

ORDINANCE No. 188899

Assess benefited properties for street, sidewalk and stormwater improvements in the NE Couch Ct Local Improvement District (Hearing; Ordinance; C-10046)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council stated its intent to construct improvements in the NE Couch Court Local Improvement District (LID) by the adoption of Resolution No. 37063 on March 19, 2014 at which time it declared its intent to initiate local improvement district formation proceedings and established the name of the local improvement district.
2. The Council approved formation of the NE Couch Court LID with the passage of Ordinance No. 186539 on April 23, 2014.
3. The Council accepted the bid of Emery & Sons Construction Group for the 2016 Local Improvement Districts Project on February 3, 2016 per Bid No. 00000184.
4. The Council approved a major scope change with the passage of Ordinance No. 187969 on August 31, 2016. Nonemergency vehicle access to properties included in this LID will be enhanced upon completion of a new nearby SE Ankeny Street & King Blvd. traffic signal per previous Land Use Case No. 14-159917-000-00-LU and current PBOT permit number TH0435. Owners of properties assessed by this LID are not contributing to this new nearby traffic signal.
5. The records related to the adoption of Resolution No. 37063 and passage of Ordinance Nos. 186539 and 187969 are incorporated into the record of this Ordinance, except that no part of the record of Resolution No. 37063 nor of Ordinance Nos. 186539, nor of Ordinance No. 187969 shall be considered an objection to final assessment for purposes of Section 17.08.130 of City Code, nor for purposes of Section 9-405 of the City Charter.
6. The street, sidewalk and stormwater improvements to NE Couch Court were substantially complete as of April 10, 2017 as indicated in Exhibit A.
7. A partial street vacation of NE Couch Court was approved by Council on May 24, 2017 with the passage of Ordinance No. 188400.
8. NE Couch Street was renamed to NE Couch Court consistent with the name of this LID. This street name change was approved by Council on November 8, 2017 with the passage of Ordinance No. 188672.

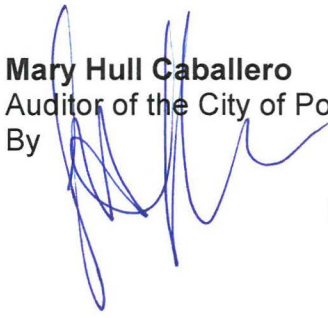
9. The total cost of the project is \$719,092.14 as shown in Exhibit B based on amounts in Exhibit C. The property owners' share for this project is \$486,516.36. Funding was provided by the Portland Development Commission (now Prosper Portland) in the amount of \$17,701.17; and by the Portland Bureau of Transportation in the amount of \$169,084.59 for overhead costs and system development charge funding in the amount of \$45,790.02 for NE Couch Street bike lane design and construction costs.
10. The City Auditor mailed notice of the April 11, 2018 final assessment hearing to the owners of benefited properties within the local improvement district on March 21, 2018. The benefited properties are legally described based on Multnomah County property tax records as of the filing date of this Ordinance. The property owner was notified of the time and location of the final assessment hearing conducted by the Council; the total project costs, the deadline and procedure for filing objections to the final assessment of the local improvement district; and the amount of the proposed final assessment on benefited properties as set forth in Exhibit D (attached to the original only). The deadline to file objections to final assessment was at 5:00 PM on April 4, 2018.
11. Each property is specially benefited in the amount shown in the assessment roll as set forth in Exhibits D and E.
12. The Local Improvement District Administrator submitted for publication two notices of the local improvement district final assessment hearing in the Daily Journal of Commerce on March 26, 2018 and on March 28, 2018.
13. The Council has considered any and all objections made by owners of benefited properties. The Council accepts the summary of objections and findings as set forth in Exhibit F and adopts these findings as its own.
14. This Ordinance provides for assessment of benefited properties for local improvements. Assessments for local improvements are not subject to the property tax limitation established by Article XI, Section 11b of the Oregon Constitution.
15. In the event of any finding or any directive within this Ordinance conflicting with any prior Council action involving this local improvement district, the finding or directive within this Ordinance shall prevail.
16. The Local Improvement District Administrator's level of confidence in the cost estimate for this project is "High" per Exhibit A of Resolution No. 36430 adopted by City Council on July 26, 2006 because the project is complete.

NOW, THEREFORE, the Council directs:

- a. That any and all objections received are overruled and the assessment roll contained in Exhibit D and the apportionment worksheet contained in Exhibit E of this Ordinance are hereby approved and adopted.
- b. The City Auditor to enter the assessments as shown in Exhibit D in the Docket of City Liens.
- c. The City Auditor to mail final assessment notices to owner of benefited properties as set forth in Exhibit D based on the amounts identified in Exhibit E.
- d. The Local Improvement District Administrator to calculate increased property tax increment of properties assessed by this LID for a 20-year period following Council passage of this Ordinance pursuant to Resolution No. 37205 approved by Council on April 20, 2016.

Passed by the Council, APR 18 2018

Commissioner Dan Saltzman
Prepared by: Andrew Aebi:smp
Date Prepared: March 13, 2018

Mary Hull Caballero
Auditor of the City of Portland
By 

Deputy

Agenda No.
Ordinance NO. 188899
Title

Assess benefited properties for street, sidewalk and stormwater improvements in the NE Couch Ct Local Improvement District (Hearing; Ordinance; C-10046)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Dan Saltzman</p>	<p>CLERK USE: DATE FILED <u>APR 03 2018</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration – Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>DS</i></p> <p>Position 4/Safety - Eudaly</p>	<p align="center">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Paul</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: PBOT Group: Policy Planning & Projects Group Manager: Art Pearce Asst. Director: Chris Warner <i>AW</i></p> <p>Prepared by: Andrew Aebi; SP <i>SP</i> Supervisor: Millicent Williams <i>3/22/18</i> Date Prepared: March 13, 2018 <i>3-23K</i></p>	<p>ACTION TAKEN:</p> <p align="center">APR 11 2018 PASSED TO SECOND READING APR 18 2018 9:30 A.M.</p>
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document.</p> <p>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, charter, Comp Plan</p>	
<p>Council Meeting Date April 11, 2018</p>	

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

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"/>	