



Sam
Adams
Mayor

Tom
Miller
Director

October 23, 2012

MEMORANDUM TO COUNCIL

Assess benefited properties for water main improvements in the Deltawood Phase I Local Improvement District (Hearing; Ordinance; C-10031)

Assess benefited properties for sanitary sewer improvements in the Deltawood Phase II Local Improvement District (Hearing; Ordinance; C-10032)

I. SUMMARY

The first readings of the final assessment Ordinances were held on October 10, 2012; both agenda items were passed to second readings. The second readings for both the Deltawood Phase I Local Improvement District (continued from October 17th) and the Deltawood Phase II Local Improvement District (LID) will be on October 24, 2012. Section 3.02.040.G.4.b of City Code limits testimony on an agenda item to the first reading, which has already occurred.

On October 10, 2012 at 1:07 PM (following Council's action to pass both LIDs to second readings), the Local Improvement District Administrator received from the Council Clerk the written testimony identified as Attachment A herein. This testimony does not count as an objection to final assessment because it was provided at the Council hearing in lieu of being submitted in writing to the City Auditor by 5:00 PM on October 3, 2012 as required by Section 17.08.130 of City Code.

On October 15, 2012 (also following Council's action to pass both LIDs to a second reading), the Local Improvement District Administrator received from the Council Clerk the written testimony identified as Attachment B herein. This testimony also does not count as an objection to final assessment because it was provided at the Council hearing in lieu of being submitted in writing to the City Auditor by 5:00 PM on October 3, 2012 as required by Section 17.08.130 of City Code.

1120 S.W. 5th Avenue, Suite 800 • Portland, Oregon, 97204-1914 • 503-823-5185
FAX 503-823-7576 or 503-823-7371 • TTY 503-823-6868 • www.portlandoregon.gov

An Equal
Opportunity
Employer

To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW 5th Ave, Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

II. ISSUES RAISED BY PROPERTY OWNER HERMANN IN ATTACHMENT A

Herewith is a summary and response to issues raised. Additional findings are contained in Exhibit F of these Ordinances.

a) Letter to Former City Auditor Gary Blackmer from Vito Mercardo Jr.

1. This letter was received by the City Auditor on January 30, 2009 and was counted as a remonstrance against LID formation, but not as an objection to final assessment.
2. It was the only remonstrance against LID formation received from any of the property owners in Deltawood.
3. See record of Ordinance Nos. 182543 and 182545 approved by Council on February 18, 2009 for detailed response to the issues raised.

b) RMLS Data from Christine Hermann Dated October 9, 2012 for 9401 NE Gertz Ct.

1. This property appears to be vacant and pending foreclosure by Bank of America. At the time of the filing of these Ordinances, none of the properties in Deltawood was currently owned by banks.
2. The current asking price of \$45,000 in the RMLS listing is not an actual sales price. The actual sales price will incorporate many factors unrelated to the LID.
3. The special benefit to property afforded by these LIDs is provided by the completion of the water main and sanitary sewer improvements. The RMLS listing mentions \$7,500 in unpaid HOA dues for this property which equals nearly half of the proposed combined LID assessments of \$16,410.30. These HOA dues are completely separate from the LID; however this property, like all properties in Deltawood, is now on an individual utility billing, and will no longer be billed through the HOA for utility usage moving forward.
4. As noted by the LID Administrator at the first reading on October 10th, recent utility usage for Deltawood as a whole suggest a significant decrease in utility usage since the leaking private water and sanitary sewer systems were replaced with public systems. Assuming this trend continues, savings on ongoing utility charges and potential qualification for a low-income discount on the utility bill will defray some or perhaps even all of the expense of the LIDs.

III. ISSUES RAISED BY PROPERTY OWNER HERMANN IN ATTACHMENT B

Herewith is a summary and response to issues raised. Additional findings are contained in Exhibit F of these Ordinances.

