

RESOLUTION No. 37337 As Amended

Declare intent to initiate local improvement district formation proceedings to construct street, sidewalk, stormwater and sanitary sewer improvements in the SE 80th Ave and Mill St Local Improvement District (Resolution; C-10060)

WHEREAS, the Local Improvement District (LID) Administrator has received requests to improve SE 80th Avenue and Mill Street since October 15, 2003; and

WHEREAS, the Bureau of Environmental Services (BES) is building sanitary sewer improvements as part of the BES Montavilla South Sanitary Sewer Project No. E10386, which will require partial reconstruction of SE Mill Street from SE 80th Avenue to SE 82nd Avenue;

WHEREAS, a joint capital improvement program (CIP) project between BES and PBOT provides an opportunity for BES funds to be more cost-effectively used towards a complete reconstruction of the street in lieu of ineffective trench repairs, significantly lowering both the costs of the LID to property owners and long-term maintenance costs to the City, while rectifying severe deficiencies of inadequate infrastructure; and

WHEREAS, full reconstruction of SE 80th Avenue from 100 feet north of SE Grant Street to SE Mill Street and SE Mill Street from SE 80th Avenue to SE 82nd Avenue and a grind and inlay to existing pavement on SE 80th Avenue from SE Mill Street to SE Market Street provides an opportunity to construct new a stormwater management system and to construct new sidewalks; and

WHEREAS, the planned improvements to SE 80th Avenue and to SE Mill Street will be at the intersection of two neighborhood greenways, the north-south Seventies Neighborhood Greenway paralleling SE 82nd Avenue (Oregon Highway 213), an Oregon Department of Transportation (ODOT) facility; and also completing a key missing link between the existing SE Harrison/Lincoln Greenway and the pending "4M" (Market/Mill/Main/Millmain Greenway, enhancing multimodal transportation; and

WHEREAS, the planned improvements will improve vehicle, pedestrian and bicycle access to Jim Bridger Elementary School, a Title I school with a large population of low-income students; and

WHEREAS, on April 7, 2016, neighborhood resident Rachel Kimbrow published a video documentary of "A Rough Road Leads to Greatness: Where are our safe routes to school?" (<https://www.youtube.com/watch?v=13hDaWLqsXs&feature=youtu.be>), detailing concerns of parents and students at Bridger Elementary School and Harrison Park Elementary School sharing their concerns about the lack of sidewalks and safe crossings in their communities within two blocks of these schools, including perspectives shared in multiple languages not limited to English; and

WHEREAS, on November 30, 2016, neighborhood resident Amy Wren published a Portland State University transportation class project titled "Safer Routes to Bridger School" (<https://bikeportland.org/tag/amy-wren>), proposing that stormwater sewers be installed so that curbs and sidewalks could be constructed; and

WHEREAS, property owners within the proposed SE 80th Avenue & Mill Street Local Improvement District (LID) boundary were invited to attend a property owner meeting on September 18, 2017, with both PBOT and BES staff collaborating with the community on potential capital improvement project (CIP) coordination; and

WHEREAS, property owners within the proposed SE 80th Avenue & Mill Street Local Improvement District (LID) boundary, all property owners including Portland Public Schools were notified between October 4, 2017 and November 22, 2017 of proposed initiation of LID formation proceedings to be considered by Council on December 13, 2017; and

WHEREAS, this project will be partially funded with PBOT Transportation System Development Charge (TSDC) revenue, and written testimony is in the record of Ordinance No. 188619 approved by Council on September 27, 2017 supporting the use of TSDC funding for the proposed SE 80th Avenue & Mill Street LID as part of TSDC Project No. 70052; and

WHEREAS, SE 80th Avenue has a pavement condition index (PCI) as low as zero on a zero to 100 scale, with pavement in very poor condition; and

WHEREAS, SE Mill Street has a pavement condition index (PCI) of 21 on a zero to 100 scale, with pavement also in very poor condition; and

WHEREAS, SE Mill Street is the only signalized crossing of SE 82nd Avenue between SE Division Street and SE Yamhill Street, elevating the transportation connectivity importance of SE Mill Street beyond its planning designation as a local street; and

WHEREAS, local improvement district formation proceedings are being initiated by directive of the Commissioner in Charge of PBOT per Section 17.08.040.A of City Code per the memorandum attached as Exhibit A; and

WHEREAS, the Bureau of Transportation is the Responsible Bureau for the proposed improvement and recommends initiation of local improvement district formation proceedings; and

WHEREAS, the proposed project is located in the Southeast Uplift neighborhood coalition (SEUL) area, and SEUL was notified of this LID by the Local Improvement District Administrator on November 12, 2017; and

WHEREAS, the proposed project is located in the Montavilla Neighborhood Association (Montavilla) and Montavilla was notified of this LID by the Local Improvement District Administrator on November 12, 2017;

