

IMPACT STATEMENT

Legislation title: *Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE-SE 82nd Avenue Crossing Improvements Project through the exercise of the City's Eminent Domain Authority (Ordinance)

Contact name: Ashley McLay, PBOT Right of Way Acquisition

Contact phone: 503-865-6344

Presenter names: Winston Sandino and Ashley McLay

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 NE-SE 82nd Avenue Crossing Improvements Project (the "Project") will enhance two pedestrian crossings along 82nd Ave. The crossing at Ash Street will be upgraded and a new flashing beacon will be installed. The Project will also construct a new pedestrian marked crossing with a flashing beacon at Beech Street. The ADA ramps at both crossings will be reconstructed to meet current ADA standards.

To accomplish the Projects set forth above, it is necessary to acquire the following property interests described and depicted in Exhibits 1 through 26, 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 Projects. 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 low to moderate.

Funds for this project are available in the Transportation Operating Fund Budget, FY 2021-22 Budget. Funding sources include the Fixing Our Streets 1 Program.

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 make the improvements.

Community impacts and community involvement:

- Outreach efforts for this portion of the project have been ongoing as part of the outreach efforts for entire 82nd Avenue project.
- The Project Manager has been in contact with business owners in the project area.
- Pedestrian, bike and transit projects are typically non-controversial and supported by neighbors and the broader community. There will be mostly temporary construction easements, but some permanent easements are required.

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

mjc 1-11-2021