CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 12-08

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 42 (SW 100TH AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 11-05.

WHEREAS, on January 25, 2011, the City Council adopted Resolution No. 11-05 to form Sanitary Sewer Reimbursement District No. 42 to construct sewers in SW 100th Avenue in accordance with Tigard Municipal Code (TMC) Chapter 13.09; and

WHEREAS, Resolution No. 11-05 included the City Engineer's Report which contained an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined, and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060, and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report, as recommended by the City Engineer, are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 42," attached hereto as Exhibit A, is hereby approved.

SECTION 2: The City Engineer's Report as presented in Resolution No. 11-05 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3: In accordance with TMC Chapter 13.09, Sanitary Sewer Reimbursement District No. 42 is hereby finalized. The district includes the area(s) depicted in Exhibit B.

SECTION 4: The city recorder shall cause a copy of this resolution to be filed in the office of the county recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 5: This resolution is effective immediately upon passage.

PASSED: This 28th day of February 2012.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Exhibit A

Final City Engineer's Report

Sanitary Sewer Reimbursement District No. 42

(SW 100th Avenue)

Background

This project was constructed and funded under the Citywide Sanitary Sewer Extension Program. Under the program, the City of Tigard installs public sewers to each lot within an established reimbursement district. At the time of connecting to the public sewer, the property owner:

- Pays a connection and inspection fee, currently $4,535.
- Reimburses the city for the owner's share of the sewer installation.
- Is responsible for any plumbing modifications to connect to the public sewer.
- Is responsible for disconnecting the owner's existing septic system in accordance with Washington County regulations.

There is no requirement to connect to the sewer or pay any fee until connection is made.

Project Area - Zone of Benefit

This sanitary sewer project makes sewer service available to the 23 lots listed in the attached table and depicted in reimbursement district maps, (Exhibit B to the resolution). Installing the service required extending an existing sewer in SW 100th Avenue through an easement connecting to SW View Terrace. No further extension of this line will be required. The surrounding area is completely served with sewer.

Cost

The final cost to provide sanitary sewers to the 23 lots is $320,751.

Construction		$264,199
Purchasing Easements		$20,885
Engineering and Inspection*		$35,667
Total		$320,751

* This equals13.5 percent of the construction cost as defined in TMC 13.09.040(1)

This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their share of the project cost. However, the actual amount that each property owner pays may be affected by the owner's participation in the city's early connection incentive program.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently $4,535, upon connection to the public line. This fee is expected to increase on July 1, 2012. Owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All but three of the northernmost properties in the proposed district are zoned R3.5. The remaining three properties are zoned R12 but are expected to receive similar benefits. Consequently, applying the same method of assigning costs to all lots within the district is proposed. Lot size varies from about 14,300 to 57,000 square feet as shown on the attached list. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's final fair share of the public sewer line is $0.5493 per square foot of lot served. In accordance with Resolution No. 01-46, owners who complete their connection within three years of City Council approval of the Final City Engineer's Report are eligible for incentives. Under these incentives, each owner's share would be limited to $6,000, to the extent that this share does not exceed $15,000. In addition to paying for the first $6,000, owners are responsible for paying all actual costs that exceed $15,000. Upon request, payment of costs that exceed $15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55.

Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The finance director has set the annual interest rate at 6.05 percent as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted February 14, 2012

Michael A. Stone, P.E.
City Engineer
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100TH AVENUE
Reimbursement District No. 42

