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A RESOLUTION OF THE CITY OF LINCOLN CITY DECLARING AN INTENT TO

AND DIRECTING THAT NOTICE BE PUBLISHED

CONSTRUCT LOW PRESSURE SANITARY SEWER IMPROVEMENTS BY ESTABLISHING A LOCAL IMPROVEMENT DISTRICT FOR THE CITY OF LINCOLN CITY, IN THE AREA OF NE 14<sup>TH</sup> STREET KNOWN AS THE "NE 14<sup>TH</sup> STREET LOW PRESSURE SEWER PROJECT," CALLING FOR A PUBLIC HEARING

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**RECITALS** 

- 12 A. A Property owner on NE 14<sup>th</sup> Street reported septic failures. Several additional property owners on the street have requested sanitary sewer service.; and
- B. The City is planning street improvements on NE 14<sup>th</sup> Street; construction of sanitary sewer improvements while the street improvements are underway, results in significant savings over stand alone sanitary sewer improvements; and
- C. After community outreach, City staff is proposing proposing to design and construct a low-pressure sewer system to serve the eleven (11) properties on NE 14th St, (13 connections) from NE Oar Ave to NE Port Ave, concurrently with the City's construction of sidewalk, stormwater, and curb and gutter improvements.
  - D. The City Engineer submitted an Engineer's Report for the "NE 14<sup>th</sup> Street Low Pressure Sewer Project" to the City Council for its review at a regularly-scheduled meeting of the City Council on January 25, 2021, said report being attached as Attachment "A", hereto and incorporated herein by reference; and
  - E. Following a presentation by staff & comments by citizens present on January 25, 2021, the City Council approved by motion the Engineer's report and a Resolution of Intent, initiating a Local Improvement District; and,
  - F. Staff is authorized to advertise the LID formation public hearing and proceed with scheduling such future public hearing pursuant to LCMC §13.04.030.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

<u>Section 1. Project Initiation.</u> Pursuant to LCMC §13.04.030, the City Council declares its intent to make the low pressure sanitary sewer improvements known as the

"NE 14th Low Pressure Sewer Project" and described in the Engineer's Report dated January 20, 2021. The proposed improvement would consist of the above referenced improvements to serve eleven properties (13 connections) on NE 14<sup>th</sup> Street, between NE Oar Avenue and NE Port Avenue.

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Section 2. NE 14th Street LID. The proposed "NE 14th Low Pressure Sewer Project" shall be carried out by the City of Lincoln City under the procedures established in LCMC Chapter 13.04, with the cost assessed to the benefitted owners through formation of a local improvement district within the boundaries of the area shown in Exhibit 'B' of the Engineer's Report, and including those benefitted properties as described in 'Exhibit "A" – Benefitted Lots and Cost Estimate' of the Engineer's Report.

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**Section 3. Public Hearing.** Under the procedures established in LCMC Chapter 13.04, the City Council will hold a public hearing on the proposed improvement on February 22, 2021. Not earlier than 10 days before the public hearing, the City Recorder is directed to publish notice of a public hearing on the proposed improvement and mail notice to the owners of property within the boundaries of the area as described in the incorporated Engineer's Report and indicating that the cost of said improvements will be assessed against the benefitted properties.

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Section 4. Recitals Adopted. The City Council adopts the recitals of this resolution, which are incorporated into this section by reference, as additional facts supporting its conclusion that the improvements are in the public interest of the City of Lincoln City and the owners of the affected property.

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Section 5. Effective Date. This resolution is effective as of the date of its adoption.

COUNCIL PRESIDENT

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PASSED AND ADOPTED by the City Council of the City of Lincoln City this 25<sup>th</sup> day of January, 2021.

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CITY RECORDER 39

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2 – Resolution 2021-07 (NE 14<sup>th</sup> Street Intention Resolution)

ATTEST:

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5	RICHARD APPICE (L)
6	CITY ATTORNEY
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EXHIBIT A [ATTACHED] – January 20, 2021 Engineer's Report

### **CITY ENGINEER'S REPORT**

### **NE 14<sup>th</sup> Street Sewer Improvements**

### SANITARY SEWER LOCAL IMPROVEMENT DISTRICT

### January 20, 2021

### Background

Lincoln City Public works is completing roadway improvements over a portion of NE 14<sup>th</sup> without sanitary sewer service. Additionally, one property has a reported an inadequate septic system, and additional properties have requested sanitary sewer service. The planned & budgeted roadway improvements allow sewer improvements to be constructed at a fraction of the stand-alone cost. Staff is proposing a design to construct a low-pressure sewer to serve the eleven (11) properties on NE 14<sup>th</sup> St, from NE Oar Ave to NE Port Ave. Six (6) of the lots in the local improvement district are zoned multi-family, five (5) are zoned R-1-7.5.

Pursuant to the City of Lincoln City's Municipal Code of Ordinances Chapter 13.04, the City Engineer is submitting the following report pertaining to the formation of a local improvement district.

### **Location of the Improvements**

Exhibit "A" presents a map outlining the Local Improvement District boundary.

### **Wastewater Facilities Plan**

The proposed NE 14<sup>th</sup> Sewer LID flows to the SE 3<sup>rd</sup> St. Pump Station. This pump station is part of the "System Backbone" and has a current capacity rating of 4000 gallons per minute. The identified flow in 2004 was 2800 gallons per minute.

Budget for the design, maintenance, and improvement of this pump station has been put forward for the 2021-2022 & 2022-2023 fiscal year.

### **Description of the Improvements**

An overview of the Local Improvement District design is put forward in Exhibit "B". This will construct 515' of low pressure sewer system. The system will be 2" High-density polyethylene (HDPE) pipe. This will provide a service lateral to each lot of record at the

time of construction, and an additional lateral for the two (2) multifamily lots with the of subdividing; This is shown in Exhibit "B". Property owners will need to install an E-One grinder pump when connecting to the public sewer system.

### **Project Cost Summary**

The estimated LID cost is \$74,715.57; See Exhibit "C". Project design was completed inhouse and, because of the concurrent roadway improvements, project cost is expected to be substantially less than a comparable sanitary sewer project. The additional project cost of administration of construction, labor and material for the low-pressure sewer systems and the additional roadway restoration have all been included in this estimate.

### **Zoning and Method of Assessment**

Within the local improvement district there are 11 properties. These vary in size from 5,000 – 10,000 square feet. Six (6) properties benefitting are zoned Residential-Multifamily (R-M), with five (5) lots zoned Residential, 1-7.5 (R-1-7.5).

Nine (9) of the eleven (11) benefitting lots have existing single family homes and/or development potential requiring only 1 standard lateral connection. Two (2) of the benefitting RM lots have the potential for subdivision; Staff has designed additional lateral connections on these lots and proposed an additional portion of LID costs assessed to these lots.

Staff proposes that sanitary assessment be divided among the 13 available connections; this results in a cost of \$5,747.35 per connection. This number is based on the estimated construction and administrative cost; actual construction cost will be used to calculate the final reimbursement amount. See Exhibit "D".

### Financing

Each lot owner will be given the option to finance the cost of the Local Improvement District. The City will finance up to 20 years, at a rate 2% over the current Local Government Investment Pool (LGIP) rate. The LGIP rate is 0.75% as of October 21, 2020. Each property's monthly cost for 20 year financing at 2.75% has been estimated using the project estimate. See Exhibit "D".

The City will place a lien on the property until the LID cost is paid in full. The City assessment lien shall be superior to all other liens or encumbrances on property insofar as Oregon Law permits. The property owner will have 60 days after the final assessment public hearing to either pay the LID assessment off in full or apply for the City financing. Property owners must pay or finance at least the base unit cost. Additional assessment may then be deferred until property sale or issuance of a building permit.

When a property has applied for financing of the LID cost, the owner shall pay at the time of submission of the application a processing fee in the amount of \$100.00. The property owner will also pay the amount for the county recording fee, if any, for the assessment lien.

If the property owners have signed applications to pay in installments, the owner at any time may pay to the City the unpaid balance of the amount of the assessment. This includes interest to the next installment date, charges, and lay payment penalties and/or charges accrued to the date of payment. LID lot assessments must be paid in full at (1) change in ownership of the property or (2) issuance of a building permit.

The estimated \$5,747.35 per connection is to reimburse the City for the cost to install the public sewer. The total cost to connect to the sewer system would additionally include the items outlined in Exhibit "C":

- System Development Charges (\$4,048.00 in 2019)
- Inspection Fees/Permit Fees
- On-site construction costs
- Abandoning existing septic tank (if applicable)

### **SEWER CONNECTION MANDATES**

Existing developed properties in the LID will be required to connect to the sewer system under the following circumstances:

- 1. Septic tanks must be inspected at 5, 10, and 15 years. If the septic system fails an inspection, the owner will not be allowed to fix the septic system but must connect to the public sewer system
- 2. If an existing home is sold, a condition of the sale is for the home to be connected to the public sewer system.

- 3. If an existing home is remodeled or enlarged more than 50% of the existing value, or the remodel requires the expansion of the septic system, the home will be required to connect to the public sewer system.
- 4. All existing homes within the LID must connect to the public sewer system within the LID financing period of 20 years.

City Engineer's Signature:

Stephanie Reid P.E

### Exhibit A



Location



### Lincoln City Vicinity Map NTS

- IRRIGATION CONTROL VALVE

GAS VALVE GAS METER LUMINAIRE MAIL BOX - TV RISER

PROPOSED CONDITIONS:

GRAVEL/2"-0" RIVER ROCK/RIP RAP REMOVE AND REPLACE 4" TO 8" AC TYPE CG-2 CATCH BASIN TYPE CG-3 CATCH BASIN TYPE 3 CATCH BASIN DITCH INLET CATCH BASIN SIDEWALK HATCH GRIND AND RE-PAVE 2" AC DW HATCH CULTER 

When construction activative black or interfere with absolders or bive tones, and and set lend of Selfattic SO Refolders. Sign in advance of each shoulder or bee form closure of sign spacen of "Ton the "Ton SPACING TABLE" shown on 2001 standard derived TABLE. In no.