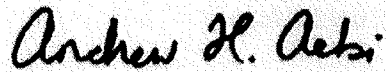
a) Letter to the City Council from Christine Hermann

1. This letter was received by the City Auditor on October 15, 2012 and was not counted as an objection against final assessments of the LIDs.
2. Two (2) property owner meetings were scheduled and held by the LID Administrator prior to LID formation, with an additional meetings held after LID formation. All property owners were invited to these meetings at which there was extensive dialogue about the proposed water main and sanitary sewer infrastructure improvements.
3. Most properties in Deltawood have changed ownership since LID formation. Pending lien records for all properties in Deltawood were created after LID formation stating the future assessments for these LIDS to provide disclosure of the future LID assessments. All properties' proposed combined final assessments for both LIDs are below the amounts estimated at LID formation.
4. Formation of the LIDs was governed by City Charter and City Code. The decision to remonstrate against LID formation rested with individual property owners, not with the Deltawood HOA. The City Council had the full discretion and prerogative to form both LIDs for which the bylaws of the Deltawood HOA did not apply and approval of the Deltawood HOA Board was not necessary.

IV. RECOMMENDATION

It is the recommendation of the Local Improvement District Administrator that the City Council pass the Final Assessment Ordinances at the second readings on October 24, 2012.

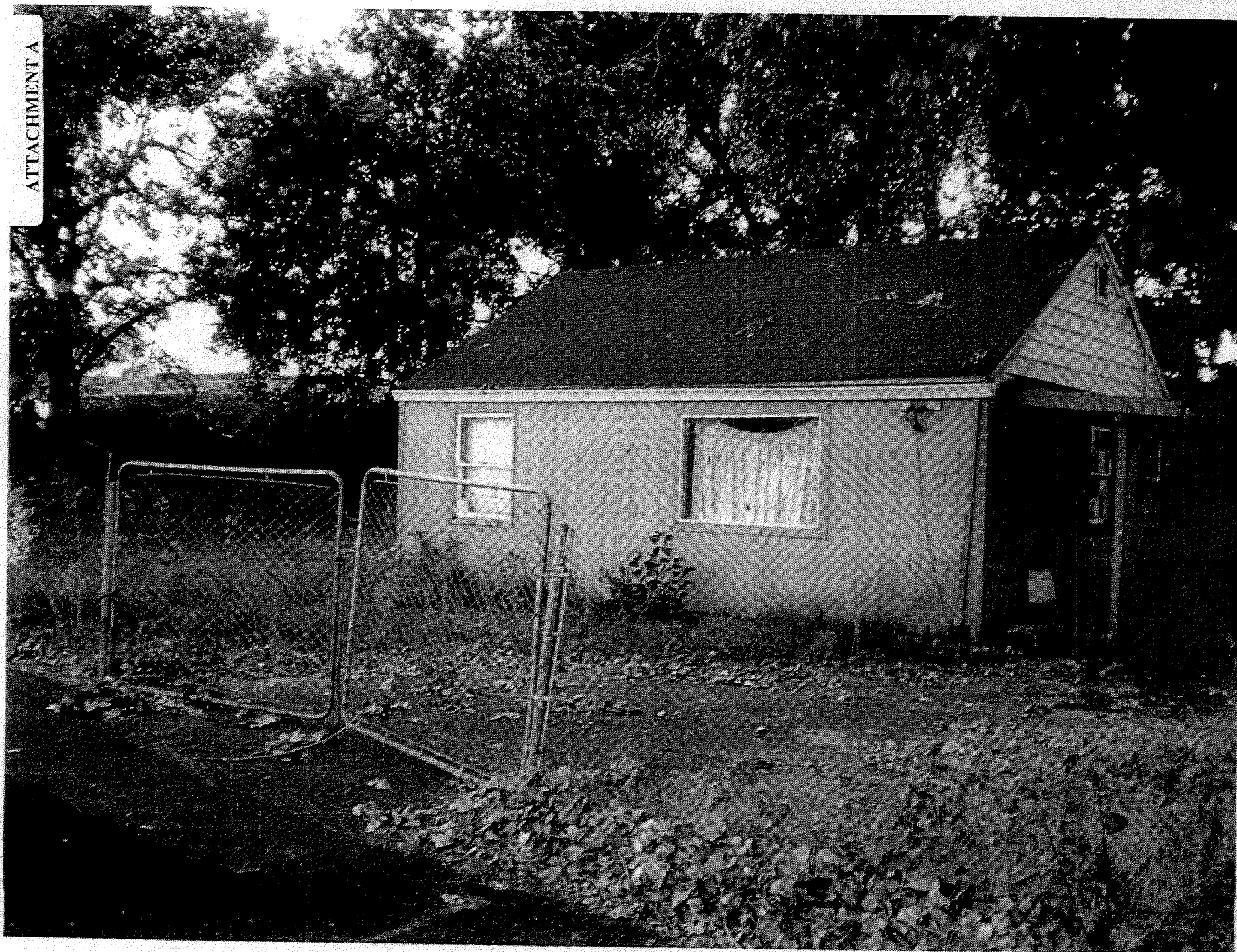
Respectfully submitted,



Andrew H. Aebi
Local Improvement District Administrator

185693

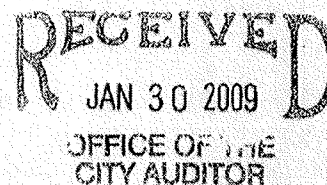
ATTACHMENT A



ATTACHMENT 1

9401 NE Gertz Court
Portland, OR. 97211

