

189523

**Amend scope of N Suttle Road Local Improvement District (LID) and authorize the Bureau of Transportation to acquire property rights necessary for construction of the Project**

**If you wish to speak to Council, please print your name, address and email**

<b>Name (PRINT)</b>	<b>Address and Zip Code (Optional)</b>	<b>Email (Optional)</b>
✓ Jim Brown	70 Box 31, Marylhurst, OR	
✓ Nick Avenetti	4600 N. Suttle Road, Portland, OR	
✓ Bill Briggs	4150 N. Suttle Rd	
✓ Larry Cunn	9220 30 Benson Blvd. Ste 119-306 Ptld. 97219	

Oil Re-refining Company, Inc. / Merit USA, Inc.  
4150 N Suttle Road  
Portland, Or. 97217

Submitted by  
Bill Briggs  
05/29/19

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Honorable Mayor and Members of the City Council

RE: City Council Meeting 05-29-2019 10AM Project C10058 N Suttle Road

In 1978 I founded a business on N. Suttle Road here in Portland and have operated there ever since.

During those forty one years, I have never been aware of any stormwater repair or maintenance on N. Suttle Road and little or no street repairs on this 120 year old street.

There has always been an operating storm water drainage system which, if correctly taken care of would allow the water to run into the ditches and culverts along the sides of the street where it would perk or drain away.

However, when the new "City Stormwater Management Plan" was adopted in 1995 all property owners were required to pay stormwater fees, of which \$0.51 on the dollar were to be used to care for the system as it related to the property in front their property, if needed.

The eleven property owners have done that since 1995 and it is now estimated to be over \$100,000 per year. There has been no maintenance, repair, or replacement for the forty one years I have been on N. Suttle Road on these simple run off or perking areas.

This has caused water backups for days and weeks over the paved areas weakling the asphalt shoulders on perhaps a third of N. Suttle Road. If that had been cared for, the road would has lasted and been repairable for a much longer period of time.

With that being said, and for which most of the property owners have agreed. The City's lack of care or oversite or neglect and perhaps negligence by not using the funds entrusted to them to keep N. Suttle Road's stormwater system working has resulted in the increase to the other property owners cost by several million dollars for replacement.

To help correct this neglected problem, the City needs to agree to pay, at least 50% of estimated \$9.6 million cost in lieu of the proposed 12% now offered. At least five of the eleven small property owners are living off the

rental or sales contract income from their N. Suttle Road property and will be required to pay from perhaps \$3,500 to \$8,000 per month for twenty years.

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That takes most of the income for retirement as a direct result of the City's neglect on a single dead end street.

Do the right thing and correct this problem.

Yours truly,

W.L. Briggs  
Senior Consultant  
Oil Re-refining Company, Inc.  
President  
Merit, USA, Inc.



# PORTLAND FIRE & RESCUE



Jo Ann Hardesty, Commissioner  
Ryan Gillespie, Interim Fire Chief  
Nate Takara, Fire Marshal  
Prevention Division  
1300 SE Gideon Street  
Portland, OR, 97202  
Phone: (503) 823-3770

**DATE:** May 28, 2019

**TO:** Andrew Aebi, Local Improvement District Administrator

**FROM:** Nate Takara, Fire Marshal

**RE:** **N. Suttle Road LID Proposed Scope and Project Limit Change**

Portland Fire & Rescue (PF&R) supports the proposed scope change for this LID (Emergency Ordinance 491 & 492, May 29, 2019) as it improves public safety. The project length is approximately 10 times the 300 feet threshold at which the current Portland Fire Code requires a fire turn-around. PF&R greatly appreciates the collaboration by Eco Services to dedicate an area along the north side of N. Suttle Rd. and the west edge of their property for this fire turnaround.

It is especially important that the street be brought up to compliance with the current Portland Fire Code because of industrial characteristics of the street, including the processing of chemicals, petroleum products and other flammable materials.

PF&R understands that there is no objection to building this turn-around and encourages City Council to approve this Ordinance allowing the acquisition of property rights to build this turn-around.



## James C. Brown & Associates, P.C.

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### Law Offices

Post Office Box 31  
Marylhurst, Oregon 97036  
Telephone: (503) 557-2245  
FAX: (503) 557-0377  
E-mail: jcbrownpc@msn.com

May 29, 2017

Mayor Ted Wheeler and City Council Members  
City of Portland  
1120 SW Fifth Avenue, Suite 800  
Portland, OR 97204

RE: Portland City Council  
May 29, 2019 Meeting, Item 491  
North Suttle Road LID

Mr. Mayor – Members of the Council:

On behalf of our client, TriggCo Real Estate LLC, I appreciate the opportunity to speak in support of the amendment in the scope of the N Suttle RD LID as currently adopted.

While none the of the N Suttle Rd. property owners wanted to incur the initially proposed \$9.5 million in costs for the reconstruction of N Suttle Rd, all the owners recognize the need to rebuild the road. N Suttle Rd is zoned heavy industrial and there are hundreds of semi-trucks on the roadway every working day. According, it is most probably in the best long-term interests of all parties for the roadway to be constructed with a concrete rather than asphalt surface.

Based upon our interactions with City Staff over the past three years on this matter, we have found Staff to share our concerns about costs and have worked with us to reduce costs. Most importantly Staff concurred with us, after reviewing the Maul Foster Alongi Report, that stormwaters can be properly managed by infiltration. Thereby avoiding the initial proposal to pipe stormwaters to the river. As a result of those efforts, we have saved \$1-2 million in costs and are optimistic that the roadway can be completed for about \$6 million.

We also want to thank City Staff and Mr. Aebi for their helpful efforts in bringing this matter to the Council. They have listened earnestly to the Property Owners' concerns and worked with us to design a project that meets the needs of the City, the Property Owners and provides capacity for the foreseeable needs for N Suttle Rd.

May 29, 2019  
Mayor Wheeler & City Council  
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We are grateful for the City's funding contributions to this project. We recognize that municipal funds are always tight and applaud City's recognition of the need for N. Suttle Rd to be reconstructed and its willingness to contribute significantly to this project.

We appreciate Mr. Aebi's listening to Mr. Briggs' concerns about being assessed LID costs for useable wetlands on his properties. As a result, Mr. Briggs received more than a \$241,000 reduction in his assessment, which was the right thing to do. Why Mr. Briggs chose to file a remonstrance against that reduction baffles us.

With these amendments, Mr. Aebi also addressed Supreme Perlites' need to have the sewer line extended to their property. Thereby, providing city sewer to all the current N Suttle Rd developed properties, with which we concur.

We appreciate the transparency with which City Staff has moved this project forward. They have listened to, acknowledged and addressed our concerns to the extent practical. We look forward to continuing to work with City Staff in reaching the final design for the roadway and the stormwater infiltration system, resulting in the needed reconstruction of N Suttle Rd.

Sincerely,



James C. Brown