WHEREAS, Attachments 13 and 14 of Exhibit D of this Resolution reflect testimony in favor of expanding the proposed project to extend the southern project limit from the south right-of-way line of 100 feet north of SE Grant St. to 100 feet north of SE Grant Street and Council desires to not leave uncompleted infrastructure gaps;

NOW, THEREFORE, BE IT RESOLVED, that the general character and scope of the improvement is to remove the existing dirt, gravel and/or hard surface; grade streets to their proper subgrade; construct asphaltic concrete streets with an aggregate base; construct stormwater drainage facilities consisting of sedimentation manholes and a sump system; construct sidewalks on both sides of the street; and plant street trees in most locations; and

BE IT FURTHER RESOLVED, that the Council declares the intent of the City to initiate local improvement district formation proceedings to construct street, sidewalk, stormwater and sanitary sewer improvements to SE 80th Avenue from 100 feet north of SE Grant Street to SE Market Street and to SE Mill Street from SE 80th Avenue to SE 82nd Avenue, plus any transition work on abutting street segments, intersections, and/or adjacent property determined to be necessary by the City Engineer; and

BE IT FURTHER RESOLVED, that the local improvement district shall be known as the SE 80th Avenue & Mill Street Local Improvement District and for purposes of the Local Improvement District Formation Hearing as set forth in Section 17.08.070 of City Code, the boundary shall be as shown in the map in Exhibit B; and

BE IT FURTHER RESOLVED, that the preliminary estimate of the cost of the improvements is \$3,808,139.63 not including SE 80th Avenue from the south right-of-way line of 100 feet north of SE Grant Street to 100 feet north of SE Grant Street and the Local Improvement District Administrator's level of confidence in the cost estimates for this project as of the filing date of this resolution is "Low" per Exhibit A of Resolution No. 36430 adopted by City Council on July 26, 2006 given that project specifications are preliminary; and

BE IT FURTHER RESOLVED, that the assessment methodology of the SE 80th Avenue & Mill Street Local Improvement District shall be on a square footage basis with the LID providing funding of \$1,383,144.60 as shown in Exhibit C unless this assessment methodology is modified by City Council at the Local Improvement District Formation Hearing; and

BE IT FURTHER RESOLVED, that BES will provide direct funding of \$705,409.69 and in-kind funding of \$160,565.77 for total funding of \$865,975.46; and

BE IT FURTHER RESOLVED, that PBOT will provide direct funding of \$1,035,674.41 from TSDC revenue and overhead funding of \$523,344.16 for total funding of \$1,559,018.57; and

BE IT FURTHER RESOLVED, that PBOT will offer an LID assessment deferral temporarily funded from TSDC for not less than five years to residential properties whose owners own at least one owner-occupied property within the boundary of the SE 80th Avenue & Mill Street LID to be repaid when the deferral lien replacing the LID lien is paid; and

BE IT FURTHER RESOLVED, that the Council intends to construct the project; and

BE IT FURTHER RESOLVED, that the Council directs the Local Improvement District Administrator to initiate local improvement district formation proceedings as set forth in Section 17.08.070 of City Code to include updated and cost and funding estimates to include abutting frontage improvements to benefit three properties at 1904-1924 SE 80th Avenue; 1930-1940 SE 80th Avenue and 2025 SE 82nd Avenue and to schedule a Local Improvement District Formation Hearing on January 17, 2018 beginning at 9:30 AM or on the earliest practicable date thereafter.

Adopted by the Council, DEC 13 2017

Commissioner Dan Saltzman
Prepared by: Andrew Aebi: smp
Date Prepared: December 13, 2017

Mary Hull Caballero
Auditor of the City of Portland

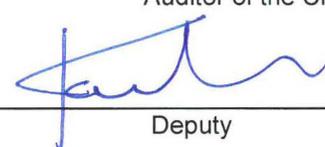
By



Deputy

Resolution **ORDINANCE NO. 37337** As Amended
Title

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<p align="center">INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>DEC 05 2017</u></p>
<p align="center">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>Don 9/6</i></p> <p>Position 4/Safety – Eudaly</p>	<p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  _____ Deputy</p>
<p align="center">BUREAU APPROVAL</p> <p>Bureau: Transportation <i>Am</i> Policy, Planning & Projects Group Manager: Art Pearce Director: Leah Treat <i>LS</i></p> <p>Prepared by: Andrew Aebi <i>AHA 12/1/17</i> Date Prepared: November 14, 2017 Supervisor: Millicent Williams <i>MW</i></p>	<p>ACTION TAKEN:</p>
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input checked="" type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date December 13, 2017 9:30 AM Time Certain Agenda</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: 10:00 AM Total amount of time needed: 30 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/> Total amount of time needed: (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	