

RESOLUTION No. As Amended

Accept City Engineer status report on progress of the neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report and direct the Portland Office of Transportation to proceed with implementation of specific neighborhood improvement projects (Resolution)

WHEREAS, on June 10, 2004, City Council approved Resolution #36224 accepting the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, the Portland Aerial Tram Final Recommendations and Report accepted by Resolution #36224 was forwarded to City Council with the unanimous support of both the Portland Aerial Tram Citizens Advisory Committee and the Portland Aerial Transportation, Inc. Board of Directors; and

WHEREAS, City Council accepted by Resolution a Memorandum of Understanding (MOU) between the City of Portland, Oregon, and Oregon Health & Science University that identifies neighborhood enhancement and improvement projects, some of which are also identified in the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, the Portland Aerial Tram Citizens Advisory Committee and the Portland Aerial Transportation, Inc. Board of Directors strongly support the implementation of neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, Resolution #36224 directed the City Engineer to pursue implementation of the neighborhood improvement projects listed on the Tier I Study and Project Lists contained within the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, City Council directed the City Engineer to return within one year of the passage of Resolution #36224 to provide a status report on the progress of the funding and implementation of neighborhood improvements contained within the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, the City Engineer has prepared a status report on the progress of the funding and implementation of neighborhood improvements contained within the Portland Aerial Tram Final Recommendations and Report, attached as Exhibit A; and

WHEREAS, Resolution #36224 directed the City Engineer to return to City Council for its consideration a recommendation on a fair market value, one-time, limited term property buy-out program for owner-occupied residentially zoned properties along the Gibbs Street alignment; and

WHEREAS, the City Engineer has produced a conceptual recommendation for a voluntary buy-out program, attached as Exhibit B, consistent with the direction given by City Council in Resolution #36224; and

WHEREAS, the Portland Aerial Tram Final Recommendations and Report identified a "Tram Impact Area" extending one block North and one block South of the Gibbs Street tram alignment; and

WHEREAS, City Council committed through Resolution #36224 to continue its pursuit of neighborhood improvements within the Lair Hill area that improve the quality of life for neighborhood residents, especially those along or under the aerial tram alignment in the Tram Impact Area; and

WHEREAS, the Portland Development Commission (PDC) has identified funding within the South Waterfront Central District Development Agreement for neighborhood improvements, and that the priority use of these funds is to implement the Gibbs Street Pedestrian Bridge; and

WHEREAS, the United States Congress is currently considering a federal transportation funding bill which contains a \$9,000,000 earmark for transportation improvements for the South Waterfront District; and

WHEREAS, having been appointed by the Mayor to serve on the Portland Aerial Transportation, Inc. Board of Directors, City Commissioner Sam Adams and OHSU representatives recently lobbied Oregon's Congressional delegation to fund the pedestrian bridge;

WHEREAS, PDOT, Oregon Health Sciences University (OHSU), PDC, the Oregon Department of Transportation (ODOT) and other agencies have committed, or are in the process of committing, additional resources for implementation of projects contained within the Portland Aerial Tram Final Recommendations and Report; and

WHEREAS, the Portland Aerial Tram Citizens Advisory Committee has met to review the progress of the neighborhood improvements program and supports the recommendations contained within this Resolution.

WHEREAS, the Portland Office of Transportation is actively discussing additional neighborhood improvements on Gibbs Street and in the Lair Hill Neighborhood with the neighborhood residents on and adjacent to Gibbs street.

NOW, THEREFORE, BE IT RESOLVED, that the City Council wishes to thank the members of the Portland Aerial Tram Citizens Advisory Committee for their continued work focusing on the improved livability of South Portland's neighborhoods; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return to Council within 90 days with a design and engineering contract for the Gibbs Street Pedestrian Bridge. PDOT shall utilize the firm of AGPS Architecture to ensure consistency with the design of the Aerial Tram and the vision that has been set forth for the Aerial Tram and pedestrian bridge project; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for the \$9,000,000 transportation funding request currently pending in the United States Congress; and

BE IT FURTHER RESOLVED, that the City Council prioritizes the use of the \$9,000,000 federal funding for use first on the Gibbs Street Pedestrian Bridge, and second on performing an Environmental Impact Statement and initiating Preliminary Engineering for the South Portland Circulation Plan and Macadam Avenue Improvements; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to complete development of the Gibbs Street Voluntary Property Buy-out Program, consistent with the program concept attached to this Resolution as Exhibit B; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return to City Council within 60 days with a final recommendation for City Council authorization of the Gibbs Street Property Buy-out Program; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to collaborate with residents and property owners along Gibbs Street and in the Tram Impact Area on the completion of final engineering and design for underground utilities and ornamental street lights along SW Gibbs Street between Terwilliger Parkway and SW Hood Avenue; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to institute a street tree planting program for the Lair Hill neighborhood extending two blocks north and south of SW Gibbs Street; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining, in perpetuity, the existing community gardens at SW Gibbs Street and SW Naito Parkway, and that should ODOT choose at a future date to vacate or dispose of its share of the community gardens property, that the City of Portland will acquire the ODOT share for continued use as a community garden; and

BE IT FURTHER RESOLVED, that the City Council acknowledges the progress made to date on neighborhood projects identified in the Portland Aerial Tram Final Recommendations and Report, including the acquisition of the Lakeman Orkney Property for Open Space use by Portland Parks and Recreation; traffic calming improvements along SW Virginia Avenue by the Bureau of Environmental Services, and improvements to the 6th and Sheridan Intersection and trail improvements in and around the OHSU campus, undertaken by OHSU; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for currently funded neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report, including Corbett Avenue/Lair Hill Traffic Calming; landscape and restoration improvements to Terwilliger Parkway near the Tram alignment; interim South Waterfront access improvements to Macadam Avenue; and the acquisition of and interim improvements to the neighborhood park in South Waterfront; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to finalize negotiations with OHSU within 60 days to undertake a traffic calming study on Marquam Hill, consistent with the Marquam Hill Plan and Portland Aerial Tram Final Recommendations and

Report, and to return to City Council within 90 days with an Intergovernmental Agreement between OHSU and the City enacting the traffic calming study; and

BE IT FURTHER RESOLVED, that the City Council commits to its continued support to generate the federal funding match for \$15,000,000 allocated by ODOT for long-term South Waterfront access improvements to Macadam Avenue; and

BE IT FURTHER RESOLVED, that the City Council directs the Portland Office of Transportation to work with Marquam Hill property owners, residents, businesses, and institutions to develop a plan for funding and building sidewalks on SW Gibbs St., SW 11th Ave., and SW Gaines St. The plan should include funding strategies for implementation, including the use of local parking meter revenues and Local Improvement Districts and funding partnerships with PDOT, OHSU and other Marquam Hill Institutions; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for currently un-funded neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to identify further priorities for implementation and develop mutual recommendations for next steps in the implementation of neighborhood improvement projects; and

BE IT FURTHER RESOLVED, that the City Council directs the Bureau of Planning and the Portland Office of Transportation to convene an inter-bureau Task Force, including representatives from Portland Parks and Recreation, the Bureau of Environmental Services, Portland Development Commission, the Office of Management and Finance, and other agencies, and community representatives involved in the implementation process, to coordinate, support, and identify funding sources for neighborhood improvement implementation efforts; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return within twelve months of the passage of this Resolution with a status report on the progress of implementation of the neighborhood improvements identified within this Resolution and within the Portland Aerial Tram Final Recommendations and Report.

Adopted by the Council, APR 28 2005

Mayor Tom Potter
 Prepared by: Matt Brown:slg
 April 7, 2005
 Neighborhood Improvements Resolution 040705 Final.doc

GARY BLACKMER
 AUDITOR OF THE CITY OF PORTLAND
 By

Susan Parsons
 Deputy



CITY OF
PORTLAND
 OFFICE OF
TRANSPORTATION

EXHIBIT A

Mayor Tom Potter
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Brant Williams
 Director

Eileen Argentina
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 Engineering & Development

Sam M. Irving, Jr.
 Maintenance

Laurel Wentworth
 Planning

Date: April 28, 2005
To: Mayor Potter and Portland City Council
From: Matt Brown, Portland Office of Transportation
Subject: Progress report on the Portland Aerial Tram Neighborhood Enhancements List

OVERVIEW

In June, 2004, City Council accepted a plan recommending millions of dollars of neighborhood improvements in the South Portland area. These improvements were identified by the Portland Aerial Tram Citizens Advisory Committee (CAC) through an intensive public process involving hundreds of residents. To date, nearly \$52 million in improvements on the neighborhood project list have been funded or are proposed for funding, with more than \$14 million of these improvements located in the neighborhoods west of Interstate 5 in South Portland.

This memorandum summarizes the City's progress to date in implementing the neighborhood enhancement projects included in the Portland Aerial Tram Final Recommendations and Report.

Marquam Hill/Terwilliger Parkway Improvements

A great deal of the work effort in Marquam Hill and Terwilliger Parkway focuses on improving neighborhood livability by reducing the traffic impacts of the Marquam Hill institutions on local streets and increasing pedestrian access and open space throughout the area.

Marquam Hill, Terwilliger Parkway Trail Improvements (Funded) Value: \$400,000

An extensive trail network was recommended as part of a thorough pedestrian circulation concept in the Marquam Hill Plan. The two trails below represent the top priority trail connections linking Terwilliger Parkway and nearby hiking trails with the OHSU Campus. Both trails are funded by OHSU and will be constructed summer 2005.

- Terwilliger – Campus Drive Trail (TP-4A): \$300,000
- OHSU – Marquam Shelter Trail (MH-4F): \$100,000

Parks and Open Space Improvements-

- **Lakeman-Orkney Property Acquisition (MH-6) (Funded) Value: \$3,200,000**
 Portland Parks and Recreation acquired this 48 Acre site in 2004 as a priority Habitat Park and Natural Area Acquisition. The parcel, located in the West Hills was the largest privately held natural area in Portland. The land is adjacent to other open spaces in the Marquam Hill nature area and the City expects to connect and extend existing trails into this area.
- **Terwilliger Landscape Improvements at Tram crossing (TP-6) (Funded) Value: \$50,000**
 As part of the Aerial Tram construction process, ivy remediation and forest restoration will be conducted to reestablish the forest canopy beneath the Tram Alignment between Terwilliger Parkway and Barbur Boulevard. The Portland Office of Transportation has been coordinating closely with Portland Parks and Recreation, Friends of Terwilliger and adjacent property owners to identify the appropriate location for the improvements.

Traffic Calming and Street Improvements

- **6th/Sheridan Traffic Improvements (TP-1) (Funded)** **Value: \$900,000**
As additional growth occurs on Marquam Hill, capacity improvements at SW 6th Avenue and Sheridan are required to efficiently move vehicles and transit through this intersection. This project, which is currently under construction, has been funded by OHSU and is scheduled for completion in May 2005.
- **Marquam Hill Traffic Calming Study (S-1) (Funding in Process)** **Value: \$40,000**
Within the Marquam Hill and Terwilliger project list, a variety of traffic calming and traffic mitigation projects were identified. These projects all have a common theme, which is to mitigate the impacts associated with Marquam Hill institutional traffic on local neighborhood streets. This study will work with affected residents and property owners to establish an integrated plan for these improvements. A project scope and funding MOU is currently being developed with OHSU to initiate the project in summer 2006.

Lair Hill

The Lair Hill area has been struggling with regional transportation impacts for years, and is directly affected by the visual presence of the Aerial Tram. While a variety of projects are proposed for the Lair Hill area including improvements on Gibbs Street, two important projects remain the central priorities for this area- the construction of pedestrian connections across I-5, and the implementation of the South Portland Circulation Project.

- **Gibbs Street Improvements(LH-6) (Funded)** **Value: \$750,000**
A variety of improvements are proposed to offset the visual impact of the tram on Gibbs Street resident: minimize construction impacts, and improve the aesthetic qualities of Gibbs Street. Planned improvements include relocating the existing overhead utilities underground, installing ornamental street lighting along the Tram alignment, and providing Street Tree plantings for property owners. \$750,000 for these improvements has been included within the Tram budget. The specific design concepts will be developed in concert with residents and construction will be completed prior to Tram completion.
- **Gibbs Street Pedestrian Bridge(LH-5) ()** **Value: \$5,000,000**
(Funding in Process- Part of \$9,000,000 federal request)
This bridge has been forwarded as a high priority of the Lair Hill residents. The bridge crosses Interstate-5 at Gibbs Street and connects the neighborhood to South Waterfront and the Willamette River Greenway. Design and engineering has been funded by PDC and will begin Summer 2005. Initial grading work to prepare for the landing of the bridge in South Waterfront has been included as part of the Tram budget (\$320,000). Federal construction funding has been approved by the US House of Representatives on March 10, 2005 and is due for passage this Spring
- **Gibbs Street Voluntary Property Buy-out Program(S-7.1) (Not Funded)** **Value: \$250,000**
(Estimated net cost to City after property resale)
In adopting the Portland Aerial Tram Final Recommendations and Report, City Council directed the City Engineer to pursue a voluntary property buy out program for owner occupied residences along Gibbs Street. PDOT staff has prepared a draft program for Council's review and upon council acceptance will proceed with implementing the program during the summer and fall of 2005.

- **Lair Hill Traffic Calming (LH-3) (Funded)** **Value: \$250,000**
 In response to potential increase in traffic volumes due to implementation of the South Portland Circulation Project and increased development in South Waterfront, a series of traffic calming projects are proposed in the Lair Hill area. Prior to implementation of these traffic calming work, a traffic calming study is proposed to coordinate this effort with South Waterfront Access improvements.

 - Virginia Avenue Traffic Calming: \$100,000
 - CTLH Traffic Calming Study/Implementation: \$150,000
- **South Portland Circulation Project/Macadam Avenue Long Term Improvements – Environmental Impact Statement and Preliminary Engineering** **Value: \$4,000,000**
(Funding in Process- Part of \$9,000,000 federal request)
 A longstanding priority for Lair Hill area residents, this project focuses on the removal of the Ross Island Bridge ramps and conversion of Naito Parkway into a neighborhood collector street. As part of the Tram Citizens Advisory Committee's effort with the Tram process, PDOT prepared a phasing plan for the project. Federal funding is being requested as part of the current \$9,000,000 Transportation Request to conduct an environmental impact statement and preliminary engineering for the project and study the potential for the design to complement planned improvements for Macadam Avenue.