MR. GARY BLACKMER, City Auditor
Assessments, Finance & Foreclosure Division
1221 SW 4th Ave., Room 130
Portland, OR. 97204-1405



Sir:

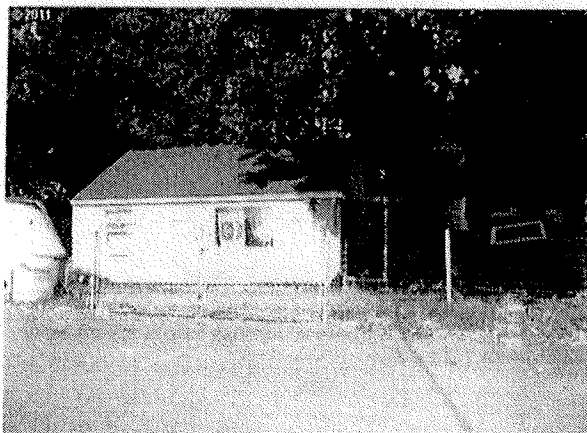
This refers to your "Hearings Notice and Cost Estimate" dated January 21, 2009, with Acctn # 146097, Project # C10031 and Tax Acctn # R776800060, regarding the Proposed Construction Water System Improvements in the DeltaWood Phase 1 Local Improvement Project.

May I have the honor to object to the proposed project and estimated assessments on the following grounds to wit:

- 1.) The estimated assessment is beyond my capacity to pay, considering the economic crisis nowadays that adversely affected me and my family;
- 2.) My weekly paycheck is only enough to the weekly sustenance of my family, with six children. I have a baby to feed, she is only almost seven months old. (Her formula is so expensive), and
- 3.) As a homeowner, I enjoyed the supply of water since the time I acquired this property and I have not experienced scarcity of the same, hence, no improvements is necessary.

In view hereof, equity and justice demands that this objections be given meritorious considerations.

Very truly yours
Nto P. Mercado Jr
Homeowner



Presented By: Christine Hermann

Agent Full

Fairplay Realty

Phone:

E-mail: christineh@fairplay.com

RESIDENTIAL

Status: EXP

10/9/2012

10:23:48 PM

ML#: 11502808

Area: 142

List Price: \$45,000

Addr: 9401 NE GERTZ CT

Unit#:

City: Portland

Zip: 97211

Condo Loc:

Map Coord: 566/G/3

Zoning:

List

Type:

ER LR: N

County: Multnomah

Tax ID: R271796

Elem: FAUBION

Middle:

High: JEFFERSON

PropType: DETACHD

Nhood/Bldg:

CC&Rs:

Legal: SNOOZY'S HOLLOW, LOT 1

Internet/Address/No Blog/No

Y/Y/I

Offer/Nego: LA-ONLY

AVM:

