

ORDINANCE No. 187969 As Amended

*Approve scope changes to the NE Couch Ct Local Improvement District to limit NE Couch Ct to bicycle, pedestrian and emergency vehicle access and adjust pending lien amounts (Hearing; Ordinance; C-10046)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council approved Resolution No. 37063 on March 19, 2014 initiating local improvement district formation proceedings for the NE Couch Court Local Improvement District (LID).
2. The Council approved Ordinance No. 186539 on April 23, 2014 forming the NE Couch Court LID, with no remonstrance received against formation of the LID.
3. Taxlot consolidations have been made since LID formation for which pending lien records should be updated.
4. 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, including the typical sections as shown in Exhibit A.
5. Meetings have been held with owners of properties abutting the proposed scope changes improvements since March 1, 2016 resulting in the revised typical sections as shown in Exhibit B.
6. Changes to pending lien amounts per Finding No. 3 of this Ordinance will increase the LID amount by \$71,372.64 from \$465,259.96 to \$536,632.60. This increase is solely attributable to a Utility Work Agreement approved as to form by the City Attorney and executed between the City and The Fair-Haired Dumbbell LLC on February 12, 2016.
7. No tax lot consolidations to have occurred since LID formation to properties in the ownership of "BLOCK 76 LLC % PICKHARDT,JEFF" with a combined pending lien amount of \$7,770.53. The pending lien amounts of \$4,856.58 for pending lien no. 154865 and \$2,913.95 for pending lien no. 154866 are unchanged.
8. Properties identified in directives 'b' through 'c' of this Ordinance have had taxlot consolidations since LID formation resulting in changes to the pending lien amounts.

9. The Local Improvement District Administrator mailed notice of the August 24, 2016 scope change hearing on August 3, 2016. On August 10, 2016 property owners were notified by mail of the remonstrance deadline being extended from August 17, 2016 to August 31, 2016 concurrent with the postponement of the scope change hearing from August 24, 2016 to August 31, 2016.
10. The Local Improvement District Administrator published notice of the August 31, 2016 scope change hearing in the Daily Journal of Commerce on August 12 and August 15, 2016.
11. The Local Improvement District Administrator posted notice of the August 24, 2016 scope change hearing within the NE Couch Court LID on August 5, 2016.
12. Owners of properties abutting NE Couch Court requested changing NE Couch Court to a bike-only street on May 27, 2016 and no remonstrances were received against the scope change.

NOW, THEREFORE, the Council directs:

- a. The City Engineer is authorized to execute a change order with Emery & Sons Construction Group to construct a revised street design substantially in accordance with the typical sections as shown in Exhibit B.
- b. The Auditor to change the following pending lien amounts in the ownership of "BLOCK 67 DEVELOPMENT LLC % GUARDIAN REAL ESTATE SERVICE" as of June 21, 2016 with the combined pending lien amounts unchanged at \$146,668.59:
 1. Decrease the amount of pending lien no. 154854 by \$20,397.62 from \$20,397.62 to zero.
 2. Increase the amount of pending lien no. 154855 by \$102,959.41 from \$43,709.18 to \$146,668.59.
 3. Decrease the amount of pending lien no. 154856 by \$3,885.26 from \$3,885.26 to zero.
 4. Decrease the amount of pending lien no. 154857 by \$30,110.77 from \$30,110.77 to zero.
 5. Decrease the amount of pending lien no. 154858 by \$43,709.18 from \$43,709.18 to zero.

6. Decrease the amount of pending lien no. 154859 by \$4,856.58 from \$4,856.58 to zero.
- c. The Auditor to decrease the amount of pending lien no. 154862 in the ownership of "BLOCK 75 LLC %URBAN DEVELOPMENT PARTNERS-NW" as of June 21, 2016 by \$2,589.93 from \$19,426.30 to \$16,836.37.
- d. The Auditor to change the following pending lien amounts in the ownership of "BLOCK 75 II LLC" as of June 21, 2016 with the combined pending lien amounts increased by \$2,589.93 from \$32,053.40 to \$34,643.33:
 1. Increase the amount of pending lien no. 154863 by \$15,217.03 from \$19,426.30 to \$34,643.33.
 2. Decrease the amount of pending lien no. 154864 by \$12,627.10 from \$12,627.10 to zero.
- e. The Auditor to change the following pending lien amounts in the ownership of "BRIDGEHEAD DEVELOPMENT LLC % MALSIN, JONATHAN" as of June 21, 2016 with the combined pending lien amounts unchanged at \$252,541.93:
 1. Decrease the amount of pending lien no. 154860 by \$52,451.02 from \$52,451.02 to zero.
 2. Increase the amount of pending lien no. 154861 by \$52,451.02 from \$200,090.91 to \$252,541.93.
- f. The Auditor to change the following pending lien amount for the property titled to "THE FAIR-HAIRED DUMBBELL LLC % CAVENAUGH, KEVIN" as of June 21, 2016:
 1. Increase the amount of Pending Lien No. 154867 by \$71,372.64 from \$6,799.21 to \$78,171.85.

Section 2. The Council declares that an emergency exists to avoid delay to the contractor mobilizing for construction as early as September 6, 2016; therefore this Ordinance shall be in full force and effect from and after its passage by the Council.

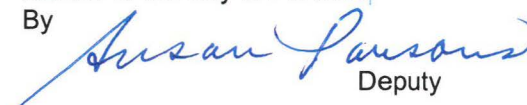
Passed by the Council, **AUG 31 2016**

Commissioner Steve Novick
 Prepared by: Andrew Aebi: ck
 Date Prepared: August 31, 2016

Mary Hull Caballero

Auditor of the City of Portland

By


 Deputy

Agenda No. **187969**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: COMMISSIONER STEVE NOVICK	CLERK USE: DATE FILED <u>AUG 23 2016</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick <i>AN</i>	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Transportation Policy, Planning and Projects Manager: Art Pearce Director: Leah Treat Prepared by: Andrew Aebi:kc Date Prepared: July 27, 2016 Supervisor: Dan Layden Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter Council Meeting Date Aug 24, 2016	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 10 minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales		