

IMPACT STATEMENT

Legislation title: Declare intent to initiate local improvement district formation proceedings to construct street, sidewalk, stormwater, and sanitary sewer improvements in the NE 57th Ave and Killingsworth St Local Improvement District (Resolution; C-10061)

Contact name: Andrew Aebi

Contact phone: 503-823-5648

Presenter name: Andrew Aebi

Purpose of proposed legislation and background information:

This resolution will initiate local improvement district ("LID") formation proceedings to construct street, sidewalk, stormwater and sanitary sewer improvements to NE 57th Avenue and curb and sidewalk only improvements to NE Killingsworth Street. Complaints have been received about the condition of currently unpaved NE 57th Avenue for over 5 years, and a pending development by Habitat for Humanity coupled with new Transportation System Development Charge funding provides a one-time opportunity to improve the street at a significantly reduced cost for property owners.

The Resolution initiates LID formation proceedings by majority petition support of property owners.

Cully Association of Neighbors has been extensively involved in the discussions related to this proposed LID.

Financial and budgetary impacts:

- Property owners' assessments for existing development from \$3,855 to \$98,297; however, the property with the largest proposed assessment will be offered fair market value compensation for right-of-way acquisition which will defray a portion of this assessment.
- The level of confidence is Low.
- No change to staffing levels.
- 10% of the LID revenue (\$596,353) is to be added to the FY17-18 fiscal year budget (\$59,635) and 90% of the LID revenue (\$596,353) is to be added to the FY18-19 fiscal year budget (\$536,718). 100% of the PBOT SDC revenue (\$326,422) to be added to the FY18-19 fiscal year budget.
- The project is not currently in the 5-year CIP but is on the current Transportation System Development Charge (TSDC) list of projects.

Community impacts and community involvement:**37340**

The LID Administrator has received requests for street, sidewalk and stormwater improvements since 2012. A key objective of this project is to address the disparate racial impacts caused by the lack of street, stormwater and sidewalk infrastructure in the project area. Cully Association of Neighbors has a significantly higher population of African-American and Hispanic residents than the City as a whole, and this project will improve pedestrian and bicycle access to nearby Rigler Elementary school and to nearby Khunamokwst Park.

100% Renewable Goal:

This action will have no impact on the City's total or renewal energy use; however, multimodal transportation will be encouraged, thereby reducing greenhouse gas emissions.

Budgetary Impact Worksheet**Does this action change appropriations?**

- ☐ YES: Please complete the information below.
☒ NO: Skip this section

| Fund | Fund Center | Commitment Item | Functional Area | Funded Program | Grant | Sponsored Program | Amount |
|------|-------------|-----------------|-----------------|----------------|-------|-------------------|--------|
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PBOT

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Dan Saltzman Commissioner Leah Treat Director

37340

January 23, 2018

PROPOSED AMENDMENTS TO THE NE 57TH AVENUE & KILLINGSWORTH STREET LOCAL IMPROVEMENT DISTRICT ("LID") RESOLUTION

Declare intent to initiate local improvement district formation proceedings to construct street, sidewalk, stormwater, and sanitary sewer improvements in the NE 57th Ave and Killingsworth St Local Improvement District (Resolution; C-10061)

I. SUMMARY

Additional petition support was received after the Resolution was filed, which needs to be appended to Exhibit A and which will require a substitute Exhibit B.

The current proposed assessment rate for the property at 5305 NE 57th Avenue is \$4.00 per assessable square foot. The Local Improvement District Administrator requests correction of this assessment rate to \$2.40 per assessable square foot per current prevailing R5h zoning for this property. The effect of this change will be that all properties within this proposed LID with R5h zoning will have a uniform rate of \$2.40 per assessable square foot. If Council approves this Resolution as amended, then the \$39,318.96 reduction in project costs will be in the form of reduced contingency and the LID Administrator will request additional Transportation System Development Charge (TSDC) revenue only if this reduced contingency is actually needed.

Two (2) garages on the east side of NE 57th Avenue currently encroach into the existing right-of-way. Because the new street will not require the full extent of the prevailing 60'-wide right-of-way, it is not necessary for PBOT to require that the garages be removed in order to build the project. The Local Improvement District Administrator received feedback that providing this certainty within this Resolution would be helpful, as the property owners do not wish to have to budget for demolishing and replacing their garages in addition to budgeting for the LID.

The Financial Impact Statement was filed indicating that Council adoption of this Ordinance will change appropriations. PBOT prefers to instead change appropriations during the next Citywide budget adjustment.



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II. RECOMMENDATION FOR COUNCIL

The Local Improvement District Administrator therefore requests that Council amend the following:

1. Add a first additional "Be it further Resolved" paragraph at the end of the Resolution, which will not affect the amounts in this Resolution, but will change amounts in the subsequent LID Formation Ordinance:

"The Council directs the Local Improvement District Administrator to reduce total project costs within the subsequent LID Formation Ordinance by \$39,318.96 from \$1,035,255.66 to \$995,936.70 and to reduce total project funding within the Resolution by \$39,318.96 from \$1,035,255.66 to \$995,936.70; and to reduce the estimated assessment within the subsequent LID Formation Ordinance for 5305 NE 57th Avenue by \$39,318.96 from \$98,297.43 to \$58,978.47 with no changes to other benefiting properties' estimated assessments."

2. Add a second additional "Be it further Resolved" paragraph at the end of the Resolution:

"The Council directs the City Engineer to design and construct the project avoiding the need to demolish and/or or relocate existing garages on the east side of NE 57th Avenue. Notwithstanding their current encroachment onto the public right-of-way, removal of these garages will not be required in conjunction with this project."

3. Append attached petition from property owner Walker to Exhibit A.
4. Replace Exhibit B with the attached, which reflects additional petition support received.
5. The second page of the Impact Statement is replaced with the attached revision; the only change is to uncheck the "yes" box and check the "no" box with no effect on property owners' assessments.

Respectfully submitted,

Andrew H. Aebi

Andrew H. Aebi
Local Improvement District Administrator