



Steve
Novick
Commissioner

Leah Treat
Director

DATE: October 9, 2014

TO: City Council Members

FROM: Andrew Aebi, Local Improvement District Administrator

RE: **SW 45th & California LID: Formation Hearing on October 15, 2014 - Amendments Related to Future SW California St. Pedestrian Connection**

Ordinance Title:

Create a local improvement district to construct street, sidewalk, stormwater and water main improvements in the SW 45th Ave and California St Local Improvement District (Hearing; Ordinance; C-10048)

Purpose of Amendments:

These amendments are intended to provide greater clarify as to Council intent as to when a future pedestrian connection will be constructed on the future westerly extension of the existing SW California Street right-of-way. Additional clarity is being provided at the request of Commissioner Fritz in changing all references to "recreational trail" to "trail". This additional clarification is being made in the LID Formation Ordinance (rather than the amended street vacation ordinance being concurrently considered by Council). This approach will allow the street vacation can be recorded as soon as possible after Council approval of both ordinances with the objective of removing any ambiguity as to when the amended street vacation ordinance conditions have been met.

Effect of Amendment:

The ordinance as adopted will retain the authority of the Hearings Officer to ascertain the timing and scope of required trail or sidewalk improvements to the extension of the SW California Street right-of-way west of SW 46th Avenue, but will provide clarity to Portland Bureau of Transportation (PBOT) staff as to what recommendations will be provided to the Hearings Officer. The additional clarity will also allow St. Luke Church to better plan for and budget for additional transportation improvements to be required in the future, if not constructed by this LID as part of optional Extra Work Agreement(s).

No change would be made to the apportionment of assessments.

Therefore:

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Ordinance

1. Finding No. 11
Delete the word “recreational” from this finding.
2. Finding No. 22
Resequence 22.1 through 22.5 as 22.a through 22.e
3. Finding No. 22.e (formerly 22.5)
Delete the word “recreational” from this finding.
4. Directive ‘i’
Delete the word “recreational” from this directive.
5. Directive ‘j’
Delete the word “recreational” from this directive.
6. New directive ‘l’:
“Subsequent to the adoption of the LID Formation Ordinance and in consideration for Council approval of this LID, PBOT staff are hereby directed to recommend to the Hearings Officer a requirement to improve the trail or sidewalk when the combined building square footage of properties owned by St. Luke as of the adoption date of this Ordinance are increased by 5,000 or more square feet; or more than 50% of the existing parking lot surface area is repaved, whichever comes first.”

Exhibit A – Assessment Register

No change; combined LID assessments unchanged at \$628,600.31 and individual properties’ estimated assessments are not changed.

Exhibit B – Typical Sections

No change.

Exhibit C – LID Map

No change.

Exhibit D – LID Administrator’s Estimate

No change; project costs and revenues unchanged at \$717,756.10 including \$89,155.79 in estimated PBOT funding and \$628,600.31 in estimated LID funding.

Exhibit E – Engineer’s Estimate

No change; from previous estimate of \$640,841.73 excluding \$63,000.00 in water main and fire hydrant costs and \$13,914.37 in Auditor’s costs as shown in Exhibit D.

Exhibit F – Assessment Worksheet

No change.

Exhibit G – Summary of Remonstrances and Findings to Council

No change reflecting St. Luke remonstrance and its subsequent written withdrawal being submitted as part of the record, but not being incorporated into the Ordinance as exhibits.

Financial Impact Statement

No change; project costs and revenues unchanged at \$717,756.10 including \$89,155.79 in estimated PBOT funding and \$628,600.31 in estimated LID funding.

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Andrew Aebi	2. Telephone No. x3-5648	3. Bureau/Office/Dept. PBOT/Development & Capital Program
4a. To be filed (date): October 15, 2014 9:30 AM Time Certain	4b. Calendar (Check One) Regular Consent 4/5ths <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	5. Date Submitted to Commissioner's office and CBO Budget Analyst: October 3, 2014
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed

1) Legislation Title:

Create a local improvement district to construct street, sidewalk, stormwater and water main improvements in the SW 45th Ave and California St Local Improvement District (Hearing; Ordinance; C-10048)

2) Purpose of the Proposed Legislation:

Creates the local improvement district formation as a prerequisite to survey, design and construction of the project.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)

- | | | | |
|---|------------------------------------|---|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input checked="" type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT**Revenue and/or Expense:**

Is ALL the Revenue and/or Expense a part of the current year's budget? or 5-yr CIP? Yes

SAP COST OBJECT No(s): _____

All Revenue and Expense financial questions must be completed regardless of the current year's budget. Documents may be returned where the FIPIS portion has not been sufficiently completed.

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This legislation will increase revenue in the amount of \$628,600.31; all of this additional revenue is from the LID.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)*

Direct project expenses are estimated at \$628,600.31. PBOT is absorbing overhead costs estimated at \$89,155.79.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying resolution amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)* Necessary budget adjustments will be made as part of the City's Budget Monitoring Process.

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. resolution, resolution, or report)? Please check the appropriate box below:

☒ **YES:** Please proceed to Question #9.

☐ **NO:** Please, explain why below; and proceed to Question #10.

All property owners were notified of this agenda item.

9) If “YES,” please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Council passage of this Ordinance will provide new street, sidewalk and stormwater improvements on SW 45th Avenue, SW California Street and SW Vermont Street, including a new southbound bike lane on SW 45th Avenue. The LID will fulfill conditions of an amended street vacation for SW 46th Avenue & Florida Street previously approved by Council on February 29, 2012.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Outreach has been made to owners of property abutting the planned improvements; to SWNI, the Maplewood Neighborhood Association, SW Trails, the Pedestrian Advisory Committee, Oregon Walks and the Bicycle Transportation Alliance.

c) How did public involvement shape the outcome of this Council item?

The LID will facilitate construction of improvements desired by the community per testimony with the original SW 46th & Florida street vacation in 2012. St. Luke Church is funding the planned improvements, and has endeavored to be responsive to community concerns, both in terms of funding this LID (including voluntarily absorbing what otherwise would be neighboring properties' assessments) and supporting the amended SW 46th & Florida Street vacation ordinance.

d) Who designed and implemented the public involvement related to this Council item?

Andrew Aebi, Local Improvement District Administrator & Project Manager
Lance Lindahl, Right-of-Way Agent
Bob Haley, Transportation Development Review

e) Primary contact for more information on this public involvement process (name, title, phone, email):

Andrew Aebi, Local Improvement District Administrator & Project Manager,
503-823-5648; andrew.aebi@portlandoregon.gov (LID)

Lance Lindahl, Right-of-Way Agent
503-823-7465 lance.lindahl@portlandoregon.gov (street vacation)

Bob Haley, Transportation Development Review
503-823-5171 bob.haley@portlandoregon.gov (PBOT development review)

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not?

This Council agenda item is the successful result of prior outreach, resulting in 100% petition support. Council passage of the concurrent amended street vacation ordinance will reaffirm Council's prior decision that the east-west pedestrian connection will be aligned with the SW California Street right-of-way to the south in lieu of the SW Florida Street right-of-way to the north; however additional outreach will be made on the details of the pending 15' right-of-way dedication by St. Luke west of the existing western terminus of SW California Street, which is not proposed to be vacated.

KK 9-26-14

BUREAU DIRECTOR  LEAH TREAT, Bureau of Transportation