Final Cost to Property Owners
February 7, 2012

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	FINAL REIMBURSEMENT FEE	FINAL AMOUNT TO BE PAID BY OWNER	AMOUNT TO BE PAID BY CITY	AMOUNT THAT CAN BE DEFERRED BY OWNER
1	PETERSEN, DAVID	14085 SW 100TH	2S111BB00300	13,400	0.308	$7,360	$6,000	$1,360	$0
2	RIVER PRESERVATION LLC	14135 SW 100TH	2S111BB00400	32,551	0.747	$17,880	$8,880	$9,000	$2,880
3	RANDALL, MARIA L	14130 SW 100TH AVE	2S111BA00805	31,690	0.728	$17,407	$8,407	$9,000	$2,407
4	RUEDY, ROBERT E	14185 SW 100TH AVE	2S111BB00500	49,518	1.137	$27,200	$18,200	$9,000	$12,200
5	DOERING, JOSHUA N & ANGIE L	14170 SW 100TH AVE	2S111BA00802	31,828	0.731	$17,483	$8,483	$9,000	$2,483
6	FAST CASH HOUSE BUYERS LLC	14220 SW 100TH AVE	2S111BA00801	24,664	0.566	$13,548	$6,000	$7,548	$0
7	SMITH, SHELLEY A & ENGWEILER, GLENN	14270 SW 100TH AVE	2S111BA00807	24,788	0.569	$13,616	$6,000	$7,616	$0
8	COLLING, JOYCE C	EMPTY LOT	2S111BB00600	56,798	1.304	$31,199	$22,199	$9,000	$16,199
9	KASTEL, CHARLES G & MARY J TRS	14259 SW 100TH AVE	2S111BB01100	41,347	0.949	$22,712	$13,712	$9,000	$7,712
10	BIRNEY, JEFFREY D & NORIKO	14265 SW 100TH AVE	2S111BB00800	15,283	0.351	$8,395	$6,000	$2,395	$0
11	KARR, EVELYN E REV LIV TRUST	14280 SW 100TH AVE	2S111BA00900	35,158	0.807	$19,312	$10,312	$9,000	$4,312
12	POLIVKA, JON & CAMPELL-POLIVKA, HOLLY M	14305 SW 100TH	2S111BB00700	15,207	0.349	$8,353	$6,000	$2,353	$0
13	JONES, VERNON G & COLLEEN D	14320 SW 100TH AVE	2S111BA02300	14,334	0.329	$7,874	$6,000	$1,874	$0
14	LEE, SAMUEL & KYUNG	14345 SW 100TH	2S111BC00100	55,129	1.266	$30,282	$21,282	$9,000	$15,282
15	UM, EUNKYU C & KWANG Y	10150 SW VIEW TER	2S111BC01300	15,127	0.347	$8,309	$6,000	$2,309	$0
16	BOGERT, MARK H & MARY E	14445 SW 100TH	2S111BC00200	20,457	0.470	$11,237	$6,000	$5,237	$0
17	HOWSE, DIANNA L & ONRELAS, STEVE F	14415 SW 100TH	2S111BC00300	16,046	0.368	$8,814	$6,000	$2,814	$0
18	PHILLIPS, AMY & LINN, JEREMY J	10220 SW VIEW TER	2S111BC01100	15,034	0.345	$8,258	$6,000	$2,258	$0
19	SEARS, ALLEN C	10190 SW VIEW TER	2S111BC01200	15,029	0.345	$8,255	$6,000	$2,255	$0
20	BAUMAN, WAYNE & MARY	10270 SW VIEW TER	2S111BC01000	15,246	0.350	$8,374	$6,000	$2,374	$0
21	BUEHLER, GREGORY & SARA L.	10145 SW VIEW TER	2S111BC01400	15,246	0.350	$8,374	$6,000	$2,374	$0
22	MUDROW, MICHAEL & DIANE C.	10185 SW VIEW TER	2S111BC01500	14,810	0.340	$8,135	$6,000	$2,135	$0
23	PROUTY, JAASON & AMY E	10225 SW VIEW TER	2S111BC01600	15,246	0.350	$8,374	$6,000	$2,374	$0
			Totals	**583,936**	**13.41**	**$320,751**	**$201,474**	**$119,277**	

The "FINAL REIMBURSEMENT FEE" column shows the final reimbursement fee for each lot. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer.

In accordance with Resolution No. 01-46, each property owner will be required to pay the first $6,000 of the final reimbursement fee for connections completed within the first three years of City Council's approval of the final City Engineer's Report following construction. The "AMOUNT TO BE PAID BY CITY" column shows that portion of the reimbursement fee that the owners will not be required to pay if they connect to the sewer during this three year period.

This resolution also requires owners to pay any fair share amount that exceed $15,000. Consequently, if the final fair share for an owner exceeds $15,000, the owner would be required to pay $6,000 plus that amount of the fair share that exceeds $15,000. Under Resolution No. 03-55, payment of the amount in excess of $15,000 may be deferred until the owner's lot is developed. This amount is shown in the "AMOUNT THAT CAN BE DEFERRED BY OWNER" column.

In addition to the reimbursement fee, the owners will also be required to pay a connection fee, currently $4535 at the time of connection to the sewer. The connection fee is expected to increased on July 1, 2012. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

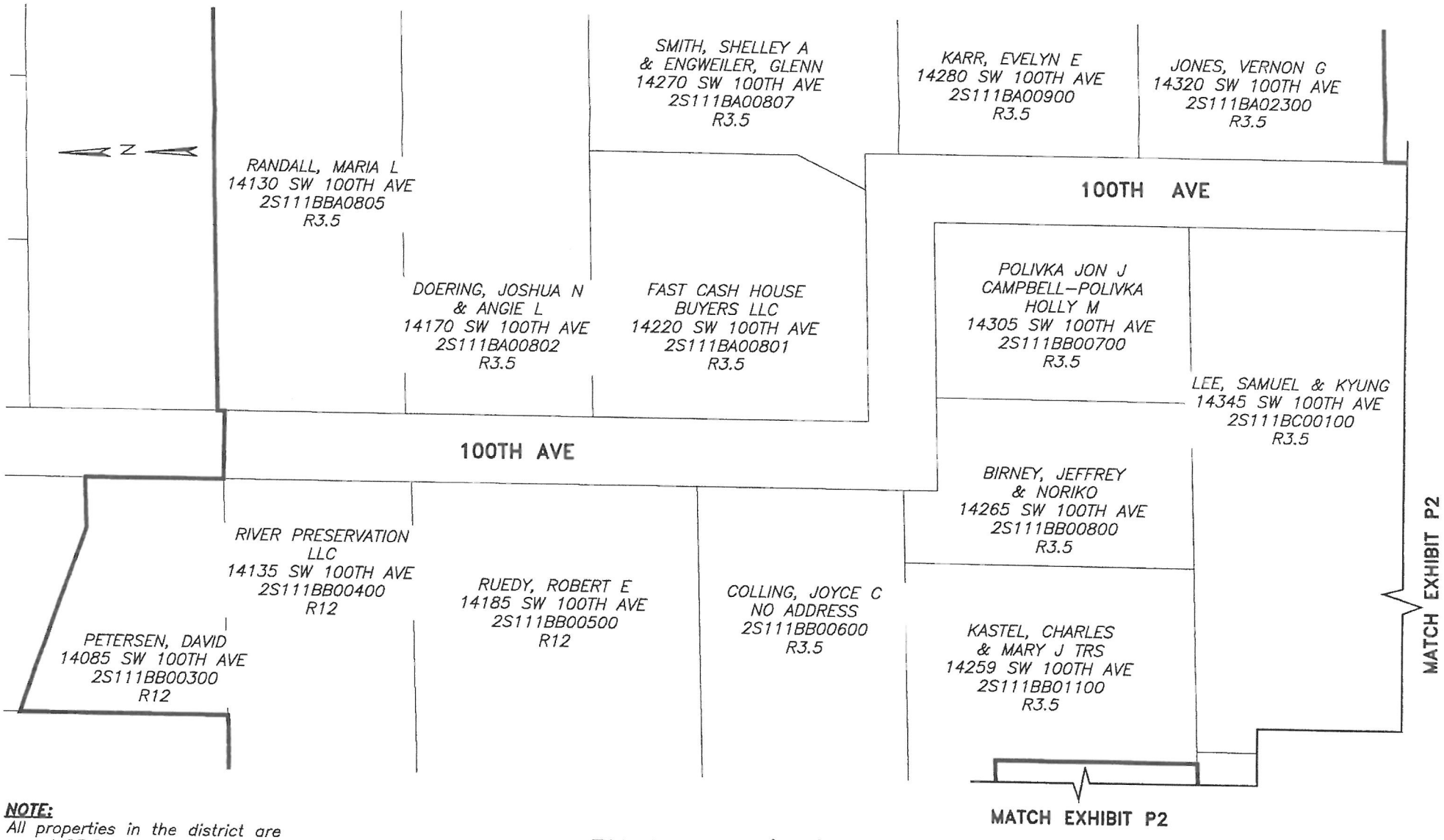
Ref: Resolutions 01-46 and 03-55

100TH AVENUE
Reimbursement District No. 42
Final Cost to Property Owners

February 7, 2012

Final Construction Cost	$264,199
15% contingency (construction)	
Final construction subtotal	$264,199
13.5% contingency (Admin & Eng)	$35,667
Easement cost	$20,885
Total project costs	**$320,751**
Total area to be served (S.F.)	583,936
Total cost per S.F. to property owner	**$0.54929109**

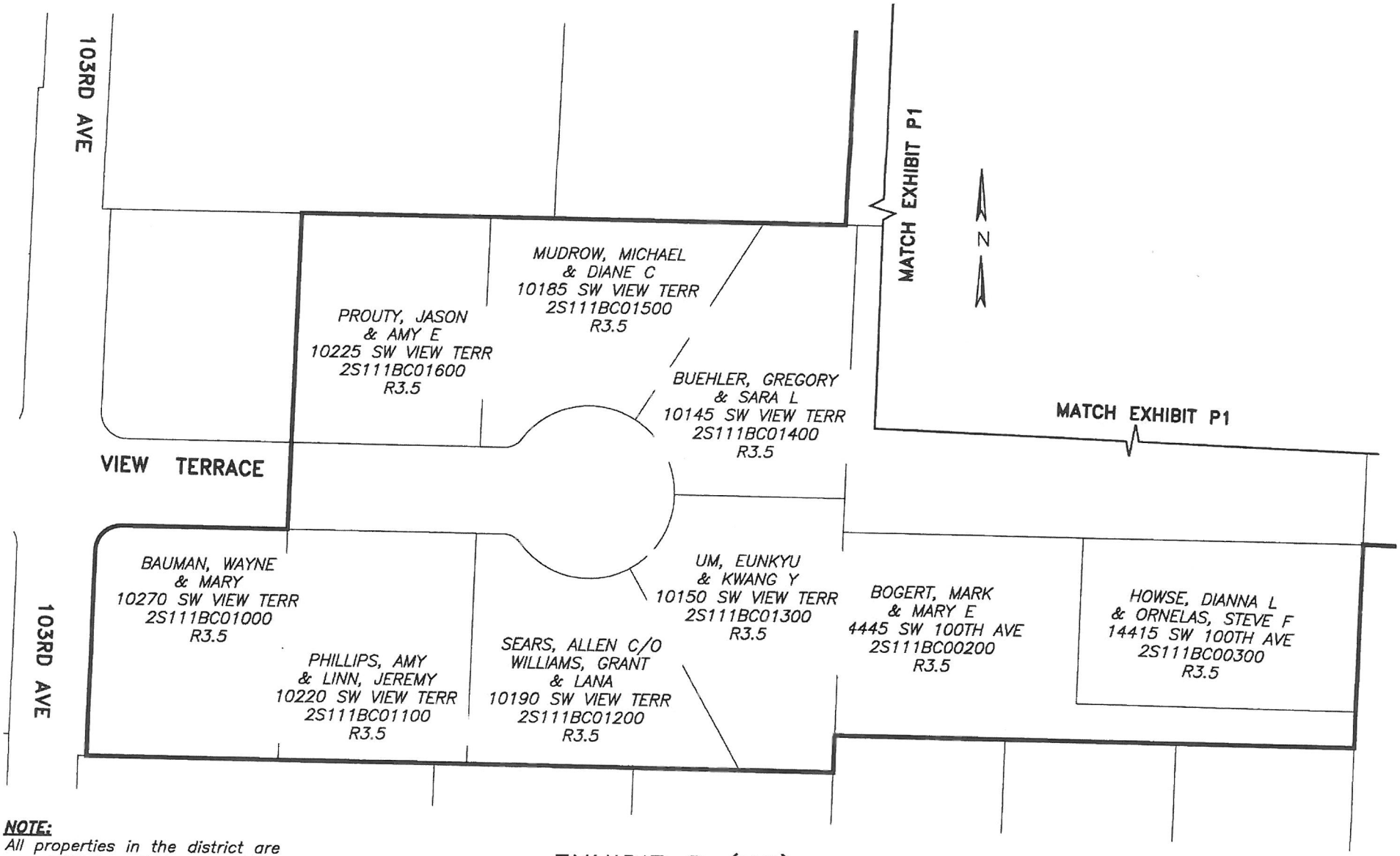
100TH AVE DIST NO. 42
FY 2009-10 SANITARY SEWER EXTENSION PROGRAM
A PORTION OF THE NW 1/4 SECTION 11 T2S R1W W.M.



NOTE:
All properties in the district are zoned R3.5 or R12

EXHIBIT B (P1)
NTS

100TH AVE DIST NO. 42
FY 2009-10 SANITARY SEWER EXTENSION PROGRAM
A PORTION OF THE NW 1/4 SECTION 11 T2S R1W W.M.



NOTE:
All properties in the district are zoned R3.5 or R12

EXHIBIT B (P2)
NTS