South Waterfront

The South Waterfront District is fast developing into a vibrant new neighborhood. Improvements within the South Waterfront area have been pursued primarily as part of the planning and implementation of the South Waterfront Central District development. Many of the improvements in South Waterfront, including the Willamette River Greenway, are included on the neighborhood improvement project list and will help serve or provide benefit to adjacent existing neighborhoods.

- **South Waterfront Neighborhood Park (SW-3) (Funded)** **Value: \$6,000,000**
 Within the South Waterfront area a series of parks will be developed to support new residents of the district and existing residents of Lair Hill. The first of these parks, funded for acquisition and interim improvements, will be located on a 2.1 acre site in the heart of the central district, bounded by SW Bond, SW Curry, SW Moody, and SW Gaines.
- **Macadam Avenue Short Term Improvements (Funded)** **Value: \$2,000,000**
 In order to accommodate initial phases of South Waterfront development, interim access improvements are required along Macadam Avenue at Bancroft, Curry and Gaines Street. These improvements were identified in a collaborative process with the Oregon Department of Transportation and are schedule for completion by the end of 2005.
- **Macadam Avenue Long-term Improvements:** **Value: \$30,000,000**
(Funding in Process-Federal/State OTIA Funding)
 Beyond the initial phases of development in South Waterfront, additional capacity and access improvements will be required to support ongoing development. The Oregon Department of Transportation has identified \$15,000,000 in funding for Macadam Avenue improvements. The City of Portland is working with its regional partners to request \$15,000,000 in federal funds to complete the required funding.



Portland Aerial Tram

Gibbs Street Voluntary Buy Out Program

Portland City Council Direction

In adopting the *Portland Aerial Tram Final Recommendation and Report* through Resolution 36224, City Council directed the City Engineer "to pursue and bring back to City Council for consideration, Recommendation 5.7.7 S-71, a fair market value, one-time, limited term property buy out program, based on an independent professional appraisal, for owner occupied, residentially zoned properties, along the Gibbs Street alignment."

Proposed Program

The proposed program enables eligible property owners to obtain a fair price for their property based upon an independent appraisal that does not consider market affects, if any, associated with the planned Portland Aerial Tram Project. A key objective of the program is to match sellers to private buyers, if possible. The program is voluntary and not subject to the requirements of ORS 35 (Eminent Domain, Public Acquisition of Property).

The program described below is still in development and will likely change based on Council and community feedback. If the City Council accepts the proposed program concept, the Office of Transportation will have 60 days to return to City Council with a detailed program proposal for final Council approval and funding direction.

Key Actions

The program has five basic steps:

1. Determine interest in program.
2. Inspect and appraise participating properties.
3. Make a reasonable offer to property owner and, if accepted, enter into a binding purchase and sale agreement.
4. Facilitate the sale of properties at or above the City's offer to private buyers through brokered sale or sealed bid auction.
5. If properties are not sold to a private buyer, then the city will purchase the property and resell it at a later date.

Who is Eligible?

All owner occupied residential properties with a property line on the SW Gibbs Street Right of Way. There are 22 residential properties on SW Gibbs Street between I-5 and Terwilliger Boulevard that appear eligible to participate in the program. See figure 1 for a map and address list of potentially eligible properties.

When Would the Program be offered?

It is anticipated that the program would be offered in the summer/fall of 2005. If the program is endorsed by City Council, staff would have a 60 day period to return to City Council with a detailed program proposal for final Council approval and funding direction. Eligible property owners will then receive notice of their property's eligibility along with a program description and schedule.

Conceptual Description of Program Details**Notice:**

Eligible properties will be mailed notice of their eligibility for the program and given the option to participate in the program. Eligible property owners will have 30 days to decide if they are interested in participating in the program and would like to have an appraisal and inspection conducted for their property.

Due Diligence Agreement:

Inspections, appraisals and other City due diligence actions will be conducted in accordance with a due diligence agreement signed by the City and property owner. Among other things, the agreement will specify the terms and conditions for either party to withdraw from the transaction and the costs, if any, of doing so. It is anticipated that there may be some earnest money required from the property owner to establish their sincere interest in participating in the program before proceeding with the City's due diligence efforts (e.g. appraisals, inspections and title review).

Appraisal, Inspection and Title Search:

Participating property owners will be given a list of available appraisers and will arrange for the preferred appraiser to complete the appraisal. The appraisal will establish an estimated market value of the property based on the property's current value without the presence of the Tram or the planned neighborhood improvements. An inspection will also be conducted to identify any deficiencies that could impact the value of the property.

Purchase Offer and Decision Period:

Upon completion of the due diligence process, participating property owners will be sent an offer to purchase the property in the form of a binding and assignable purchase and sale agreement (PSA). The offered amount will consider a variety of factors, including real estate commissions the owner would pay if sold by a broker. It is anticipated that the City will be willing to entertain reasonable requests to reconsider the offered amount, but can withdraw from the transaction in the event that a reasonable purchase price cannot be agreed to in a timely fashion.

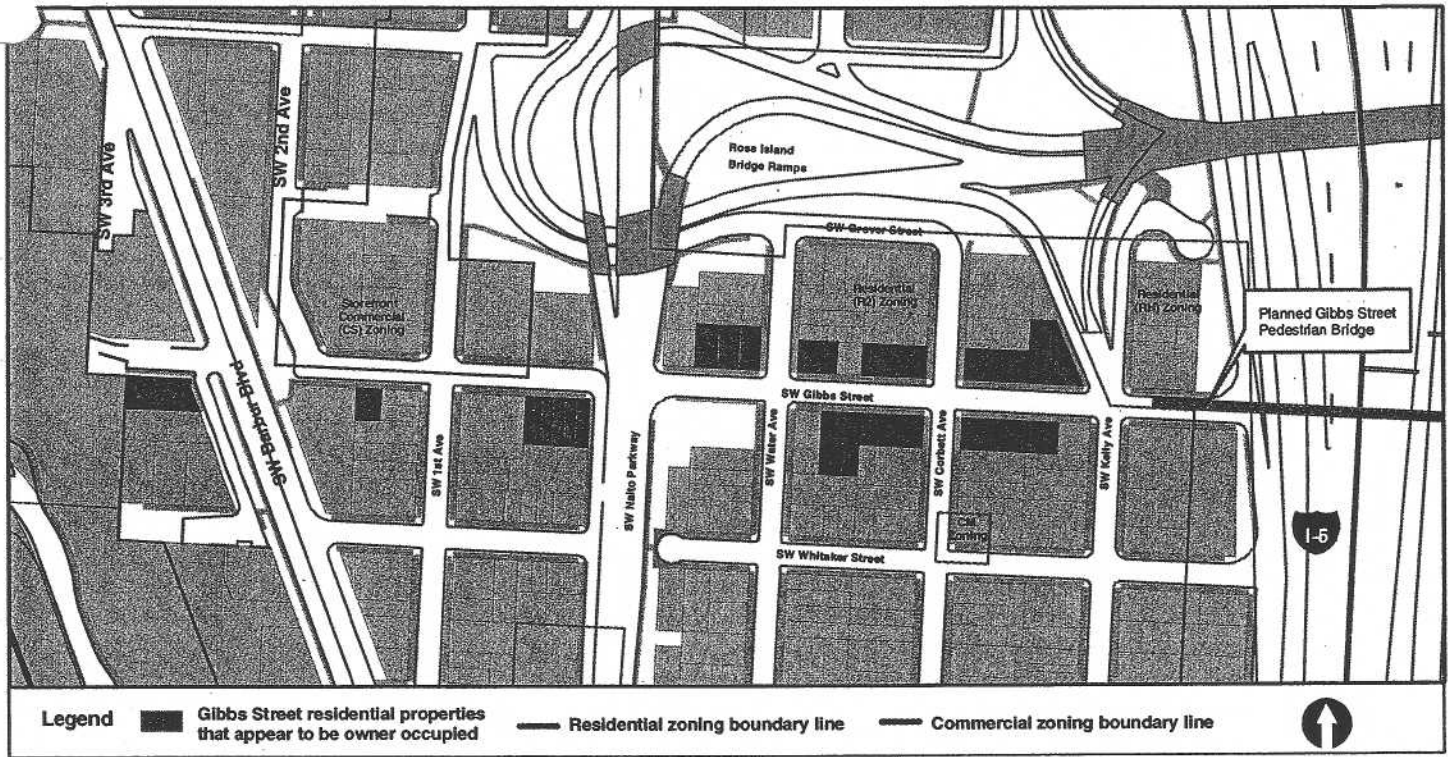
Re-Sale of Properties:

