

ORDINANCE NO. 151409

An Ordinance authorizing payment of \$1,219.14 to Mr. Frank Bitar and Mr. Robert Bitar, owners of Lots 1 through 9, Block 26, Railway Addition, from the 1980-81 budget of the Bureau of Street and Structural Engineering, as repayment for an overcharge for work constructed under an LID street improvement, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The property of Mr. Frank Bitar and Mr. Robert Bitar was assessed for part of the LID improvement of NE Brazee Street.
2. Only after the assessments were entered on the lien docket was it determined the owners of that property had previously improved the frontage to City standards, at their own expense, and should not, therefore, have been required to share in the cost of additional street excavation and paving work of similar nature.
3. The property should be assessed only a portion of the cost of construction of a sump and manhole, said portion amounting to \$1,809.94, including progress payment interest and interest on the amount actually owed.
4. The property owner has already paid the full assessment of \$3,029.08.
5. Funds are available in the 1980-81 budget of the Bureau of Street and Structural Engineering.
6. Repayment of the overcharge has been recommended and approved by the Commissioner in charge.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver to Mr. Frank Bitar and Mr. Robert Bitar, 2929 E. Burnside Street, Portland, Oregon 97214, a warrant in the amount of \$1,219.14, chargeable to the 1980-81 budget of the Bureau of Street and Structural Engineering, BUC No. 15900300, Project No. 0031, Object Code .490.

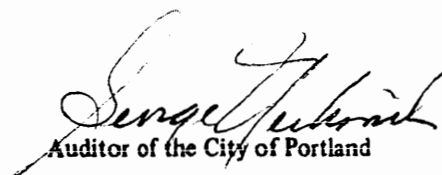
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Section 2. The Council declares that an emergency exists because a delay would unnecessarily deprive Mr. Frank Bitar and Mr. Robert Bitar of an equitable, prompt settlement of this matter; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 15 1981**

Commissioner Mike Lindberg
Terrence Bray:mh
April 8, 1981
BUC 15900300

Attest:


Auditor of the City of Portland

Calendar No. 1182

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Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	/	
Lindberg	/	
Schwab	/	
Strachan		
Ivancie	/	

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Strachan	
Ivancie	

Filed APR 9 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon C. Powell
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>17-1-112</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: <i>Terrence L. Bray</i> Date: 4-8-81
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Richard O. Schmidt</i> Richard O. Schmidt, Chief

CALENDAR
Consent <input type="checkbox"/> Regular <input checked="" type="checkbox"/>

NOTED BY
City Attorney
City Auditor
City Engineer: <i>John M. Lang</i> John M. Lang <i>del</i>
By: