedures that apply to notification, valuation, negotiation, relocation and early possession if necessary, when the exercise of such power is deemed necessary by the City Council to accomplish public purposes for which the City has responsibility.

The City of Portland has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public.

The project known as SE 86th Ct and Steele St Local Improvement District project has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, and travel safeguarded.

The general character and scope of the improvement to SE Steele Street and to SE 86th Court from SE Steele Street to 150 feet north of SE Insley Street is to remove the existing dirt, gravel and/or hard surface; grade streets to their proper subgrade; construct asphaltic concrete streets with an aggregate base; construct stormwater drainage facilities consisting of curb extensions with water quality treatment facilities and roadside swales; construct sidewalk on one side of the street; and plant street trees in most locations. A multiuse path for pedestrians and bicyclists will also be constructed on SE 86th Court from 150 feet north of the north right-of-way line of SE Insley Street to the north right-of-way line of SE Insley Street.

To accomplish the project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 8, attached to this Ordinance and, by this reference incorporated herein.

It is necessary to acquire possession of the property rights by January 5th, 2016, so that construction can begin on schedule.

Financial and budgetary impacts:

Property values associated with the property acquisitions have not yet been quantified since negotiations are not completed; however, an estimate for the right of way phase has been budgeted in the Transportation Operating Fund. The level of confidence for the estimate is moderate.

This legislation does not affect staffing levels nor result in a new or modified financial obligation or benefit now or in the future.

If City Council does not approve the ordinance, construction of the SE 86th Ct and Steele St Local Improvement District project will not be feasible due to lack of property rights needed to make the improvements.

The Bureau's level of confidence in the cost estimates for this project is moderate. Funds are available in the Transportation Operating Fund, FY 2015-2016 Budget, SAP #T00496.L46

Community impacts and community involvement:

- This area of Lents north of SE Foster Road and east of SE 82nd Avenue has large superblocks and poor street connectivity. This project will improve neighborhood circulation and emergency response.
- Most of the LID expense is being borne by Portland Public Schools (PPS), which signed a petition in favor of the LID, and has entered into a partnership with Native American Youth & Family Center (NAYA). The street, stormwater and sidewalk infrastructure constructed by this project will serve the increasing diversity and population growth of Lents.
- The LID project has been designed so that existing single family residents have no current financial impact. Properties abutting the planned street improvements will have a much lower cost if they choose to redevelop in the future, since new curb will added at no cost to these property owners, and adding a new sidewalk behind an existing curb can often be done with an over-the-counter permit.
- Garden Villa Apartments (GVA) will be among property owners required to extend SE Steele Street to SE 82nd Avenue upon future redevelopment; however this LID will fully build out a new three-way intersection at SE 85th & Steele. GVA did not sign a petition in favor of the LID, and is opposed to its apportionment of the LID as petitioned and reflected in this Resolution of Intent. Continuing outreach is occurring among the Bureau, PPS and GVA to address GVA's concerns about the proposed LID.

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

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