

IMPACT STATEMENT

Legislation title: *Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SW Dolph Court – Spring Garden Street Local Improvement District 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 SW Dolph Court – Spring Garden Street Local Improvement District 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 SW Dolph Court – Spring Garden Local Improvement District project will provide half-street improvements along the north side of SW Dolph Court from the west property line of Spring Garden Park to SW 30th Avenue and to the south side of SW Spring Garden Street along the Spring Garden Park frontage. These improvements consist of sidewalks, Street trees and ADA ramps. Properties abutting the north side of SW Dolph Court will also receive stormwater improvements, which will eliminate erosion and the requirement for ongoing shoulder maintenance on steep slopes.

To accomplish the project set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 12, attached to this Ordinance and, by this reference incorporated herein.

All affected property owners have been contacted and informed as to the City’s need for certain private property rights related to completion of the SW Dolph Court – Spring Garden Local Improvement District project. All affected property owners have been invited, by mailing, to attend the reading of this agenda item.

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 Local Improvement District Capital Fund Budget, FY 2016-2017 Budget, SAP #T00499.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 SW Dolph Court – Spring Garden Street Local Improvement District project will not be feasible as planned, due to lack of property rights needed to make the improvements.

Community impacts and community involvement:

Multnomah Neighborhood Association, which has a lower sidewalk coverage than the City as a whole, has been briefed on this project.

This project is consistent with the City's Vision Zero initiative of building safer transportation facilities for pedestrians and bicyclists. Currently pedestrians are walking along steep SW Dolph St., among parked cars to access Spring Garden Park to the west and to access frequent service transit on SW Barbur Blvd. to the east. Pedestrian safety and comfort will be significantly improved by this project.

TriMet has also been briefed on this project. This project will help provide pedestrian facilities for its riders to access frequent service line# 12 Barbur Blvd. which has a bus stop at SW 30th Avenue & Barbur Blvd., a short approximate 600' walk on existing sidewalks from the eastern project limit of this 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

KK 8-29-16