When construction impacts active traffic lanes on the State Highway for langer theory 2 news remporery signage is required per 0001 Standard drawings TMRSO, TMS41, and TM 851

# NE 14th STREET LID OVERVIEW CITY OF LINCOLN CITY

GTF OF LIMITORN GTN 951 SW HOSTWAL 101 PO BOY 50 URICLY OTN, OREGIN 07367 CONTACT TERN COMMERCIAN, PH (54) 996-1238

Existing Conditions:

- FIRE HYDRANT

- LINE CONTINUES TO UNKNOWN LOCATION

SANITARY SEWER MANHOLE

WATER VALVE

CATCH BASIN

STORM DRAIN MANHOLE

CLEAN OUT

- UNDERGROUND SANITARY SEWER LINE UNDERGROUND STORM DRAIN LINE UNDERGROUND ELECTRIC LINE

- UNDERGROUND TELEPHONE LINE UNDERGROUND CABLE TY LINE

UNDERGROUND NATURAL GAS LINE - UNDERGROUND WATER LINE

OVERHEAD UTILITY LINE

FENCE LINE

- SANITARY SEWER MANHOLE STORM DRAIN MANHOLE EDGE OF PAVEMENT CATCH BASIN

ELECTRIC JUNCTION BOX

UTILITY POLE

- GUY ANCHOR

- SIGNAL JUNCTION BOX TELEPHONE RISER ELECTRIC METER FIELD INLET

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- ASPHALT

- CONCRETE

- DECIDUOUS TREE (DTR)

- EVERGREEN TREE (ETR)

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| = 30 Site Map

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### **EXHIBIT C**

## ESTIMATED LID COST SUMMARY

Sewer

		\$74,715.57
In-House \$0.00 \$0.00 \$67,615.90	\$338.08 \$6,761.59 \$7,099.67	\$74,715.57 13 \$5,747.35
Engineering Total Engineering Total Surveying Estimated Construction Cost	Art Commission (.5% of Construction Cost) Administration (10% of Engineering + Construction Cost) <b>Total Administration Cost</b>	LID Total Project Cost (Engineering, Construction and Administrative) Number of Connections Estimated Cost per Sewer Connection

2020 SYSTEM DEVELOPMENT CHARGES AND ESTIMATED ON-SITE COST	N-SITE COST
Sewer System Development Charge in 2020	\$4,129.00
On-Site Improvements (Estimated Average Cost)	
Pump and Control Panel	\$6,000.00
Installation of System and	
Decommission Septic	\$5,500.00
Sewer Connection Inspection	\$100.00
Total Estimated On-Site Improvements	\$11,600.00

	Exhibit "D" -	Benefitted Lots & Cost Estimate	ots & Cost E	stimate	
	Summary		Per Connection Assessment	ssessment	Financing
Тах Мар	Address (If Existing)	Owner	Proposed Sanitary Sewer Connections	Cost	Monthly LID Payment
					20 years @2.7%
7-11-10DD-02900	1833 NE 14th St Lincoln City, Or. 97367	Mark & Gail Clarambeau	1.0	\$5,747.35	\$31.02
7-11-10DD-03200	PO Box 12087 Portland, Or 97212	Fishtrap Farms LLC	1.0	\$5,747.35	\$31.02
7-11-10DD-03201	1823 NE 14th St. Lincoln City, Or 97367	Edelita Kozachenko	1.0	\$5,747.35	\$31.02
7-11-10DD-03400	17675 SW Alexander St. Aloha, Or 97006	Christina Wale	2.0	\$11,494.70	\$62.04
7-11-10DD-03600	54829 Mountain View Bend, Or 97707	Neal & Patricia Ehlen	1.0	\$5,747.35	\$31.02
7-11-10DD-03700	PO Box 1343 Depoe Bay, Or 97341	Mary Thomson	2.00	\$11,494.70	\$62.04
7-11-10DD-03800	1934 NE 14th St. Lincoln City, Or 97367	Alfred Holland, IV	1.0	\$5,747.35	\$31.02
7-11-10DD-03900	1926 NE 14th St. Lincoln City, Or 97367	Jesse & Salina Slover	1.0	\$5,747.35	\$31.02
7-11-10DD-04000	PO Box 12 Montague, Ca. 96064	Theresa Setzer	1.0	\$5,747.35	\$31.02
7-11-10DD-04100	PO Box 212 Neotsu, Or 97364	Daron Wilson	1.0	\$5,747.35	\$31.02
7-11-10DD-04200	1340 NE Oar Ave. Lincoln City, Or 97367	Timothy Tuffield	1.0	\$5,747.35	\$31.02
		TOTALS:	13.0	\$74,715.57	
Total Estimated LID Cost:	#	\$74,715.57	LID Rate per Sewer Connection	ection	
Number of Connections	S .	13	\$5,747.35		