PDF Doc(s): 3

GENERAL INFORMATION

Lot Size: 5K-6,999SF

Acres: 0.11

Lot Dimensions: 5004 SF

Wtfrnt:

View:

Lot

Desc:

LEVEL, CORNER

Body

Water:

Seller Disc: DSCLOSUR

Other Disc:

RESIDENCE INFORMATION

Upper SQFT: 0 SFSrc: owner #Bdrms: 2 #Bth: 1 #Lvl: 1 Year Blt: 1944 / UNKNOWN Green:

Main SQFT: 737

TotUp/Mn: 737

Style: TRAD

Home Wrnty: 55+ w/Affidavit Y/N: N

Lower SQFT: 0

Parking: OFF-STR

#Garage: 0 /

#Fireplaces: /

Total SQFT: 737

Roof: COMP

Exterior: WOOD

Bsmt/Fnd: CRAWLSP

REMARKS

XSt/Dir: North on MLK right on Gertz, first left on Gertz Ct

Private: We have a verbal approval with B of A for this price. We are tracking down the HOA. It should cover Commons, sewer and water. We are calling to confirm. Contact for showing is the owner's son who lives there.

Public: Investor specail. Newer roof, With a little work this will cash flow. We have a verbal approval with the bank at this price but buyer may have to pay about \$7500 of back HOA dues the bank won't pay. There is a pending assessment for new sewer and water lines.

APPROXIMATE ROOM SIZES AND DESCRIPTIONS

Living: M / 15 X 11 / HARDWOD

Mstr

Bd: M / 10 X 10 /

Bths - Full.Part

Kitchen: M / 9 X 8 /

2nd Bd: M / 10 X 8 /

Upper Lvl: 0.0

Dining: / /

3rd Bd: / /

Main Lvl: 1.0

Family: / /

UTILITY: M / 12 X 8 /

Lower Lvl: 0.0

: / /

: / /

Total Bth: 1.0

FEATURES AND UTILITIES

Kitchen:

Interior: HARDWOD

Exterior: PATIO, FENCED

Accessibility:

Energy Eff:

Water: PUBLIC

Sewer: PUBLIC

Cool: Hot Water: ELECT

Heat: BASEBRD Fuel: ELECT

FINANCIAL

Property Tax/Yr: \$1,163.17

Spcl Asmt Balance:

Tax Deferral:

BAC: % 2.7

Terms: CONV, CASH

Short Sale: Y

3rd Party: Y

Total Comm Differs: N

Escrow Pref: WFG

HOA Dues: \$150 /MO

Other Dues:

Bank Owned/REO: N

Rent, If Rented:

HOA Incl: COMMONS, SEWER, WATER

BROKER / AGENT DATA

BRCD: HASN03

Office: Hasson Company Realtors

Phone: 503-652-9801 Fax: 503-212-2436

LPID: ROSSINIC

Agent: Nick Rossi

Phone: 503-212-2336 Cell/Pgr: 503-318-4323

Agent E-mail: rossin@hasson.com Agent Ext:
CoLPID: CoBRCD: CoAgent: CoPh:
ShowHrs: Tran: 7/1/2012 List: 6/16/2011 Exp:6/30/2012 Occ: VACANT Poss:
LBHrs/Loc/Cmb: gate Owner: Mercado Phone: 503-847-8423
Show: RMLSLBX, OWN-OCC Tenant/Other: Phone:
COMPARABLE INFORMATION
Pend: DOM/CDOM: 380 / 380 O/Price: \$45,000
Sold: Terms: Sold Price:
SPID: S/Agt: S/Off: S/Off Phone:

© RMLS™ 2012. ALL RIGHTS RESERVED. - INFORMATION NOT GUARANTEED AND SHOULD BE VERIFIED.
SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

October 14, 2012

AUDITOR 10/15/12 AM 8:58

City of Portland
Attention: City Council
1221 SW 4th Ave.
Portland, OR 97204

RE: Proposed Assessments for Deltawood Phase I and Phase 2 LIDs

Dear Mayor Sam Adams and Commissioners Nick Fish, Amanda Fritz, Randy Leonard, and Dan Saltzman:

I want to sincerely thank you for allowing additional time until the October 24th Council Meeting to present additional information related to the proposed assessments for the Deltawood Phase I and Phase II water main and sanitary sewer improvements. Saturday, I spent seven hours knocking on doors and talking to residents of Deltawood. Attached are five letters objecting to the proposed assessments and describing the hardship that these assessments will cause these families that are struggling to keep their homes.

