



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/9/2014)

Board Clerk Use Only

Meeting Date: 6/4/15
Agenda Item #: R.3
Est. Start Time: 9:40 am
Date Submitted: 5/27/15

Agenda Title: Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Sellwood Bridge Project

Note: Title should not be more than 2 lines but be sufficient to describe the action requested.

Requested: June 4, 2015 **Time Needed:** 10 minutes
Department: DCS **Division:** Transportation
Contact(s): Ian B. Cannon
Phone: 503-704-5170 **Ext.** 83595 **I/O Address:** 246/Sellwood
Presenter Name(s) & Title(s): Ian B. Cannon, Interim County Engineer; Kenneth M. Elliott, Asst. County Attorney

General Information

1. What action are you requesting from the Board?

Authorize the County Attorney to file condemnation proceedings, make a good faith deposit in the Circuit Court, and request an Order from the Court authorizing the County to take immediate possession of real property necessary for the Sellwood Bridge Project

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

By Resolution No. 2013-135 adopted on October 3, 2013, the Board authorized the County to undertake negotiations for the acquisition of certain real property interests as more particularly described in attached Exhibit A and as shown on the attached Exhibit B (the "Property"); for the purpose of constructing, operating, maintaining, repairing and reconstructing the Sellwood Bridge, approaches and interchanges in the City of Portland (the "Project").

The primary purpose of the Sellwood Bridge Project is to construct a new bridge to provide safe and efficient access for people, goods and service vehicles across the Willamette River. After 80 years the existing bridge has reached the end of its useful service life. The bridge is a vital regional transit link along the County's southern boundary serving citizens from Lake Oswego, Sellwood, Milwaukie, Portland and other towns with Multnomah and Clackamas Counties. Along with replacing the existing structure, several mitigation projects must be completed to address impacts to neighboring residents and businesses. One such project is the relocation of the driveway serving the Macadam Bay Floating Home Community, located immediately north of the bridge along SW Macadam Avenue. The relocated driveway will be on property owned by the City of Portland with several

overlying easements and leases.

The Project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.

The County, by and through its acquisition agent, HDR, mailed an offer letter dated April 21, 2015, stating its willingness to pay \$43,900 for the Property, based on a revised and updated, independent appraisal.

The negotiations for the acquisition of the Property have not progressed adequately, and it is necessary to acquire immediate possession of the Property to allow construction to proceed and be completed on schedule and within budgetary limitations.

3. Explain the fiscal impact (current year and ongoing).

. \$43,900 for the Property acquisition, plus appraisal fees, court fees and costs of litigation

4. Explain any legal and/or policy issues involved.

. The County will strictly follow the rules, policies and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35 and the "State Right of Way Manual".

5. Explain any citizen and/or other government participation that has or will take place.

. The Sellwood Project has had an extensive public outreach program. The County conducted 33 public meetings to solicit public concerns before starting the planning process. During the planning process a Community Task Force held 25 meetings that were open to the public and had public comment periods. At six major decision points during the planning phase, a public open house was held and a web-based survey was taken.

The Sellwood Project has involved numerous local, state, and federal regulatory agencies. The public and agency involvement has continued throughout the construction phases of the project. The project maintains a web site and issues weekly construction updates and daily traffic impact notices through its email system to over 900 subscribers.

Required Signature

Elected

Official or /s/ Kim Peoples, Director,
Department Department of Community

Director: Services

Date: May 27, 2015

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.