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# 190816

Ordinance

## Amend Local Improvement Procedure Code provisions to clarify that financial feasibility analysis occurs irrespective of method of initiation, improve readability of Resolution of Intent procedure, and clarify property owner notification requirements consistent with the City Charter (Amend Code Sections 17.08.010, 17.08.040, 17.08.050, 17.08.060, 17.08.070, 17.08.110, and 17.08.130)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The current Local Improvement District (LID) procedure was established by the passage of Ordinance No. 177124 on December 11, 2002.
2. A subsequent major technical clarifications amendment was approved by Council with the passage of Ordinance No. 190132 on September 16, 2020.
3. The LID Administrator has consulted with the City Attorney and proposes a minor technical clarification amendment. Its purpose is to clarify that financial feasibility is analyzed for all local improvement districts irrespective of the method of initiation and to clarify that financial feasibility occurs at LID initiation, not during the petition review phase, as currently provided by the current Code.
4. The LID Administrator has consulted with the City Attorney and also proposes a minor technical clarification amendment to clarify that property owner notification requirements at the final assessment stage of a local improvement district are consistent with existing provisions of the City Charter.

### Changes

[Ordinance Number 190816](#)

June 17, 2022

[View all changes](#)

Introduced by

[Commissioner Jo Ann Hardesty](#)

Bureau

[Transportation](#)

Contact

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**Requested Agenda Type**

Consent

**Date and Time Information**

**Requested Council Date**  
May 18, 2022

Changes City Code

5. No major or substantive changes are made by this Ordinance to LID procedure to analysis of financial feasibility or to roles and responsibilities in administering LIDs.
6. Local improvement districts have been a vital component of infrastructure funding since the City's founding, with the first local improvement district in Portland formed to improve 'B' Street (now West Burnside Street) with Council approval of Ordinance No. 364 on September 20, 1866, and with the most recent local improvement district formed to improve SE 155th Avenue, SE Main Street and SE Millmain Drive per Council approval of Ordinance No. 190792 on April 27, 2022.
7. Existing Binding City Policy ENB-6.02 has not been updated since Resolution No. 34847 was adopted by City Council on May 3, 1991 nor prior to Council adoption of the Ordinances referenced in Finding No. 1 and Finding No. 2 of this Ordinance.

NOW, THEREFORE, the Council directs:

- A. Amend the title of Code Chapter 17.08 to read as follows: Local Improvement District Procedure.
- B. Amend Code Section 17.08.010 as shown in Exhibit A.
- C. Amend Code Section 17.08.040 as shown in Exhibit B.
- D. Amend Code Section 17.08.050 as shown in Exhibit C.
- E. Amend Code Section 17.08.060 as shown in Exhibit D.
- F. Amend Code Section 17.08.070 as shown in Exhibit E.
- G. Amend Code Section 17.08.110 as shown in Exhibit F.
- H. Amend Code Section 17.08.130 as shown in Exhibit G.
- I. The Portland Bureau of Transportation and the Bureau of Revenue & Financial Services jointly to bring forth an Ordinance for Council consideration to amend existing Binding City Policy ENB-6.02 to ensure the continued viability of local improvement districts and to remove conflicts between Binding City Policy ENB-6.02 and Code Chapter 17.08.

## Documents and Exhibits

 [Exhibit A](#) (21.19 Kb)

 [Exhibit B](#) (19.87 Kb)

 [Exhibit C](#) (19.86 Kb)

 [Exhibit D](#) (21.02 Kb)

 [Exhibit E](#) (23.39 Kb)

 [Exhibit F](#) (20.12 Kb)

 [Exhibit G](#) (22.25 Kb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council

May 18, 2022

Auditor of the City of Portland

Mary Hull Caballero

## Impact Statement

### Purpose of Proposed Legislation and Background Information

- Makes minor technical changes to LID Code 17.08 to improve clarity and understanding that financial feasibility analysis occurs with all LIDs, and property owner notification at final assessment is consistent with existing provisions of the City Charter.

### Financial and Budgetary Impacts

None

### Community Impacts and Community Involvement

- None. There was a major Citywide outreach effort culminating in the creation of new LID Code which became effective in January 2003. These Code amendments are minor and do not make any substantive changes to LID procedures, financial feasibility analysis, or to roles and responsibilities. The Code changes have been reviewed and approved by the City Attorney and reflect current best practices in administering LIDs.

## 100% Renewable Goal

N/A

 [Impact Statement](#) (30.38 Kb)

## Budget Office Financial Impact Analysis

No fiscal impact. The ordinance authorizes minor technical changes to LID Code 17.08 to improve clarity and understanding that financial feasibility analysis occurs with all LIDs, and property owner notification at final assessment is consistent with existing provisions of the City Charter.

## Agenda Items

### 377 Consent Agenda in [May 11-12, 2022 Council Agenda](#)

Passed to second reading

Passed to second reading May 18, 2022 at 9:30 a.m.

### 402 Consent Agenda in [May 18-19, 2022 Council Agenda](#)

Passed

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea