

IMPACT STATEMENT

Legislation title: Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Burgard/Lombard @ North Time Oil Road Intersection project, through the exercise of the City's Eminent Domain Authority (Ordinance)

Contact name: Marty Maloney, PBOT Right of Way Acquisition
Contact phone: 503-823-7933
Presenter name: Marty Maloney

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 Burgard/Lombard @ North Time Oil Road Intersection 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 Burgard/Lombard @ North Time Oil Road Intersection project is to improve the Time Oil Road/Burgard Intersection for sight distance, mainline system performance, reduce travel delays, vehicular conflicts between trucks and automobiles and improve ingress/egress to the NW Container Service property. The improvements include widening the existing two-lane asphalt roadway to include a dedicated left-hand turn lane, a 12 foot wide multi-use path along the east side of the roadway, street trees and stormwater facilities.

To accomplish the project set forth above, it is necessary to acquire the following property interest's 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. Funds are available in the Transportation Operating Fund, FY 2015-2016 Budget, SAP #T00386.L46

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 Burgard/Lombard @ North Time Oil Road Intersection project will not be feasible as planned, due to lack of property rights needed to make the improvements.

Community impacts and community involvement:

The area within the project limits is zoned as industrial land and close communication has been maintained with the adjacent business owners.

PBOT has communicated with the community and business owners during the pre-development and design phase.

PBOT has also coordinated and met several times with the Freight committee to give updates on the project design and will continue communication during the right of way phase.

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

KK(jwf) 8-12-15