The salient conclusions of my interviews with residents are summarized below.

1. Residents of Deltawood are living in poverty as a result of unemployment, underemployment and disabilities.
2. The majority of residents that I interviewed did not fully understand the correspondence that the City of Portland sent them regarding the proposed assessments and the Safety Net Program. For three families that I interviewed, English was a second language. These families did not have enough proficiency in English to understand that they could apply for the Safety Net Program and that the assessments would be a lien against their property.
3. Imposing the assessments will create hardship on residents who are already struggling to pay for mortgages, HOA dues, property taxes, utilities and other costs associated with homeownership. Residents that did not apply for the Safety Net Program said that they cannot afford an additional \$150 a month and may lose their home to foreclosure if the assessments are imposed.

After Deltawood residents understood what will happen to their homes after the assessments are imposed and they were informed of ways that they could object to the assessments, several residents said that they would like to testify and tell their stories at the City Council meeting on October 24. I recognize that Council does not have to allow testimony at the second reading, however, Deltawood residents are politically naïve. Residents did not know that they could testify at the first reading on October 17. Please forgive these residents for not testifying in a timely manner and allow them to provide testimony at the October 24th meeting.

Letter to City Council
October 14, 2012
Page Two

If City Council members would like a tour of the neighborhood and the opportunity to meet with residents to talk about the assessments, please join us at the following date and time:

Date: Monday, October 22nd
Time: 7:00 pm
Place: Jubitz Truck Stop
10210 N Vancouver Way
Portland, OR 97217

Please let me know via email at cf.hermann1@gmail.com if you will be joining us at Jubitz Truck Stop.

After I spent about an hour with one family thoroughly explaining all the letters that the city had issued, a woman hugged me and said that I "gave her hope". Please give the residents of Deltawood some hope for the future and don't assess a community that can't afford to pay. Stated simply by Deltawood resident Kay Williford, "a loan does no good without money".

Sincerely,



Christine Hermann

Enclosures: Letter dated 9-26-2012 from six property owners
Letter dated 10-13-2012 from Albert Brown
Letter dated 10-13-2012 from Jesus Galaz
Letter dated 10-13-2012 from Martin Vargas
Letter dated 10-13-2012 and two pictures from Kay Williford

185693

Environmental Services

Andrew Aebi

1120 SW 5th Ave.

Portland, OR 97204

Dated: 9-26-2012

AUDITOR 10/15/12 AM 8:59

Dear Mr. Andrew Aebi,

Some of the homeowners at Deltawood Community met with your Representative, Christopher Collett during open house on Sept. 25th 2012 who presented loan safety net for those who could not Afford to make a full payment at this time.

We as homeowners feel that re-piping and incomplete pavement was implemented by the city without the consent of 2/3rd majority, as Outlined in the by-laws of Deltawood Homeowners' Association document. (formerly Snoozy's Hollow)

Homeowners in the neighborhood are living below the federal poverty line, Hence we believe approx. \$16,000 loan is beyond our capacity to pay the City. Most of the homes are underwater with no reprieve in sight.

We earnestly request the city to forgive final assessment and to leave us on our own fate.

Thank you for your kind consideration,

KAY WILLIFORD 503-289-3232

ALBERT BROWN 503-750-1441 - owner

FORREST FESTNER 503-957-2393

JOHN BARBER 503-289-5036

JAMAL ABDI 503-358-7485

SCOTT LAWRIE 503-708-9314

185693

October 13, 2012

AUDITOR 10/15/12 AM 8:59

City of Portland
 Attention: City Council
 1221 S.W. 4th Ave.
 Portland, OR 97204

Dear Mayor Sam Adams and Commissioners Nick Fish, Amanda Fritz, Randy Leonard, and Dan Saltzman:

RE: Objection to Proposed Assessments for Deltawood Phase I and Phase 2 LID Assessments

I own a home at ⁷⁵⁰² 9500 Gertz Crt in the Deltawood community. I object to the proposed assessments because they will put a lien on my property which will affect my financial situation and the hope that I had when I bought my house that it would appreciate in value. At the time of sale, the substantial amount of these assessments will likely wipe out any equity that I may have had in my home. Our home values in Deltawood have dropped substantially in the past five years and we cannot count on the equity we expected in our homes.

Please help residents of Deltawood retain some equity that we may have in our homes so that we can enjoy a modest amount of appreciation from our major asset.

Sincerely,


 Signature

10-13-12

HOMEOWNER COMMENTS:

(As told to Christine Belmann)
 Please Waive these Change. We can't afford it
 I am going through a loan modification with
 my lender and I am unemployed. I don't have
 the financial resources to pay these treble change.
 Even if I was to qualify for Safety Net, the loan
 and interest will accrue and will lower the
 value of my property. It will make it harder to
 sell. Homes are under water. The average value is
 under \$40,000 there is no way that I can pay 716,500

185693

October 13, 2012

City of Portland
Attention: City Council
1221 S.W. 4th Ave.
Portland, OR 97204

AUDITOR 10/15/12 AM 9:59

Dear Mayor Sam Adams and Commissioners Nick Fish, Amanda Fritz, Randy Leonard, and Dan Saltzman:

RE: Objection to Proposed Assessments for Deltawood Phase I and Phase 2 LID Assessments

I own a home at 9532 Gertz Cr in the Deltawood community. I object to the proposed assessments because they will put a lien on my property which will affect my financial situation and the hope that I had when I bought my house that it would appreciate in value. At the time of sale, the substantial amount of these assessments will likely wipe out any equity that I may have had in my home. Our home values in Deltawood have dropped substantially in the past five years and we cannot count on the equity we expected in our homes.

Please help residents of Deltawood retain some equity that we may have in our homes so that we can enjoy a modest amount of appreciation from our major asset.

Sincerely,

Jesus L Galaz
Signature

HOMEOWNER COMMENTS: (told to Christine Hermann)
Sylvia and Jesus Galaz have owned their home for 11
years. Sylvia had been working at Columbia Sportswear but
recently left because she became disabled. Jesus is employed
at Meyer Container so they are now living on only one income.
They did not apply for the Safety Net Program because they
were not aware of it. They are overwhelmed by the
information the City sends regarding the pending assessments and
do not fully understand the implications of what
the City is doing to them. You can call Sylvia at (503) 960-
if you need more information. 6500

800581

185693

October 13, 2012

City of Portland
Attention: City Council
1221 S.W. 4th Ave.
Portland, OR 97204

AUDITOR 10/15/12 AM 8:59

Dear Mayor Sam Adams and Commissioners Nick Fish, Amanda Fritz, Randy Leonard, and Dan Saltzman:

RE: Objection to Proposed Assessments for Deltawood Phase I and Phase 2 LID Assessments

I own a home at 9415 Gertz CA in the Deltawood community. I object to the proposed assessments because they will put a lien on my property which will affect my financial situation and the hope that I had when I bought my house that it would appreciate in value. At the time of sale, the substantial amount of these assessments will likely wipe out any equity that I may have had in my home. Our home values in Deltawood have dropped substantially in the past five years and we cannot count on the equity we expected in our homes.

Please help residents of Deltawood retain some equity that we may have in our homes so that we can enjoy a modest amount of appreciation from our major asset.

Sincerely,

Martin Vargas
Signature

HOMEOWNER COMMENTS: (As told to Christine Hermann)

Martin Vargas and his wife have lived in Deltawood for several years.

