

RESOLUTION NO. 2020-70

RESOLUTION DECLARING INTENTION OF THE CITY OF FOREST GROVE TO FORM A SPECIAL IMPROVEMENT DISTRICT, IN ACCORDANCE WITH FOREST GROVE CITY CODE SECTION 151.080 THROUGH SECTION 151.098, FOR CONSTRUCTION OF SEWER MAIN AND INDIVIDUAL SERVICE LATERALS IN 10TH AVENUE BETWEEN ELM STREET TO ITS EASTERLY TERMINUS

WHEREAS, the Council previously considered and accepted the City Engineer's Draft Report on July 13, 2020 (Resolution No. 2020-69) to consider formation of a special improvement district that would construct a sewer main and individual service laterals in 10th Avenue from Elm Street to its easterly terminus; and

WHEREAS, the Council has received a petition signed by 100 percent of the property owners of record within the proposed district requesting its formation; and

WHEREAS, the City Council has determined that proceeding with district formation is in the best interest of the benefited properties and the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council hereby declares the City's intention to form a special improvement district to construct a sewer main and associated services laterals in 10th Avenue from Elm Street to its easterly terminus.

Section 2. The proposed district boundary, included with the petition, is attached as Attachment 1 (Draft City Engineer's Report); and

Section 3. The proposed method of assessment is equal assessments for all benefited properties within the proposed district. The duration of the proposed district is ten years and shall commence upon completion and acceptance of improvements at which time the first assessment is issued.

Section 4. The initial estimated district cost is \$193,500.

Section 5. The City Engineering Department will be responsible for finalizing bid documents, publicly bidding the project and overseeing its construction. Construction activities will be performed by a private contractor.

Section 6. The City Recorder is directed to serve notice to each property owner of record within the proposed district of this action, their right of remonstrance and general character of the proposed District. The City Recorder is further directed to set a Public

Hearing for September 14, 2020, at 7:00 p.m. or shortly thereafter, to consider public testimony, all letters of remonstrance and take final action, if permitted and deemed prudent, to form this proposed district.

Section 7. This resolution is effectively immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 13th day of July, 2020.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 13th day of July, 2020.



Peter B. Truax, Mayor



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>7. & 8.</u>
MEETING DATE:	<u>07/13/2020</u>
FINAL ACTION:	<u>RESO 2020-69</u> <u>RESO 2020-70</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Gregory H. Robertson, P.E., AICP, CFM*

MEETING DATE: *July 13, 2020*

SUBJECT TITLE: *10th Avenue Sewer Main Project Improvement District*

ACTION REQUESTED:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ordinance	Order	X	Resolution	X	Motion
						Informational

X all that apply

ISSUE STATEMENT: Consider two resolutions to: 1) accept the Engineer’s Report for construction of a sewer main and service laterals in the 10th Avenue right of way from Elm Street to its easterly terminus and 2) signify an intention to create a special improvement district for construction of the same.

BACKGROUND: A petition has been filed by property owners along 10th Avenue to establish a special improvement district to construct a sewer main and service laterals. A special improvement district is a public finance tool available to local governments to construct certain public improvements. The applicable sections of City Code are 151.080 through 151.098 which outlines the process to be followed.

The proposed district boundary included with the petition contains four properties that will benefit from the improvement. All record property owners within the proposed boundary have signed the petition in favor of creating the special improvement district.

The process of creating a special improvement district involves several steps. The first step involves consideration and acceptance of the Engineer’s Report by resolution. This report contains all of the basic information that characterizes the proposed district. Elements include, plans, cost estimate, recommended method of assessment, duration of the district, etc. The proposed resolution accepting the Engineers Report is attached for Council consideration.

The second step in the process, once the Engineer’s Report is accepted by resolution, is to announce Council’s intention to create the district. For Council’s consideration, a proposed resolution is attached. This resolution briefly details elements of the proposed district and directs the City Recorder to set a hearing on the question of forming a special district. It further directs the City Recorder to provide written notice to all property owners of record within the proposed district as well as publishing the same notice in a newspaper of general circulation.

FISCAL IMPACT: The estimated cost of the project is \$193,500. This amount will be paid up front by the sewer fund to construct the project and repaid by all property owners of record within the special district over a period of ten years. The detailed cost estimates is attached.

STAFF RECOMMENDATION: Staff recommends approval of the resolution accepting the Engineer's Report. Staff further recommends approval of the resolution announcing the Council's intention to form the proposed district.

ATTACHMENT(s):

Engineer's Report including required attachments
Resolution accepting the Engineer's Report
Resolution of Intention to Form Proposed District



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ENGINEER'S REPORT – 10TH AVENUE SEWER EXTENSION IMPROVEMENT DISTRICT

TO: Mayor and City Council

FROM: Gregory H. Robertson, P.E., AICP, CFM
Director of Public Works

RE: 10th Avenue Sewer Main Extension Improvement District
"Engineer's Report"

DATE: June 15, 2020

This report has been created to fulfill the City of Forest Grove's requirement for an Engineer's Report for a special improvement district (SID). The City has received a petition requesting formation of a District to extend a sewer main from Elm Street along 10th Avenue to its easterly terminus. The petition is signed 100% of the property owners of record within the proposed district boundary.

Project Background

As stated above, the City Engineering Department has been working with a group of owners who have property along 10th Avenue east of Elm Street. The result is a property owner initiated petition to form a LID to extend sewer to their properties. The petition is attached.

The project is very straight forward. It includes approximately 450 feet of 8 inch sewer pipe to be located in 10th Avenue right of way, a terminal manhole and individual service laterals that will serve each of the four properties within the District. The plans have been prepared, reviewed and found acceptable. Project will include appropriate surface restoration.

Pursuant to City Code Section 151.080, this report includes the following:

1. A map or plat showing the general nature, location and extent of the proposed improvement and the land to be assessed.

Included are the following:

-Petition with signatures representing all property owners of record within the proposed district.

-A map showing the general location of the improvement and the proposed district boundaries.

2. Preliminary plans, specifications and estimates of the work to be done. However, where the proposed project is to be carried out in cooperation with any governmental agency, the Engineer may adopt the plans, specifications and estimates of the agency;

Plans are included and attached to this report.

3. An estimate of the probable cost of the improvement, including any legal, administrative and engineering costs attributable to it;

Opinion of probable cost is included and attached to this report.

4. A recommendation as to the method of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement;

The petitioners requesting formation of the District have determined equal assessments as the proposed methodology. The proposed District will have a repayment period of 10 years.

5. The description and assessed value of each lot, parcel of land, or portion thereof, to be specially benefitted by the improvement, with the names of the record owners thereof and, when readily available, the names of contract purchasers thereof.

Summary reports of each parcel in the proposed district is included and attached to this report.

Respectfully submitted,

Gregory H. Robertson, P.E., AICP, CFM
Director of Public Works

Date

ENGINEER'S ESTIMATE OF PROBABLE COST
10TH AVENUE SEWER MAIN PROJECT

Administration	\$ 6,000
Clean Water Services Fees	\$24,000
Permits	\$ 100
Preliminary Engineering	\$ 8,400
Right of Way	\$ 0
Construction	
Mobilization (8%)	\$11,000
Sewer Main	\$100,000
Sewer Laterals (4 ea.)	\$32,000
Construction Engineering	\$ 5,000
Testing	\$ 5,000
As Built Record Drawings	\$ 2,000
Total Estimated Cost	<u>\$193,500</u>