At this stage, the program is designed to facilitate the re-sale of the property to a private buyer at or above the binding PSA purchase price. Two options for re-sale have been identified. Which option is pursued will depend on the number and type of properties that participate in the program.

- **Option 1: Sealed Bid Auction**
City would advertise for and conduct a sealed bid auction process. This process would involve a home viewing period, bidding period and award to the highest qualified bidder. The difference between the PSA amount and the highest bid would be awarded to the property owner.
- **Option 2: Brokered Sale**
The property owner would contract with a real estate brokerage firm to offer the property for sale, with a 90-day listing period. If a private buyer offers more than the City, then the PSA agreement will terminate and the property owner will sell the property to the private buyer.

Under either resale option, if the property cannot be resold for more than the PSA amount then the city will purchase the property and resell it at a later date, or at its discretion pay the difference between the PSA amount and lower offers received from private buyers.

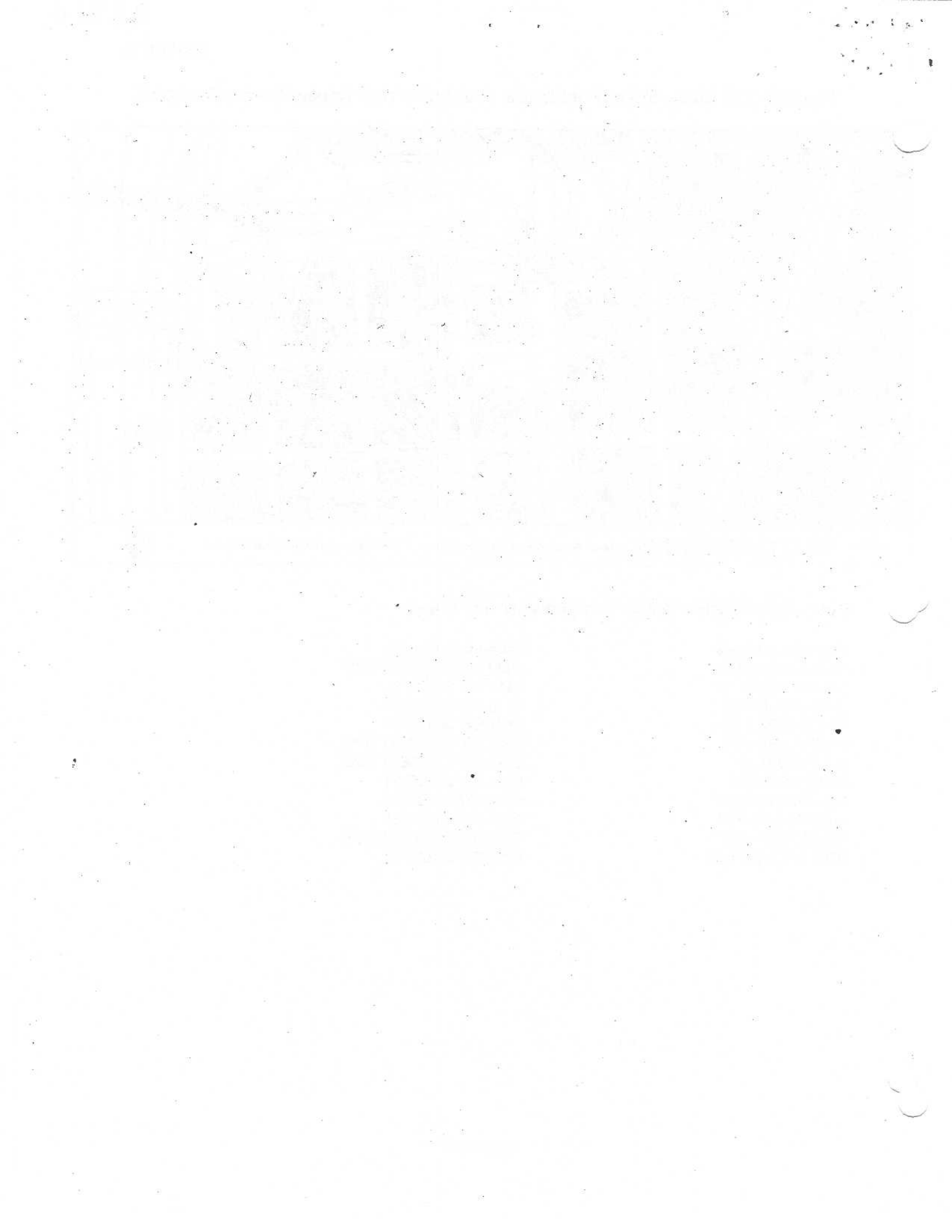
Figure 1: SW Gibbs Street Residential Properties That Appear Owner Occupied



Potentially Eligible Properties (if owner occupied)

Property Address
 3301 SW BARBUR
 118 SW GIBBS ST
 20 SW GIBBS ST
 16 SW GIBBS ST
 12 SW GIBBS ST
 8 SW GIBBS ST
 4 SW GIBBS ST
 025 SW GIBBS ST
 031 SW GIBBS ST
 039 SW GIBBS ST
 0103 SW GIBBS ST

Property Address
 3239 SW CORBETT AVE
 0110 SW GIBBS ST
 0118 SW GIBBS ST
 0124 SW GIBBS ST
 3307 SW CORBETT AVE
 3236 SW CORBETT AVE
 0215 SW GIBBS ST
 0223 SW GIBBS ST
 0231 SW GIBBS ST
 3308 SW CORBETT AVE
 0222 SW GIBBS ST





CITY OF
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TRANSPORTATION

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Brant
Williams
Director

DATE: April 7, 2005

FOR MAYOR'S OFFICE USE ONLY

TO: Mayor Tom Potter

Reviewed by Bureau Liaison _____

FROM: Matt Brown, Project Manager, Project Management Division

Eileen
Argentina
System
Management

RE: Accept the City Engineer's status report regarding progress on the neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report and direct the Portland Office of Transportation to proceed with implementation of specific neighborhood improvement projects. (Resolution)

Bryant
Engel
Finance

1. INTENDED THURSDAY FILING DATE: April 7, 2005
2. REQUESTED COUNCIL AGENDA DATE: April 28, 2005, 2:00 Time Certain
3. CONTACT NAME & NUMBER: Matt Brown, Project Manager, 823-7027
4. PLACE ON: CONSENT X REGULAR
5. BUDGET IMPACT STATEMENT ATTACHED: Y N X N/A
6. (3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED: Yes No X N/A

Don
Gardner
Engineering &
Development

Sam M.
Irving, Jr.
Maintenance

7. BACKGROUND/ANALYSIS

Laurel
Wentworth
Planning

On November 12, 2002, City Council approved Resolution #36112, which accepted a work plan for the Design Development phase of the Portland Aerial Tram project. The work plan described the design process for the Aerial Tram, including the initiation of an international design competition to select the designer for the project. The work plan also included, on equal footing, a process for working with the South Portland communities impacted by the Tram, South Waterfront and Marquam Hill development to identify and prioritize neighborhood improvements.

PDOT and Portland Aerial Transportation, Inc. worked together to formulate a public involvement process that would not only provide opportunities for the public to help shape the tram design, but also leverage the tram design process to ensure that neighborhood livability concerns could be forwarded concurrent with the development of the tram project. To that end, a Citizens Advisory Committee (CAC) was formed to provide advice and guidance to the PATI Board, PDOT, and City Council on the project.

Over the course of 15 months, the CAC met 18 times to review the tram design and establish a plan for neighborhood improvements. The CAC included representatives from CLTH, Homestead, Friends of Terwilliger and SWNI, as well as project stakeholders like OHSU and North Macadam Investors. Through this process, the CAC assembled a report containing their vision and recommendations for South Portland that go far beyond a simple "mitigation" strategy. Their vision is transformative for South Portland, and contains such ideas as reestablishing Lair Hill's connection to the Willamette River through a series of pedestrian bridges and repairing the heart of Lair Hill through the removal of the Ross Island Bridge Ramps and downgrading of Naito Parkway.

This report, which also contained the CAC's and PATI's recommendations to City Council on the design of the tram, was unanimously endorsed by the CAC, and accepted by City Council on June 10, 2004, through approval of Resolution #36224. The Resolution, among other things, directed the City Engineer to begin implementation of neighborhood improvements contained within the Portland Aerial Tram Final Recommendations and Report, and return within 12 months of passage of the Resolution with a status report on progress and funding.

To date, substantial progress has been made on the neighborhood improvement items. Two top priorities for CTLH, the Gibbs Pedestrian Bridge and Phase I of the South Portland Circulation Plan, which removes the Ross Island Bridge Ramps, are poised to move forward. Other projects have been completed or funded, or are being actively pursued for funding.

There are a couple controversial points which continue to exist. First, the tram is still seen by many as an unwelcome addition to the neighborhood, and while there is strong support for the neighborhood improvements, there is still obviously continued disgruntlement about the tram project itself.

Second, the Gibbs Street property buy-out, while a welcome addition to Resolution #36224, is still a controversial part of the project, and a work in progress. PDOT has submitted the proposed Resolution in a manner that is consistent with Resolution #36224, restricting the buy-out program to the Gibbs Street alignment and recommending that it be offered as soon as tram construction commences.

Neighborhood residents have been pushing to expand the program at least a block north and south of the tram alignment, and have also asked that another opportunity to sell properties to the City be given upon completion of the tram project. Neighborhood residents will likely ask City Council to amend the Resolution to include an expansion of the buy-out program in area and time.

8. FINANCIAL IMPACT

No financial impact at this time.

The Gibbs Street voluntary buy-out program described in the Resolution and Exhibit B will require City funding. PDOT, in consultation with the City Attorney's office, has determined that the administration of this program cannot be undertaken using gas tax or SDC revenues. Prior to returning to Council within 60 days as directed by the Resolution, PDOT will work with OMF to formulate a realistic funding plan for this program.

9. RECOMMENDATION/ACTION REQUESTED

Pass Resolution.

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WHEREAS, the Portland Development Commission (PDC) has identified funding within the South Waterfront Central District Development Agreement for neighborhood improvements, and that the priority use of these funds is to implement the Gibbs Street Pedestrian Bridge; and

WHEREAS, the United States Congress is currently considering a federal transportation funding bill which contains a \$9,000,000 earmark for transportation improvements for the South Waterfront District; and

WHEREAS, having been appointed by the Mayor to serve on the Portland Aerial Transportation, Inc. Board of Directors, City Commissioner Sam Adams and OHSU representatives recently lobbied Oregon's Congressional delegation to fund the pedestrian bridge;

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WHEREAS, the Portland Aerial Tram Citizens Advisory Committee has met to review the progress of the neighborhood improvements program and supports the recommendations contained within this Resolution.

WHEREAS, the Portland Office of Transportation is actively discussing additional neighborhood improvements on Gibbs Street and in the Lair Hill Neighborhood with the neighborhood residents on and adjacent to Gibbs street.

NOW, THEREFORE, BE IT RESOLVED, that the City Council wishes to thank the members of the Portland Aerial Tram Citizens Advisory Committee for their continued work focusing on the improved livability of South Portland's neighborhoods; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return to Council within 90 days with a design and engineering contract for the Gibbs Street Pedestrian Bridge. PDOT shall utilize the firm of AGPS Architecture to ensure consistency with the design of the Aerial Tram and the vision that has been set forth for the Aerial Tram and pedestrian bridge project; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for the \$9,000,000 transportation funding request currently pending in the United States Congress; and

BE IT FURTHER RESOLVED, that the City Council prioritizes the use of the \$9,000,000 federal funding for use first on the Gibbs Street Pedestrian Bridge, and second on performing an Environmental Impact Statement and initiating Preliminary Engineering for the South Portland Circulation Plan and Macadam Avenue Improvements; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to complete development of the Gibbs Street Voluntary Property Buy-out Program, consistent with the program concept attached to this Resolution as Exhibit B; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return to City Council within 60 days with a final recommendation for City Council authorization of the Gibbs Street Property Buy-out Program; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to collaborate with residents and property owners along Gibbs Street and in the Tram Impact Area on the completion of final engineering and design for underground utilities and ornamental street lights along SW Gibbs Street between Terwilliger Parkway and SW Hood Avenue; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to institute a street tree planting program for the Lair Hill neighborhood extending two blocks north and south of SW Gibbs Street; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining, in perpetuity, the existing community gardens at SW Gibbs Street and SW Naito Parkway, and that should ODOT choose at a future date to vacate or dispose of its share of the community gardens property, that the City of Portland will acquire the ODOT share for continued use as a community garden; and

