

ORDINANCE No. 188724

Amend the boundary of the NW 20th Ave Local Improvement District to amend to accept \$500,000 in funding from Esco Corporation, and include and assess a property at 2141 NW 25th Ave to fund traffic signal replacement and intersection improvements to the NW 23rd Ave and NW Vaughn St and U.S. Hwy 30 intersection (Hearing; Ordinance; C-10049; amend Ordinance No. 187244)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council approved Resolution No. 37125 on May 27, 2015 initiating local improvement district formation proceedings for the NW 20th Avenue Local Improvement District (LID).
2. The Council approved Ordinance No. 187244 on July 1, 2015 forming the NW 20th Avenue LID, with no remonstrance received from any property owner against formation of the LID. No property owned by Esco Corporation was included in the original LID.
3. The Council approved Ordinance No. 188455 on June 14, 2017 amending the LID boundary and scope of the project to include traffic signal replacement at the NW 23rd Avenue and NW Vaughn Street and U.S. Highway 30 intersection with a remonstrance received but withdrawn prior to Council adoption of this Ordinance. No property owned by Esco Corporation was included in the first amendment to the LID.
4. Esco Corporation desires to make a voluntary contribution of the lesser of \$500,000 or actual costs of designing and constructing the replacement traffic signal for the NW 23rd Avenue and NW Vaughn Street and U.S. Highway 30 intersection to relieve current congestion and to provide additional future capacity on primary access routes serving its properties.
5. The project is anticipated to advertise for bids in December 2017 or January 2018 subject to completion of right-of-way acquisition and final construction permitting from the Oregon Department of Transportation (ODOT). The additional project funding from Esco will provide additional contingency for the NW 23rd Avenue and NW Vaughn Street and U.S. Highway 30 intersection traffic signal replacement. This funding will also provide for minor curb alignment modifications to the intersection to improve capacity and the safety of vehicles traffic flowing through this intersection, while continuing to restore pedestrian connectivity at all crossings of the intersection, including the

currently-closed east leg of the intersection, strongly desired by the Northwest District Association (NWDA).

6. NWDA was briefed on the proposed additional funding for the LID, with NWDA's Transportation Committee briefed on October 4, 2017 and NWDA's Land Use Committee briefed on October 12, 2017.
7. The LID Administrator mailed notice of the December 6, 2017 LID funding hearing on November 15, 2017 to the owner of each benefited property within the NW 20th Avenue LID. The owners of properties were notified of the December 6, 2017 hearing based on Multnomah County property tax records as of August 18, 2017. Each property owner was notified of the time and location of the hearing conducted by the Council, the right and manner to object to the scope change of the NW 20th Avenue LID, the deadline and procedure for filing remonstrances against the scope change of the NW 20th Avenue LID. No existing pending lien amounts are proposed to be changed to by this Ordinance, but one new pending lien record is proposed to be added per directive 'a' of this Ordinance. The deadline to submit written remonstrances was at 5:00 PM on November 29, 2017. No remonstrances were received against this additional funding from Esco Corporation.
8. Notices of the LID scope change hearing were posted within the NW 20th Avenue LID on November 21, 2017.
9. The LID Administrator published notice of the December 6, 2017 LID funding hearing in the Daily Journal of Commerce on November 20, 2017 and on November 22, 2017.
10. The Local Improvement District Administrator's level of confidence in the cost estimate for this project as of the filing date of this Ordinance is "Moderate" per Exhibit A of Resolution No. 36430 adopted by Council on July 26, 2006 given that project specifications reflect 95% design.
11. Esco Corporation desires that its funding of this LID be applied before advertising for bids to ensure that scope reductions are not necessary after bids are opened and prior to actual award of the construction contract. This will result in the additional \$500,000 in LID funding being directed to the costs of design and construction of the NW 23rd Avenue and NW Vaughn Street and U.S. Highway 30 intersection improvements conveying special benefit to its property at 2141 NW 25th Ave.
12. Passage of this Ordinance will provide assurance of performance per Section 17.24.055 of City Code for any improvements which would be required of Esco Corporation or its successors and assigns for the NW 23rd Avenue and NW Vaughn Street and U.S. Highway 30 intersection as a future condition of development.

13. Passage of this Ordinance does not provide assurance of performance per Section 17.24.055 of City Code for any improvements to street frontages abutting Esco Corporation which may be imposed as a future condition of development, including but not limited to any or all of the following street segments:
- a. NW 24th Avenue between NW Vaughn Street and NW Nicolai Street;
 - b. NW 25th Avenue between NW Vaughn Street and NW Wilson Street;
 - c. NW 26th Avenue between NW Wilson Street and NW Nicolai Street;
 - d. NW Nicolai Street between NW 24th Avenue and NW 26th Avenue;
 - e. NW Roosevelt Street between NW 23rd Avenue and NW 24th Avenue;
 - f. NW Vaughn Street between NW 24th Avenue and NW 25th Avenue;
 - g. NW Wilson Street between NW 24th Avenue and NW 26th Avenue.

NOW, THEREFORE, the Council directs:

- a. That the City Auditor create a new pending lien record for the property with State ID No. 1N1E28C 100, Tax Account No. R941280370, Property ID No. R316317, legal description SECTION 28 1N 1E, TL 100 15.57 ACRES, LAND & IMPS SEE R646138 (R941280371) FOR MACH & EQUIP, addressed as 2141 NW 25th Avenue, in the amount of \$500,000 and with 5, 10 and 20-year financing to be available upon final assessment of this LID.
- b. Exhibit A of Ordinance No. 188455 is replaced with the map attached as Exhibit A to this Ordinance.

Passed by the Council, DEC 13 2017

Commissioner Dan Saltzman
 Commissioner Chloe Eudaly
 Prepared by: Andrew Aebi:smp
 Date Prepared: November 6, 2017

Mary Hull Caballero
 Auditor of the City of Portland

By

Susan Parsons

Deputy

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Agenda No.

ORDINANCE NO.

188724

Title

~~the boundary of~~
Approve a second amendment to the NW 20th Ave Local Improvement District to further amend the boundary to accept \$500,000 in funding from Esco Corporation, and to include and assess a property at 2141 NW 25th Ave to fund traffic signal replacement and intersection improvements to the NW 23rd Ave and NW Vaughn St and U.S. Hwy 30 intersection (Hearing; Ordinance; C-10049; amend Ordinance No. 187244)

INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman	CLERK USE: DATE FILED NOV 28 2017
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman <i>DS</i>	By: <i>[Signature]</i> Deputy
Position 4/Safety - Eudaly	
BUREAU APPROVAL Bureau: Transportation <i>AMP</i> Policy, Planning & Projects Group Manager: Art Pearce Director: Leah Treat <i>[Signature]</i> Prepared by: Andrew Aebi <i>AA 11/20/17</i> Date Prepared: November 16, 2017 Supervisor: Millicent Williams <i>[Signature]</i>	ACTION TAKEN: DEC 06 2017 PASSED TO SECOND READING DEC 13 2017 9:30 A.M.
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input checked="" type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>6/</i>	
Council Meeting Date December 6, 2017	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 10 min. (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	