

# ORDINANCE No. 184246

\* Assess property for system development charge contracts and private plumbing loan contracts (Ordinance; Z0778, K0124, T0136, W0010, K0125, K0126, T0137, T0138, Z1183, P0100, P0101)

The City of Portland ordains:

Section 1. The Council finds:

1. ORS 223.207 and 223.208 provide that the rights and duties accorded the City and property owners by the laws related to assessment and financing local improvement districts shall also apply to system development charges imposed by the City as defined by ORS 223.208.
2. Chapters 17.13, 17.14 and 17.15 of the Code of the City of Portland provide procedures for complying with these statutory provisions.
3. The City Auditor has on file signed installment payment contracts for bond financing of system development charges. As required by the above-mentioned statutes and Code provisions, each payment contract contains the amount of the system development charge to be financed, the financing fee charged by the Auditor's Office, the legal description of the benefited property, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit A is the assessment roll of the installment payment contracts to finance system development charges. The contracts include system development charges totaling **\$390,978.37**, and financing charges of **\$3,155.81**, which are used to pay for assessing, processing and financing the liens. Each assessment amount on the roll reflects the system development charge and the financing cost. The financed system development charge contracts total **\$394,134.18**.
4. The City Auditor has on file signed deferral contracts for payment of deferred system development charges. As required by the above-mentioned statutes and Code provisions, each deferral contract contains the amount of the system development charge, the legal description of the benefited property, deferral terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit B is the assessment roll of the deferral contracts to defer system development charges. The deferred system development charge contracts total **\$173,768.90**.
5. On March 3, 1993, the Council adopted Ordinance No. 166291, establishing the Private Plumbing Loan program to expand private plumbing options available to eligible property owners with incomes that exceed 80% of the regional median income.

6. The City Auditor has on file signed private plumbing contracts from qualified property owners who wish to participate in the program. As required by the above-mentioned statutes and Code provisions, each contract contains the amount of the private plumbing charge, the loan origination fee, the financing fee, the legal description of the benefited property, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit C is the assessment roll of the private plumbing contracts. The contracts include sewer connection charges totaling **\$133,212.00**, financing charges of **\$1,080.00**, and loan origination fees of **\$1,350.00** which are used to pay for the cost of assessing and processing the liens. Each assessment amount on the roll reflects the sewer connection charge and the financing costs. The private plumbing contracts total **\$135,642.00**
7. Chapter 17.33.035 of the Code of the City of Portland states that the City shall provide sewer connection assistance to eligible property owners based on administrative rules and procedures adopted by the Director.
8. Portland Policy Document (PPD) ENB-4.18, section 5.0 "Assistance" was updated by the Bureau of Environmental Services on June 2, 2008 and includes rules and procedures for the deferral of private plumbing costs.
9. The City Auditor has on file signed private plumbing charge deferral contracts from qualified property owners who wish to participate in the program. As required by the above-mentioned statutes, Code provisions, and Policy Document each deferral contract contains the amount of the private plumbing charge, the legal description of the benefited property, the deferral ending date, financing terms and conditions, and the signature(s) of the property owners.
  - a. Exhibit D is the assessment roll of the deferral contracts to defer private plumbing charges. The private plumbing charge deferral contracts total **\$43,110.00**.
10. The combined total of the system development charge installment contracts, system development charge deferral contracts, private plumbing contracts, and private plumbing deferral contracts to be assessed by this Ordinance is **\$746,655.08**.

NOW, THEREFORE, the Council directs:

- a. The City Council hereby approves and assesses system development charges and financing fees on benefited property as described in Exhibit A, deferred system development charges as described in Exhibit B, private plumbing charges as described in Exhibit C, and private plumbing deferral charges as described in Exhibit D (attached to original Ordinance only).
- b. The City Auditor shall enter these assessments into the Docket of City Liens. The assessments represent liens on benefited property for financed system development charges and private plumbing loans with their financing fees, and the deferral of system development charges and private plumbing loans.

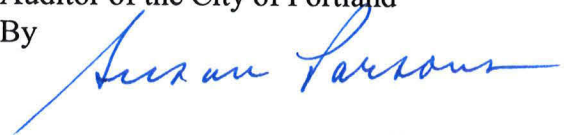
Section 2. The Council declares an emergency exists because of the necessity of expediting installment payments into the Auditor's office and reducing costs; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: NOV 17 2010

Prepared by:  
Sarah Landis: ss  
November 9, 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

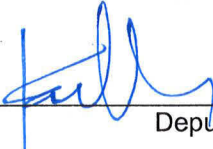

By

A handwritten signature in blue ink, appearing to read "Susan Parsons", written over a horizontal line.

Deputy

Agenda No. **184246**  
**ORDINANCE NO.**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>LaVonne Griffin-Valade</b></p>	<p>CLERK USE: DATE FILED <u>NOV 12 2010</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: City Auditor Bureau Head: LaVonne Griffin-Valade</p> <p></p> <p>Prepared by: ss Date Prepared: 11-09-10</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date <b>November 17, 2010</b></p>	<p><b>ACTION TAKEN:</b></p>
<p><b>City Attorney Approval</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input 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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	