BE IT FURTHER RESOLVED, that the City Council acknowledges the progress made to date on neighborhood projects identified in the Portland Aerial Tram Final Recommendations and Report, including the acquisition of the Lakeman Orkney Property for Open Space use by Portland Parks and Recreation; traffic calming improvements along SW Virginia Avenue by the Bureau of Environmental Services, and improvements to the 6th and Sheridan Intersection and trail improvements in and around the OHSU campus, undertaken by OHSU; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for currently funded neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report, including Corbett Avenue/Lair Hill Traffic Calming; landscape and restoration improvements to Terwilliger Parkway near the Tram alignment; interim South Waterfront access improvements to Macadam Avenue; and the acquisition of and interim improvements to the neighborhood park in South Waterfront; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to finalize negotiations with OHSU within 60 days to undertake a traffic calming study on Marquam Hill, consistent with the Marquam Hill Plan and Portland Aerial Tram Final Recommendations and

Report, and to return to City Council within 90 days with an Intergovernmental Agreement between OHSU and the City enacting the traffic calming study; and

BE IT FURTHER RESOLVED, that the City Council commits to its continued support to generate the federal funding match for \$15,000,000 allocated by ODOT for long-term South Waterfront access improvements to Macadam Avenue; and

BE IT FURTHER RESOLVED, that the City Council commits to maintaining its support for currently un-funded neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to identify further priorities for implementation and develop mutual recommendations for next steps in the implementation of neighborhood improvement projects; and

BE IT FURTHER RESOLVED, that the City Council directs the Bureau of Planning and the Portland Office of Transportation to convene an inter-bureau Task Force, including representatives from Portland Parks and Recreation, the Bureau of Environmental Services, Portland Development Commission, the Office of Management and Finance, and other agencies, and community representatives involved in the implementation process, to coordinate, support, and identify funding sources for neighborhood improvement implementation efforts; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return within twelve months of the passage of this Resolution with a status report on the progress of implementation of the neighborhood improvements identified within this Resolution and within the Portland Aerial Tram Final Recommendations and Report.

Adopted by the Council,

Mayor Tom Potter
Prepared by: Matt Brown:slg
April 7, 2005
Neighborhood Improvements Resolution 040705 Final.doc

GARY BLACKMER
AUDITOR OF THE CITY OF PORTLAND
By

Deputy

Agenda No.

RESOLUTION NO.
Title

Accept the City Engineer's status report regarding progress on the neighborhood improvement projects identified in the Portland Aerial Tram Final Recommendations and Report and direct the Portland Office of Transportation to proceed with implementation of specific neighborhood improvement projects. (Resolution)

INTRODUCED BY	DATE FILED:
Mayor Tom Potter	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	
Finance and Administration	By: _____ Deputy
Safety	For Meeting of: <u>April 28, 2005 2:00 Time Certain</u>
Utilities	
Works	ACTION TAKEN:
BUREAU APPROVAL	
Bureau: Transportation Engineering & Development	
Prepared by <i>MB</i> Date Matt Brown:slg <i>MB</i> April 7, 2005	
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not Required	
Include in PPD: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Filename: Neighborhood Improvement Resolution 040705. doc	
Bureau Head: <i>Donald Gardner</i> for DWG Donald Gardner, Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
			YEAS	NAYS
Consent	Regular <input checked="" type="checkbox"/>	Adams	Adams	
NOTED BY		Leonard	Leonard	
City Attorney		Saltzman	Saltzman	
		Sten	Sten	
		Potter	Potter	

BE IT FURTHER RESOLVED, that the City Council commits to its continued support to generate the federal funding match for \$15,000,000 allocated by ODOT for long-term South Waterfront access improvements to Macadam Avenue; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to identify further priorities for implementation and develop mutual recommendations for next steps in the implementation of neighborhood improvement projects; and

BE IT FURTHER RESOLVED, that the City Council directs the Bureau of Planning and the Portland Office of Transportation to convene an inter-bureau Task Force, including representatives from Portland Parks and Recreation, the Bureau of Environmental Services, Portland Development Commission, and other agencies involved in the implementation process, to coordinate and support neighborhood improvement implementation efforts; and

BE IT FURTHER RESOLVED, that the City Council directs the City Engineer to return within twelve months of the passage of this Resolution with a status report on the progress of implementation of the neighborhood improvements identified within this Resolution and within the Portland Aerial Tram Final Recommendations and Report.

Adopted by the Council,

Mayor Tom Potter
Prepared by: Matt Brown:slg
April 7, 2005
Neighborhood Improvements Resolution 040705 Final.doc

GARY BLACKMER
AUDITOR OF THE CITY OF PORTLAND
By

Deputy



CITY OF
PORTLAND
OFFICE OF
TRANSPORTATION

EXHIBIT A

Mayor Tom Potter
1120 S.W. 5th Avenue, Suite 800
Portland, Oregon 97204-1914
503-823-5185
FAX 503-823-7576 or 823-7371
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Brant
Williams
Director

Eileen
Argentina
System
Management

Bryant
Engel
Finance

Don
Gardner
Engineering &
Development

Sam M.
Irving, Jr.
Maintenance

Laurel
Wentworth
Planning

Date: April 28, 2005

To: Mayor Potter and Portland City Council

From: Matt Brown, Portland Office of Transportation

Subject: Progress report on the Portland Aerial Tram Neighborhood Enhancements List

OVERVIEW

In June, 2004, City Council accepted a plan recommending millions of dollars of neighborhood improvements in the South Portland area. These improvements were identified by the Portland Aerial Tram Citizens Advisory Committee (CAC) through an intensive public process involving hundreds of residents. To date, nearly \$52 million in improvements on the neighborhood project list have been funded or are proposed for funding, with more than \$14 million of these improvements located in the neighborhoods west of Interstate 5 in South Portland.

This memorandum summarizes the City's progress to date in implementing the neighborhood enhancement projects included in the Portland Aerial Tram Final Recommendations and Report.

Marquam Hill/Terwilliger Parkway Improvements

A great deal of the work effort in Marquam Hill and Terwilliger Parkway focuses on improving neighborhood livability by reducing the traffic impacts of the Marquam Hill institutions on local streets and increasing pedestrian access and open space throughout the area.

Marquam Hill, Terwilliger Parkway Trail Improvements (Funded) Value: \$400,000

An extensive trail network was recommended as part of a thorough pedestrian circulation concept in the Marquam Hill Plan. The two trails below represent the top priority trail connections linking Terwilliger Parkway and nearby hiking trails with the OHSU Campus. Both trails are funded by OHSU and will be constructed summer 2005.

- Terwilliger – Campus Drive Trail (TP-4A): \$300,000
- OHSU – Marquam Shelter Trail (MH-4F): \$100,000

Parks and Open Space Improvements-

- **Lakeman-Orkney Property Acquisition (MH-6) (Funded) Value: \$3,200,000**
Portland Parks and Recreation acquired this 48 Acre site in 2004 as a priority Habitat Park and Natural Area Acquisition. The parcel, located in the West Hills was the largest privately held natural area in Portland. The land is adjacent to other open spaces in the Marquam Hill nature area and the City expects to connect and extend existing trails into this area.
- **Terwilliger Landscape Improvements at Tram crossing (TP-6) (Funded) Value: \$50,000**
As part of the Aerial Tram construction process, ivy remediation and forest restoration will be conducted to reestablish the forest canopy beneath the Tram Alignment between Terwilliger Parkway and Barbur Boulevard. The Portland Office of Transportation has been coordinating closely with Portland Parks and Recreation, Friends of Terwilliger and adjacent property owners to identify the appropriate location for the improvements.