They don't have money to pay the City \$150 per month for the sewer and water assessments. They will have to

move and lose their house to foreclosure. He was told by

his lender not to sign the papers for the assessment. He has

to pay \$68 per month HOA dues for which he doesn't get any benefit and can't afford ~~the~~ \$150 for the sewer and water liens. He is not working very much now. If he doesn't get a home modification loan, he will lose his house. This is why he doesn't want to sign any papers with the City. They are struggling right now to keep their home.

185693

October 13, 2012

AUDITOR 10/15/12 AM 8:59

City of Portland
Attention: City Council
1221 S.W. 4th Ave.
Portland, OR 97204

Dear Mayor Sam Adams and Commissioners Nick Fish, Amanda Fritz, Randy Leonard, and Dan Saltzman:

RE: Objection to Proposed Assessments for Deltawood Phase I and Phase 2 LID Assessments

I own a home at 7407 Gertz St. in the Deltawood community. I object to the proposed assessments because they will put a lien on my property which will affect my financial situation and the hope that I had when I bought my house that it would appreciate in value. At the time of sale, the substantial amount of these assessments will likely wipe out any equity that I may have had in my home. Our home values in Deltawood have dropped substantially in the past five years and we cannot count on the equity we expected in our homes.

Please help residents of Deltawood retain some equity that we may have in our homes so that we can enjoy a modest amount of appreciation from our major asset.

Sincerely,

Kay, Wallys
Signature

(ps. Attached photo is from prior to these projects began when I tried telling saltzman, Leonard & Mayor Adams that this project will DESTROY this community. I was Right! Many are moving out & can't afford any of this. I can't afford to move!

HOMEOWNER COMMENTS:

I am a disabled owner & my income is very limited. Both the \$60,000 water bill & water/sewer LID has now taken away all my ability & hope of "owning" my home. In fact I would love to move back to Wash. co where I got assistance & care, But with this LID FORCED upon me along w/ a water bill that I DID NOT LIVE HERE WHEN IT WAS USED & NOT MY RESPONSIBILITY

I have Zero, ZERO Hope ever obtaining equity or own another home in my life --- THIS IS UNFAIR!! Proper Voting & exploring of the problem under our HOA Bylaws/Covenants (Set up by the City/State/County (xBook BUS Page 468) State this clearly!

Being disabled is hard, Owning a home is a goal most never get. Then to have it TAKEN AWAY is UNJUST. A "Lien" does no good w/o \$!!

185693



AUDITOR 10/15/12 AM 8:59



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

City Council
Agenda Item
Staff Supplemental Report

TO: Commissioner Dan Saltzman
THROUGH: Matt Grumm or Amy Trieu

FROM: Matt Hickey, BES Project Manager, x3-7928
Andrew Aebi, City of Portland LID Administrator, x3-5648

DATE: October 12, 2012

RE: Assess benefited properties for sanitary sewer improvements in the Deltawood
Phase II Local Improvement District (Hearing; Ordinance; C-10032)

Requested Council Hearing Date: October 10, 2012 9:30 AM Time Certain Agenda
(15 minutes requested)

I. RECOMMENDATION

Approve Ordinance.

II. BACKGROUND

Deltawood residents were previously served by a single meter on a private system, which had chronically been in need of repairs for years. Pipes were cracking and leaking and were beyond repair. The Deltawood Homeowners Association had explored private infrastructure improvements but requested that the work be done by the City of Portland. Although the initial petition did not reach majority petition support required to initiate LID formation proceedings, the Deltawood HOA requested and received Commissioner approval for a Council-initiated LID. Now that the project is complete, the project isolates utility charges to individual property owners, thereby allowing the Deltawood HOA to reduce its HOA fees collected for this purpose, and will encourage conservation of water. A brief PowerPoint presentation will be made on the cost savings for property owners.

III. FINANCIAL IMPACT

This project is currently budgeted in the BES's Capital Improvement Program. At LID formation it was anticipated that BES would provide an estimated \$416,152.68 in funding to augment property owner funding of this LID. Savings on this project has resulted in the BES funding declining to \$336,679.11 even after incorporating a maximum cost formula to reduce property owners' assessments. As the Responsible Bureau, BES will be liable for any assessments which may default after final assessment.

