

ORDINANCE No. 189418

Adopt findings of City Engineer regarding the appeal of Kyle Bell against the Portland Bureau of Transportation posting property at 2370 SE 60th for sidewalk repairs (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. On February 28, 2018, the Applicant filed a remonstrance of assessment made for sidewalk and curb repairs at 2370 SE 60th.
2. On May 11, 2018, the City Engineer provided a report and review of the remonstrance in accordance with Portland City Code 17.28.160 A. 1-3 detailing the factual background surrounding the sidewalk and curb repair assessment. The report was filed with the Auditor and sent to the Applicant.
3. On October 30, 2018, the Applicant filed a notice of appeal with Lee Munson, Portland Bureau of Transportation Sidewalk Maintenance Supervisor.
4. In accordance with Portland City Code 17.28.160 A., the City Council held a duly noticed public hearing on January 30, 2019 and issued its Findings on January 30, 2019. The City Council recommended denial of the requested appeal and directed PBOT to come to Council with an Ordinance to codify the findings and determination.
5. Based on the findings contained in the City Engineer's Report and testimony during the January 30, 2019 City Council hearing, the City Council denied Applicant's appeal and accepted the City Engineer's report.


NOW, THEREFORE, the Council finds:

- a. That the sidewalk repair work at 2370 SE 60th Street was required by Portland City Code 17.28.020.
- b. That the conditions on the sidewalk required the improvements.
- c. That the improvements are consistent with City Code and City specifications as outlined in the City Engineer's Report.

- d. That the improvement charges as outlined in the City Engineer's Report are provided by Portland City Code.
- e. No further adjustments to the charges are necessary because PBOT has already made an adjustment in the bill in accordance with the City Engineer's Report.
- f. The City Engineer shall place the assessment on the City's Sidewalk Repair Assessment Register.

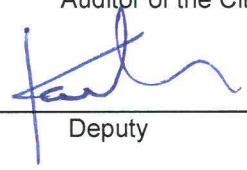
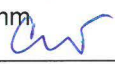

In accordance with Portland City Code 17.28.160 B. Appellant may appeal this decision to the court by Writ of Review.

Passed by the Council: MAR 13 2019
Commissioner: Eudaly
Prepared by: Matt Grumm
Date Prepared: February 20, 2019

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

Agenda No. **ORDINANCE NO. 189418**
Title

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INTRODUCED BY Commissioner/Auditor: Chloe Eudaly	CLERK USE: DATE FILED <u>FEB 26 2019</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration – Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: PBOT Group: Maintenance Operations Group Manager: Matt Grumm Director: Chris Warner 	ACTION TAKEN: <div style="display: flex; justify-content: space-around;"> MAR 06 2019 PASSED TO SECOND READING MAR 13 2019 9:30 AM. </div>
Prepared by: Matt Grumm:CB Supervisor: Matt Grumm Date Prepared: February 21, 2019	
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, charter, Comp Plan 	
Council Meeting Date March 6, 2019	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Hardesty	—————	
4. Eudaly	✓	
Wheeler	✓	