Traffic Calming and Street Improvements

- **6th/Sheridan Traffic Improvements (TP-1) (Funded)** **Value: \$900,000**
As additional growth occurs on Marquam Hill, capacity improvements at SW 6th Avenue and Sheridan are required to efficiently move vehicles and transit through this intersection. This project, which is currently under construction, has been funded by OHSU and is scheduled for completion in May 2005.
- **Marquam Hill Traffic Calming Study (S-1) (Funding in Process)** **Value: \$40,000**
Within the Marquam Hill and Terwilliger project list, a variety of traffic calming and traffic mitigation projects were identified. These projects all have a common theme, which is to mitigate the impacts associated with Marquam Hill institutional traffic on local neighborhood streets. This study will work with affected residents and property owners to establish an integrated plan for these improvements. A project scope and funding MOU is currently being developed with OHSU to initiate the project in summer 2006.

Lair Hill

The Lair Hill area has been struggling with regional transportation impacts for years, and is directly affected by the visual presence of the Aerial Tram. While a variety of projects are proposed for the Lair Hill area including improvements on Gibbs Street, two important projects remain the central priorities for this area- the construction of pedestrian connections across I-5, and the implementation of the South Portland Circulation Project.

- **Gibbs Street Improvements(LH-6) (Funded)** **Value: \$750,000**
A variety of improvements are proposed to offset the visual impact of the tram on Gibbs Street residents- minimize construction impacts, and improve the aesthetic qualities of Gibbs Street. Planned improvements include relocating the existing overhead utilities underground, installing ornamental street lighting along the Tram alignment, and providing Street Tree plantings for property owners. \$750,000 for these improvements has been included within the Tram budget. The specific design concepts will be developed in concert with residents and construction will be completed prior to Tram completion.
- **Gibbs Street Pedestrian Bridge(LH-5) ()** **Value: \$5,000,000**
(Funding in Process- Part of \$9,000,000 federal request)
This bridge has been forwarded as a high priority of the Lair Hill residents. The bridge crosses Interstate-5 at Gibbs Street and connects the neighborhood to South Waterfront and the Willamette River Greenway. Design and engineering has been funded by PDC and will begin Summer 2005. Initial grading work to prepare for the landing of the bridge in South Waterfront has been included as part of the Tram budget (\$320,000). Federal construction funding has been approved by the US House of Representatives on March 10, 2005 and is due for passage this Spring
- **Gibbs Street Voluntary Property Buy-out Program(S-7.1) (Not Funded)** **Value: \$250,000**
(Estimated net cost to City after property resale)
In adopting the Portland Aerial Tram Final Recommendations and Report, City Council directed the City Engineer to pursue a voluntary property buy out program for owner occupied residences along Gibbs Street. PDOT staff has prepared a draft program for Council's review and upon council acceptance will proceed with implementing the program during the summer and fall of 2005.

- Lair Hill Traffic Calming (LH-3) (Funded) Value: \$250,000**
 In response to potential increase in traffic volumes due to implementation of the South Portland Circulation Project and increased development in South Waterfront, a series of traffic calming projects are proposed in the Lair Hill area. Prior to implementation of these traffic calming work, a traffic calming study is proposed to coordinate this effort with South Waterfront Access improvements.

 - Virginia Avenue Traffic Calming: \$100,000
 - CTLH Traffic Calming Study/Implementation: \$150,000
- South Portland Circulation Project/Macadam Avenue Long Term Improvements – Environmental Impact Statement and Preliminary Engineering Value: \$4,000,000 (Funding in Process- Part of \$9,000,000 federal request)**
 A longstanding priority for Lair Hill area residents, this project focuses on the removal of the Ross Island Bridge ramps and conversion of Naito Parkway into a neighborhood collector street. As part of the Tram Citizens Advisory Committee's effort with the Tram process, PDOT prepared a phasing plan for the project. Federal funding is being requested as part of the current \$9,000,000 Transportation Request to conduct an environmental impact statement and preliminary engineering for the project and study the potential for the design to complement planned improvements for Macadam Avenue.

South Waterfront

The South Waterfront District is fast developing into a vibrant new neighborhood. Improvements within the South Waterfront area have been pursued primarily as part of the planning and implementation of the South Waterfront Central District development. Many of the improvements in South Waterfront, including the Willamette River Greenway, are included on the neighborhood improvement project list and will help serve or provide benefit to adjacent existing neighborhoods.

- South Waterfront Neighborhood Park (SW-3) (Funded) Value: \$6,000,000**
 Within the South Waterfront area a series of parks will be developed to support new residents of the district and existing residents of Lair Hill. The first of these parks, funded for acquisition and interim improvements, will be located on a 2.1 acre site in the heart of the central district, bounded by SW Bond, SW Curry, SW Moody, and SW Gaines.
- Macadam Avenue Short Term Improvements (Funded) Value: \$2,000,000**
 In order to accommodate initial phases of South Waterfront development, interim access improvements are required along Macadam Avenue at Bancroft, Curry and Gaines Street. These improvements were identified in a collaborative process with the Oregon Department of Transportation and are schedule for completion by the end of 2005.
- Macadam Avenue Long-term Improvements: Value: \$30,000,000 (Funding in Process-Federal/State OTIA Funding)**
 Beyond the initial phases of development in South Waterfront, additional capacity and access improvements will be required to support ongoing development. The Oregon Department of Transportation has identified \$15,000,000 in funding for Macadam Avenue improvements. The City of Portland is working with its regional partners to request \$15,000,000 in federal funds to complete the required funding.

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Portland Aerial Tram

Gibbs Street Voluntary Buy Out Program

Portland City Council Direction

In adopting the *Portland Aerial Tram Final Recommendation and Report* through Resolution 36224, City Council directed the City Engineer "to pursue and bring back to City Council for consideration, Recommendation 5.7.7 S-71, a fair market value, one-time, limited term property buy out program, based on an independent professional appraisal, for owner occupied, residentially zoned properties, along the Gibbs Street alignment."

Proposed Program

The proposed program enables eligible property owners to obtain a fair price for their property based upon an independent appraisal that does not consider market affects, if any, associated with the planned Portland Aerial Tram Project. A key objective of the program is to match sellers to private buyers, if possible. The program is voluntary and not subject to the requirements of ORS 35 (Eminent Domain, Public Acquisition of Property).

The program described below is still in development and will likely change based on Council and community feedback. If the City Council accepts the proposed program concept, the Office of Transportation will have 60 days to return to City Council with a detailed program proposal for final Council approval and funding direction.

Key Actions

The program has five basic steps:

1. Determine interest in program.
2. Inspect and appraise participating properties.
3. Make a reasonable offer to property owner and, if accepted, enter into a binding purchase and sale agreement.
4. Facilitate the sale of properties at or above the City's offer to private buyers through brokered sale or sealed bid auction.
5. If properties are not sold to a private buyer, then the city will purchase the property and resell it at a later date.

Who is Eligible?

All owner occupied residential properties with a property line on the SW Gibbs Street Right of Way. There are 22 residential properties on SW Gibbs Street between I-5 and Terwilliger Boulevard that appear eligible to participate in the program. See figure 1 for a map and address list of potentially eligible properties.

When Would the Program be offered?

It is anticipated that the program would be offered in the summer/fall of 2005. If the program is endorsed by City Council, staff would have a 60 day period to return to City Council with a detailed program proposal for final Council approval and funding direction. Eligible property owners will then receive notice of their property's eligibility along with a program description and schedule.

Conceptual Description of Program Details**Notice:**

Eligible properties will be mailed notice of their eligibility for the program and given the option to participate in the program. Eligible property owners will have 30 days to decide if they are interested in participating in the program and would like to have an appraisal and inspection conducted for their property.

Due Diligence Agreement:

Inspections, appraisals and other City due diligence actions will be conducted in accordance with a due diligence agreement signed by the City and property owner. Among other things, the agreement will specify the terms and conditions for either party to withdraw from the transaction and the costs, if any, of doing so. It is anticipated that there may be some earnest money required from the property owner to establish their sincere interest in participating in the program before proceeding with the City's due diligence efforts (e.g. appraisals, inspections and title review).

Appraisal, Inspection and Title Search:

Participating property owners will be given a list of available appraisers and will arrange for the preferred appraiser to complete the appraisal. The appraisal will establish an estimated market value of the property based on the property's current value without the presence of the Tram or the planned neighborhood improvements. An inspection will also be conducted to identify any deficiencies that could impact the value of the property.

Purchase Offer and Decision Period:

Upon completion of the due diligence process, participating property owners will be sent an offer to purchase the property in the form of a binding and assignable purchase and sale agreement (PSA). The offered amount will consider a variety of factors, including real estate commissions the owner would pay if sold by a broker. It is anticipated that the City will be willing to entertain reasonable requests to reconsider the offered amount, but can withdraw from the transaction in the event that a reasonable purchase price cannot be agreed to in a timely fashion.

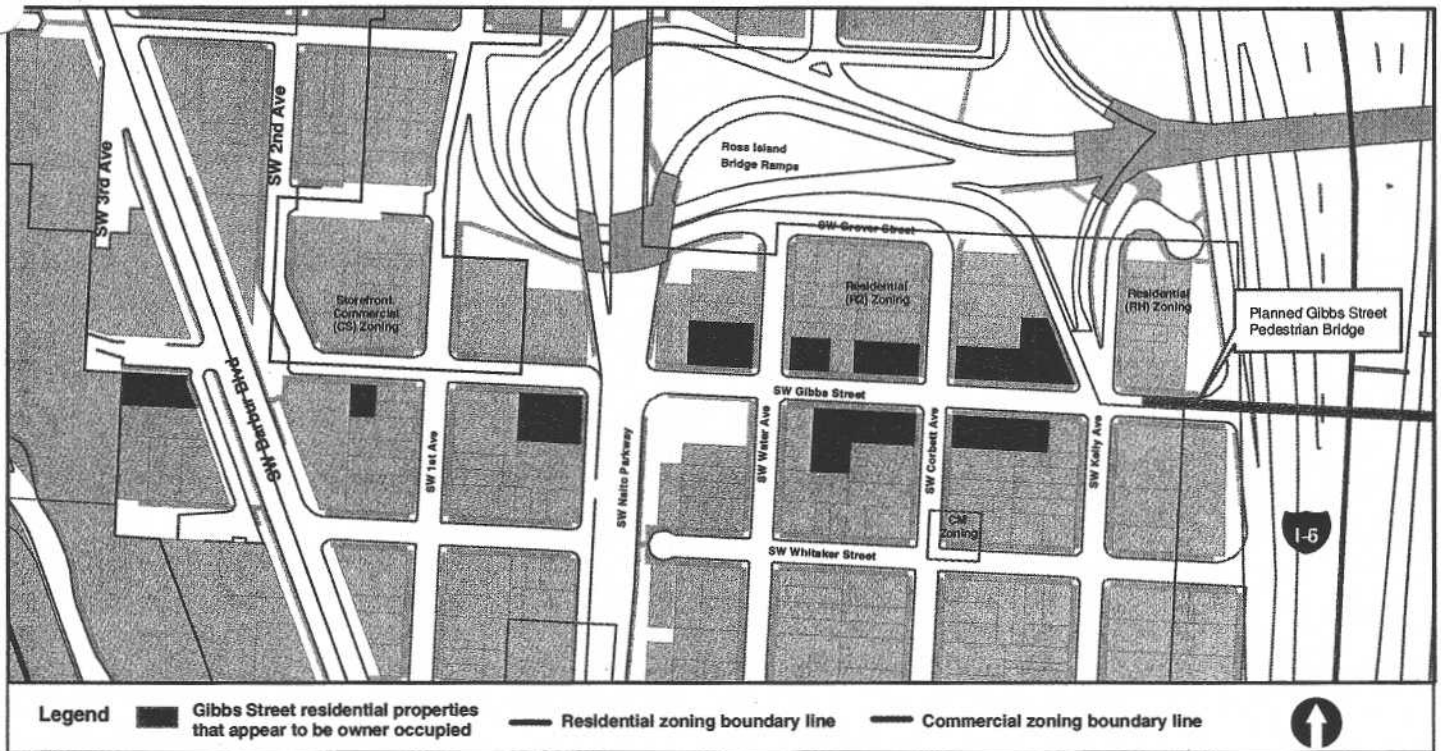
Re-Sale of Properties:

At this stage, the program is designed to facilitate the re-sale of the property to a private buyer at or above the binding PSA purchase price. Two options for re-sale have been identified. Which option is pursued will depend on the number and type of properties that participate in the program.

- **Option 1: Sealed Bid Auction**
City would advertise for and conduct a sealed bid auction process. This process would involve a home viewing period, bidding period and award to the highest qualified bidder. The difference between the PSA amount and the highest bid would be awarded to the property owner.
- **Option 2: Brokered Sale**
The property owner would contract with a real estate brokerage firm to offer the property for sale, with a 90-day listing period. If a private buyer offers more than the City, then the PSA agreement will terminate and the property owner will sell the property to the private buyer.

Under either resale option, if the property cannot be resold for more than the PSA amount then the city will purchase the property and resell it at a later date, or at its discretion pay the difference between the PSA amount and lower offers received from private buyers.

Figure 1: SW Gibbs Street Residential Properties That Appear Owner Occupied



Potentially Eligible Properties (if owner occupied)

Property Address
 3301 SW BARBUR
 118 SW GIBBS ST
 20 SW GIBBS ST
 16 SW GIBBS ST
 12 SW GIBBS ST
 8 SW GIBBS ST
 4 SW GIBBS ST
 025 SW GIBBS ST
 031 SW GIBBS ST
 039 SW GIBBS ST
 0103 SW GIBBS ST

Property Address
 3239 SW CORBETT AVE
 0110 SW GIBBS ST
 0118 SW GIBBS ST
 0124 SW GIBBS ST
 3307 SW CORBETT AVE
 3236 SW CORBETT AVE
 0215 SW GIBBS ST
 0223 SW GIBBS ST
 0231 SW GIBBS ST
 3308 SW CORBETT AVE
 0222 SW GIBBS ST

