

## IMPACT STATEMENT

**Legislation title:** \*Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the N Suttle Road LID Project through the exercise of the City's Eminent Domain Authority (Ordinance; C-10058)

**Contact name:** John Deyo, PBOT Right of Way Acquisition

**Contact phone:** 503-823-4285

**Presenter name:** John Deyo

### **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 to provide safe transportation routes for commerce, convenience and to adequately serve the traveling public.

The project known as the N Suttle Road LID Project (the "Project") has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of the City's transportation infrastructure such that property damage is minimized, transportation promoted, and travel safeguarded.

The Project provides infrastructure improvements along N Suttle Road west of N. Portland Road. Project objectives include remedying the pavement and stormwater infrastructure deficiency of N. Suttle Road. Infrastructure constructed as part of the Project includes newly-constructed streets, curbs, sidewalks and stormwater management facilities and newly-planted street trees.

To accomplish the Project goals set forth above and to construct the Project as designed, it is necessary to acquire the property interests described and depicted in Exhibits 1 through 58, attached to the ordinance and incorporated by reference.

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 Project. All affected property owners have been invited 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 have not commenced; however, an estimate for the right of way phase of the Project 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 Budget, FY 2018-2019 Budget, SAP #T00698.D46.

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 Project will not be feasible as planned due to lack of property rights needed to construct the improvements.

**Community impacts and community involvement:**

The LID Administrator has been in close coordination with all affected property owners since 2003.

Six (6) property owner meetings have been held by the LID Administrator in conjunction with the LID formed in 2017, with an additional final property owner meeting scheduled to be held in advance of advertising for bids.

The Portland Freight Committee has also been extensively briefed on this project. Both the St. Johns Neighborhood Association and the North Portland Neighborhood Services neighborhood coalition have been notified of the project, but neither have requested ongoing briefings on the project.

**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 4-30-19