

IMPACT STATEMENT

Legislation title: Authorize the Bureau of Environmental Services to acquire certain permanent property rights necessary for construction of the Fanno Basin Pressure Line System Upgrade Project E10599 through the exercise of the City's Eminent Domain Authority (Ordinance)

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Purpose of proposed legislation and background information:

The purpose of the proposed legislation is to authorize the Bureau of Environmental Services (BES) to acquire certain permanent property rights, as described in Exhibits A and B necessary for the construction of the FABA Pressure Line System Upgrade through the exercise of the City's Eminent Domain Authority. The property at the southeast corner of the intersection of SW 69th Ave and Railroad Street is required for the planned upgrade of the pressure monitoring station.

Construction of the two parallel 30-inch welded steel pressure lines in the Garden Home section of the Fanno Basin (FABA) Pressure Line System, designated line 'A' and line 'B', was completed in December 2010. However, problems were experienced with leaks that occurred at two locations in the 'A' pressure line, due to cracks that occurred in and around portions of welds connecting 24-inch diameter access risers to the mainline pipe. Operation of the pressure line system was suspended until a temporary surge tank system could be designed and installed at the FABA pump station by project E10477. That work was completed in July 2013. At that time the 'B' line was placed into service, and subsequently BES management directed that a project be implemented to remove all of the 18 remaining access risers in order to eliminate the future risks of similar leaks. Straight pipe 30" flange x flange, lined and coated welded steel spool sections, installed with a dismantling joint at each location will be used to replace the access risers that are being removed.

The project will also upgrade the existing pressure monitoring station located at the intersection of SW 69th Ave & SW Railroad Street, and connect that system to the fiber-optic communications system.

Financial and budgetary impacts:

The cost of acquiring the needed easement will be determined by an independent appraisal during the Eminent Domain process. Funds are available in the Sewer System Operating Fund, FY 16 Budget, Bureau of Environmental Services WBS E10599.L65.

The proposed legislation will not create, eliminate or re-classify any positions now or in the future. BES Construction Services Division, supported by BES Engineering Services and the design Engineer of Record (EOR), Brown and Caldwell, Inc. will manage the construction contract.

Community impacts and community involvement:

The land on which the City needs to construct these improvements suffers from a title defect in the transfer document between the current party in control of the land and the seller of the property. Staff have been in contact with both parties and are attempting to help them resolve the title issue. Due to the slow movement in resolution, the City may need to exercise its eminent domain rights and file with the Court for early possession in order to maintain project timelines. Staff will continue to work with the parties to resolve the title issues to ensure the City receives clear title to the property rights needed for this project.

There is a significant public involvement element for the all of the secondary projects that have been undertaken under the primary project E09045 Fanno Basin System Improvement that has been led by the BES Director's Office, Communications Division. Numerous information flyers have been distributed to the community, a frequently updated website, an extensive email list to area stakeholders and neighbors, and the project manager and Communications Division have been, and continue to attend neighborhood association meetings to brief the public on the project status and respond to questions. Public involvement is a key element of the overall project, and will continue to be directed and undertaken by the BES Director's Office with Debbie Caselton as the assigned public involvement and community outreach person.

Users of the Tualatin Hills Parks and Recreation District (THPRD) Fanno Creek Recreation Trail will be affected during the construction of this project. The contract documents will require the selected Contractor to restore all affected areas on the Fanno Creek Trail during construction. Trail restoration work shall meet THPRD Trail Plan Standards. The City will not remove branches or trees on THPRD property without permission. BES public involvement and community outreach will be working with THPRD on all of their outreach requirements to the public.

The City will require the construction contractor to install and maintain construction fencing around active construction areas on and 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 on or near the THPRD trail, or within easements across private property.

We do not anticipate that any individuals or groups will be testifying with regard to this proposed legislation. The specific location for this ordinance is not impacting the general public.

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