IV. LEGAL ISSUES

None.

V. CONTROVERSIAL ISSUES

There have been ongoing LID discussions in this area for many years, which finally led to Council approval of a Council-initiated LID in 2009. No testimony in opposition to this project was received at Council during the LID formation process, although one remonstrance against LID formation was received. Currently there appears to be a minority sentiment that the project was not necessary despite the evidence to the contrary. If any timely objection(s) against LID final assessment are received, Exhibit E will be updated to reflect them. A brief PowerPoint presentation will explain the cost savings to the property owners.

VI. LINK TO CURRENT CITY POLICIES

A hearing for this Ordinance is required by City Code.

VII. CITIZEN PARTICIPATION

All property owners are being notified of this LID Final Assessment Hearing.

VIII. OTHER GOVERNMENT PARTICIPATION

None.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

None; project work is complete.

X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? ____ WHAT IS THEIR BUSINESS LICENSE NUMBER? ____ IS THEIR ACCOUNT WITH THE CITY CURRENT? ____ IF NOT, HOW MUCH IS OWING? ____

Not applicable.

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Matt Hickey/Andrew Aebi		2. Telephone No. x3-7928/x3-5648	3. Bureau/Office/Dept. BES/PBOT
4a. To be filed (hearing date): October 10, 2012 9:30 AM Time Certain (15 minutes requested)	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: 9/25/12
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Assess benefited properties for sanitary sewer improvements in the Deltawood Phase II Local Improvement District (Hearing; Ordinance; C-10032)

2) Purpose of the Proposed Legislation:

Imposes final assessment.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|---|---|------------------------------------|--------------------------|
| <input type="checkbox"/> City-wide/Regional | <input checked="" type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> |
| North | | | |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> |
| East | | | |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This legislation will recover direct costs expended on this project in the amount of \$203,448.00 including a sole pending reimbursement from the LID Construction Fund in the amount of \$197,914.14 net of \$5,533.86 in Auditor's costs. BES is providing \$336,679 in funding for this project.

5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local \$110,946.50 or match required. If there is a project estimate, please identify the level of confidence.)*

No costs result from this legislation. The level of confidence is High because this project is complete.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☒ **YES:** Please proceed to Question #9.

☐ **NO:** Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

This project resolves longstanding sanitary sewer issues in the Deltawood neighborhood, and will eliminate chronic leakage of the former private system, which will be decommissioned after property owners connect to the new public system, which is now available. Utility billings are now made individually to each property owner, so each property owner is now in control of their own utility bill, has an incentive to conserve, and can apply for low income discounts.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

At least seven property owner meetings before and after LID formation have been held to which all property owners in Deltawood have been invited. All property owners were notified of the hearing initiating LID formation proceedings in 2008, as well as to the hearing actually forming the LID in 2009.

c) How did public involvement shape the outcome of this Council item?

The Deltawood community was extensively involved in the formation of the Deltawood Phase II LID. This ordinance imposes the final assessment with a revision to the assessment methodology adopted by Council at LID formation; property owners are being charged a lower maximum cost methodology. Property owners have been notified of the upcoming LID Final Assessment Hearing, and all assessments are below the amounts estimated at LID formation. Although not covered by this Ordinance, community input led to Council approval of an assessment deferral program, which Council approved on August 1, 2012 with the passage of Ordinance #185533.

d) Who designed and implemented the public involvement related to this Council item?

Andrew Aebi, Local Improvement District Administrator with assistance from Matt Hickey and Chris Collett in the Bureau of Environmental Services.

e) Primary contact for more information on this public involvement process (name, title, phone, email):**LID questions:**

Andrew Aebi, Local Improvement District Administrator,
503-823-5648, andrew.aebi@portlandoregon.gov

Project questions:

Matt Hickey
503-823-7928, matthew.hickey@portlandoregon.gov
Chris Collett
503-823-4108, chris.collett@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

None; final assessment is the final Council action taken on LIDs.

WTR ELL [Signature] for DM
APPROPRIATION UNIT HEAD (Typed name and signature)