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## IMPACT STATEMENT

**Date:** February 19, 2020

**Council Date:** April 15, 2020

**Legislation Title:** Authorize Portland Water Bureau to acquire necessary easements for construction of the Corrosion Control Improvements Project through negotiation or the exercise of the City's eminent domain authority (Ordinance)

**Contact Name:** David Peters, P.E.

**Contact Phone:** (503) 823-2003

**Presenter Name:** Teresa K. Elliott, P.E., Chief Engineer  
David Peters, P.E.  
Ben Gossett, Analyst III

### Purpose of proposed legislation and background information:

The purpose of the proposed legislation is to authorize the Water Bureau to acquire permanent easements necessary for the construction and maintenance of the Corrosion Control Improvements Project (Project) through negotiation or exercise of the City's eminent domain authority as a last resort. The easements are described in Exhibits A-H attached to the Ordinance.

The Project is part of the Water Bureau's ongoing efforts to minimize the corrosion of lead in household plumbing. The Water Bureau is required to meet the Oregon Health Authority's compliance schedule with completion of the corrosion control treatment facility by April 30, 2022. This Project will design and construct a corrosion control treatment facility at the Water Bureau's Lusted Hill Facility which will include a new building to house the new corrosion control treatment system, a new utility water pump station, and associated piping and support systems.

In order to accommodate construction, facility access, and future maintenance, the Water Bureau proposes to acquire new permanent easements and clarify existing easements.

### Financial and budgetary impacts:

The cost to acquire the easements will be determined by appraisals that will comply with the requirements of ORS Chapter 35, Eminent Domain; Public Acquisition of Property.

The proposed legislation will not create, eliminate or re-classify any positions now or in the future.

**Community impacts and community involvement:**

The Improve Corrosion Control Facility will further reduce the potential for lead in water resulting from household plumbing. When construction is complete, the Project will benefit all Portland water customers as well as those who purchase water from our wholesale partners. The Water Bureau has planned thoroughly and thoughtfully in this area in anticipation of future work and currently own a network of public easements and property to accommodate this. There is, however, a need to help add small parcels of land to already existing easements to ensure the success and benefit of the project. This need does not include homes or dwellings and likely currently exists as land adjacent to already existing public easements. To note, the eminent domain process follows current and ongoing communications with property owners, and City staff will continue to work to find opportunities for solutions. Water Bureau designated staff will inform any potential property owners within the project area of this proposed legislation and are available to review both property details and potential next steps with property owners.

Ongoing print, digital, and in-person communication with the local community is also underway for the Improved Corrosion Control project. As corrosion control construction begins at the already existing Lusted Hill site, there will likely be traffic impacts along Lusted Road, although they are anticipated to be minimal. Traffic control plans will be developed to mitigate traffic impacts on the local, rural community. It is anticipated that traffic control plans will be implemented by the hired contractor to assure the vehicles, machinery, equipment, and supplies do not block traffic for an extended period of time. Traffic control plans will likely include flaggers, signs, traffic cones, road closure signs and other approved Manual on Uniform Traffic Control Devices (MUTCD) traffic control during construction to minimize local impacts. A utility corridor with utility piping will cross SE Lusted Hill Road. As a result, this road may be shut down during installation activity.

Based on this information and ongoing discussions with the local community, there are additional testimony opportunities at City Council meetings for those who wish to share their feedback.

**100% Renewable Goal:**

This action will not increase or decrease the City's total energy use. This action will not increase or decrease the City's renewable energy use.

**Budgetary Impact Worksheet**

**Does this action change appropriations?**

**YES:** Please complete the information below.

**NO:** Skip this section

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

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Michael Stuhr, P.E., Administrator

Date