

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 16, 2016

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2016-2795 No.

SUBJECT: An ordinance to affirm the final assessments for the College Street Local Improvement District that was created by Ordinance No. 2013-2769 to recoup a portion of the costs for the west side frontage improvements of N. College Street from Illinois Street to Aldercrest Drive

Contact Person (Preparer) for this Motion: Paul Chiu, P.E., Senior Engineer
Dept.: Engineering Services Department
File No.:

HEARING TYPE: LEGISLATIVE

RECOMMENDATION:

Adopt Ordinance No. 2016-2795 to affirm the final assessments for the College Street Local Improvement District that was created by Ordinance No. 2013-2769 to recoup a portion of the costs for the west side frontage improvements of N. College Street from Illinois Street to Aldercrest Drive.

EXECUTIVE SUMMARY:

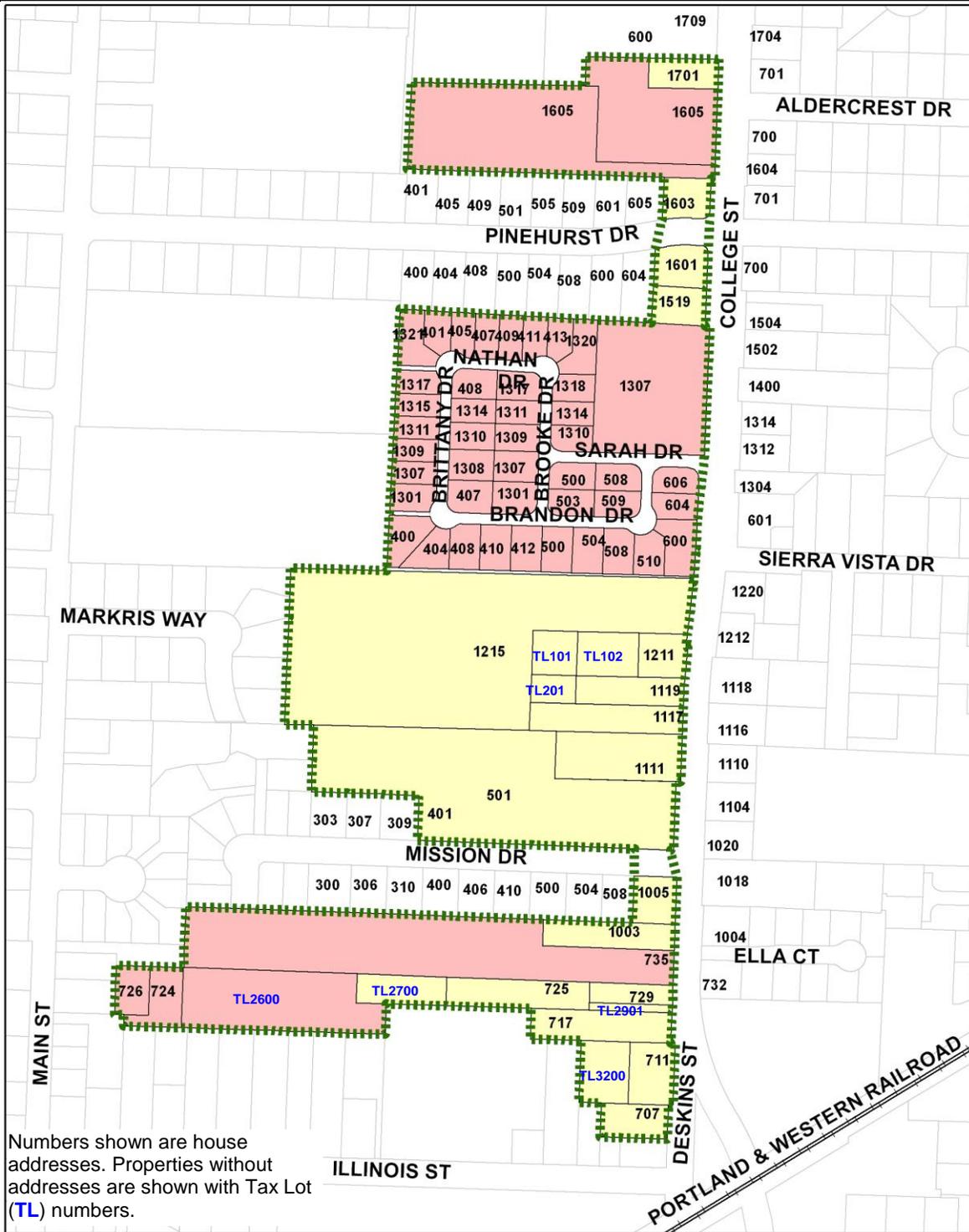
In July, 2013, the City of Newberg adopted Ordinance No. 2013-2769 for the College Street Local Improvement District, following the Local Improvement Districts (LID) rules and processes in Municipal Code §3.15. Refer to Figure 1 for the boundary of the College Street LID. Per Municipal Code §3.15.110, once construction is complete, final LID assessments are determined and the City Council shall approve them at a public hearing.

The Oregon Department of Transportation (ODOT) provided a transportation enhancement grant to fund the right-of-way acquisition, survey, design, and construction of curb and gutter, sidewalk, and storm drainage improvements on the west side, and bicycle lanes on both sides of State Highway OR-219 (also known as North College Street) from Illinois Street to Aldercrest Drive. The City of Newberg provided the required matching funds for the project through an intergovernmental agreement (IGA).

The contractor completed the construction of all improvements this past summer, and ODOT will be closing out this project soon. The city's total design and construction contribution for the project was \$488,471.43, of which \$230,779.76 was for curb and gutter, sidewalk, and bicycle lanes. The proposed assessment of \$194,197.00 will recoup 84.1% of the costs noted in the Engineer's Report.

All of the College Street LID property owners were invited to a Neighborhood Meeting that was held at Newberg Presbyterian Church on January 20, 2016, to provide comments prior to the final assessment public hearing. All participants received the final assessment package in advance of the public hearing. The recommended final assessments are listed in Table 1, which is hereby attached and incorporated. Comments or questions received from the neighbors are listed in Figure 2.

FIGURE 1: COLLEGE STREET LID BOUNDARY MAP



Legend
 LID Boundary

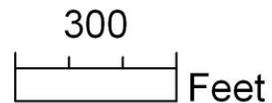


FIGURE 2: COMMENTS OR QUESTIONS RECEIVED AT THE NEIGHBORHOOD MEETING

(a) How was the assessment determined for each property?

The total frontage length along College Street for the LID is 2,167 linear feet. Staff calculated the assessment for each property based on its share of the frontage length.

(b) Why are some assessments a few hundred dollars while some others are several thousand dollars?

Take for an example a lot in Jaquith Park Estates; its assessment is about \$450 because all 43 lots in the subdivision receive an equal share of the assessment based on its College Street frontage length of 216 linear feet, and the assessment per foot of \$89.62.

(c) What is the LID cost?

The LID cost is \$194,197.00 for curb, gutter, sidewalk and bike lanes. This amount will recoup 84.1% of the actual construction cost.

(d) Who will decide for the final assessments?

The City Council will make the final decision for the LID assessments at the public hearing on February 16, 2016.

FISCAL IMPACT:

The city's portion of the project costs were budgeted over multi-years and expended in fiscal years 2011 through 2015 under account number 18-5150-702165. The city's total design and construction contribution for the project was \$488,471.43, of which \$230,779.76 was for curb and gutter, sidewalk, and bicycle lanes. The proposed LID assessment of \$194,197.00 will recoup 84.1% of the costs noted in the Engineer's Report.

STRATEGIC ASSESSMENT:

This project completes a critical portion of the pedestrian and bicyclist system along a major transportation route in accordance with the city's Transportation System Plan and the Newberg ADA/Pedestrian/Bike Route Improvement Plan.



ORDINANCE No. 2016-2795

AN ORDINANCE TO AFFIRM THE FINAL ASSESSMENTS FOR THE COLLEGE STREET LOCAL IMPROVEMENT DISTRICT THAT WAS CREATED BY ORDINANCE No. 2013-2769 TO RECOUP A PORTION OF THE COSTS FOR THE WEST SIDE FRONTAGE IMPROVEMENTS OF N. COLLEGE STREET FROM ILLINOIS STREET TO ALDERCREST DRIVE

RECITALS:

1. In July, 2013, the City of Newberg adopted Ordinance No. 2013-2769 for the College Street Local Improvement District (LID) to recoup a portion of the city's matching costs for the frontage improvements surveyed, designed, constructed and funded through a grant by the Oregon Department of Transportation (ODOT).
2. The contractor completed the construction of curb and gutter, sidewalk, and storm drainage improvements on the west side, and bicycle lanes on both sides of State Highway OR-219 (also known as North College Street) from Illinois Street to Aldercrest Drive in summer, 2015. ODOT will be closing out the project soon (upon establishment of the rain garden vegetation).
3. The city's total design and construction contribution for the project was \$488,471.43, of which \$230,779.76 was for curb and gutter, sidewalk, and bicycle lanes.
4. Staff recommends the final assessment to recoup \$194,197.00, the cost noted in the Engineer's Report in Ordinance No. 2013-2769, (which is 84.1% of \$230,779.76).
5. All participating property owners received the final LID assessment package by mail in advance of the public hearing held on February 16, 2016.
6. The final assessments followed the assessment methodology established by Ordinance No. 2013-2769, which also provided the owners an option to apply for financing through the city (at 1.50% annual interest rate over a 30 year period).
7. Each property within the LID is specifically benefitted in the amount shown on the assessment role.
8. The City Council has considered all objections and/or comments on the final assessments.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

- Section 1. The City of Newberg hereby levies a final special assessment, listed by property (tax lot) in Table 1 on the following page, which is hereby attached and incorporated, as an equitable share of the cost of the College Street LID against each of the properties listed in this ordinance. The assessment is due and payable at Newberg City Hall not later than 30 days after the effective date of this ordinance. Assessments paid in full within 30 days will receive a five percent discount.
- Section 2. The owner of property assessed by this ordinance may, within 10 days after notice of the final assessment is mailed, contract with the city to pay the assessment in sixty semi-annual installments of principal plus simple interest at the rate of 1.50% per annum until paid in full. The terms and conditions of payment shall be otherwise as set out in the installment payment contract. The assessment levied by this ordinance shall constitute a lien upon the real property assessed to secure payment of the assessment and shall be prior to any and all other liens on the property.
- Section 3. The City Council directs the City Manager Pro Tem to mail notice of the final assessment levied by this ordinance to the owner(s) of each property assessed and to publish in the newspaper, as required by Newberg Municipal Code §3.15.110(C).
- Section 4. The City Council, in accordance with Newberg Municipal Code §3.15.110 and Ordinance No. 2013-2769, does hereby authorize the City Manager Pro Tem to have these final assessments entered into the docket of City liens and the Yamhill County deed records as needed.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 17, 2016.

ADOPTED by the City Council of the City of Newberg, Oregon, this 16th day of February, 2016, by the following votes:

AYE:

NAY:

ABSENT:

ABSTAIN:

Sue Ryan, City Recorder

ATTEST by the Mayor this 18th day of February, 2016.

Bob Andrews, Mayor

TABLE 1: FINAL ASSESSMENTS FOR EACH PROPERTY

Property Description (Name or Subdivision with Lot No. and Tax Lot No.)	Property Address	Final Assessment Costs (recommended)	
Open Bible Church	3218 AD 7100	1605 N COLLEGE ST	\$14,582.72
	3218 AD 7000	1605 N COLLEGE ST	\$2,688.55
Willow Place Assisted Living Facility	3218 AD 7401	1307 N COLLEGE ST	\$25,741.12
Lot 1 Jaquith Park	3218 AD 7621	606 BRANDON DR	\$449.72
Lot 2 Jaquith Park	3218 AD 7633	604 BRANDON DR	\$449.72
Lot 3 Jaquith Park	3218 AD 7634	600 BRANDON DR	\$449.72
Lot 4 Jaquith Park	3218 AD 7635	510 BRANDON DR	\$449.72
Lot 5 Jaquith Park	3218 AD 7636	508 BRANDON DR	\$449.72
Lot 6 Jaquith Park	3218 AD 7637	504 BRANDON DR	\$449.72
Lot 7 Jaquith Park	3218 AD 7638	500 BRANDON DR	\$449.72
Lot 8 Jaquith Park	3218 AD 7639	412 BRANDON DR	\$449.72
Lot 9 Jaquith Park	3218 AD 7640	410 BRANDON DR	\$449.72
Lot 10 Jaquith Park	3218 AD 7641	408 BRANDON DR	\$449.72
Lot 11 Jaquith Park	3218 AD 7642	404 BRANDON DR	\$449.72
Lot 12 Jaquith Park	3218 AD 7643	400 BRANDON DR	\$449.72
Lot 13 Jaquith Park	3218 AD 7628	1301 BRITTANY DR	\$449.72
Lot 14 Jaquith Park	3218 AD 7627	1307 BRITTANY DR	\$449.72
Lot 15 Jaquith Park	3218 AD 7626	1309 BRITTANY DR	\$449.72
Lot 16 Jaquith Park	3218 AD 7617	1311 BRITTANY DR	\$449.72
Lot 17 Jaquith Park	3218 AD 7616	1315 BRITTANY DR	\$449.72
Lot 18 Jaquith Park	3218 AD 7609	1317 BRITTANY DR	\$449.72
Lot 19 Jaquith Park	3218 AD 7608	1321 BRITTANY DR	\$449.72
Lot 20 Jaquith Park	3218 AD 7607	401 NATHAN DR	\$449.72
Lot 21 Jaquith Park	3218 AD 7606	405 NATHAN DR	\$449.72
Lot 22 Jaquith Park	3218 AD 7605	407 NATHAN DR	\$449.72
Lot 23 Jaquith Park	3218 AD 7604	409 NATHAN DR	\$449.72
Lot 24 Jaquith Park	3218 AD 7603	411 NATHAN DR	\$449.72
Lot 25 Jaquith Park	3218 AD 7602	413 NATHAN DR	\$449.72
Lot 26 Jaquith Park	3218 AD 7601	1320 BROOKE DR	\$449.72
Lot 27 Jaquith Park	3218 AD 7612	1318 BROOKE DR	\$449.72
Lot 28 Jaquith Park	3218 AD 7613	1314 BROOKE DR	\$449.72
Lot 29 Jaquith Park	3218 AD 7620	1310 BROOKE DR	\$449.72
Lot 30 Jaquith Park	3218 AD 7623	500 SARAH DR	\$449.72
Lot 31 Jaquith Park	3218 AD 7622	508 SARAH DR	\$449.72
Lot 32 Jaquith Park	3218 AD 7632	509 BRANDON DR	\$449.72
Lot 33 Jaquith Park	3218 AD 7631	503 BRANDON DR	\$449.72
Lot 34 Jaquith Park	3218 AD 7630	1301 BROOKE DR	\$449.72
Lot 35 Jaquith Park	3218 AD 7629	407 BRANDON DR	\$449.72
Lot 36 Jaquith Park	3218 AD 7625	1308 BRITTANY DR	\$449.72
Lot 37 Jaquith Park	3218 AD 7618	1310 BRITTANY DR	\$449.72
Lot 38 Jaquith Park	3218 AD 7615	1314 BRITTANY DR	\$449.72
Lot 39 Jaquith Park	3218 AD 7610	408 NATHAN DR	\$449.72
Lot 40 Jaquith Park	3218 AD 7611	1317 BROOKE DR	\$449.72
Lot 41 Jaquith Park	3218 AD 7614	1311 BROOKE DR	\$449.72
Lot 42 Jaquith Park	3218 AD 7619	1309 BROOKE DR	\$449.72
Lot 43 Jaquith Park	3218 AD 7624	1307 BROOKE DR	\$449.72
(Parcel 3)	3218 DB 2403	724 N MAIN ST	\$346.38
(Parcel 2)	3218 DB 2402	726 N MAIN ST	\$346.38
	3218 DB 2600	None	\$2,078.25
	3218 DB 2300	735 N COLLEGE ST	\$4,156.51
	3218 AD 6900	1701 N COLLEGE ST	\$5,914.82
	3218 AD 7200	1603 N COLLEGE ST	\$6,641.63
	3218 AD 7300	1601 N COLLEGE ST	\$7,159.62
	3218 AD 7309	1519 N COLLEGE ST	\$7,439.23
	3218 DB 0400	1215 N COLLEGE ST	\$11,112.69
(3 Tax Lots share frontage)	3218 DB 0100	1211 N COLLEGE ST	\$2,927.54
	3218 DB 0101	None	\$2,927.54
	3218 DB 0102	None	\$2,927.54
(2 Tax Lots share frontage)	3218 DB 0200	1119 N COLLEGE ST	\$3,719.17
	3218 DB 0201	None	\$1,859.58
	3218 DB 0300	1117 N COLLEGE ST	\$5,578.75
	3218 DB 0900	1111 N COLLEGE ST	\$9,409.94
Newberg Presbyterian Church	3218 DB 0800	501 MISSION DR ***	\$9,142.70
	3218 DB 2101	1005 N COLLEGE ST	\$9,409.94
	3218 DB 2200	1003 N COLLEGE ST	\$5,197.87
(4 Tax Lots share frontage)	3218 DB 2900	729 N COLLEGE ST	\$1,192.65
	3218 DB 2901	None	\$400.30
	3218 DB 2800	725 N COLLEGE ST	\$2,734.15
	3218 DB 2700	None	\$1,735.59
	3218 DB 3100	717 N COLLEGE ST	\$6,062.69
(2 Tax Lots share frontage)	3218 DB 3201	711 DESKINS ST	\$5,511.54
	3218 DB 3200	None	\$5,511.54
	3218 DB 3400	707 DESKINS ST	\$6,766.20
*** Reduced (net) assessment for 501 Mission Drive. City's responsibility for replacing existing sidewalk =		\$3,636.00	
GRAND TOTAL =		\$194,197.00	