

ORDINANCE NO. 4848

AN ORDINANCE TO DETERMINE THE ASSESSMENTS AGAINST THE PROPERTIES SPECIFICALLY BENEFITTED BY STREETS, SIDEWALKS, AND CURBS AND GUTTERS FOR **ST-85-1, SALEM AVENUE, SHERMAN TO GEARY, Local Improvement District, AND DECLARING AN EMERGENCY.**

RECITALS:

1. The assessments as referred to in this ordinance and previous resolutions and ordinances are for the street, sidewalks, and curbs and gutters to serve ST-85-1, Salem Avenue, Sherman to Geary, L.I.D.
2. Preliminary resolutions and ordinances prescribing the manner and extent of the improvements are set forth in Resolutions Nos. 2596, 2599, 2648, 2703, and 2844.
3. The assessments set forth in the following ordinance are based upon the request and recommendation of the City Engineer in compliance with Albany Municipal Code, Section 15.04.110.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The costs of the street, sidewalks, and curbs and gutters to serve ST-85-1, Salem Avenue, Sherman to Geary, L.I.D., are as follows:

<u>Project</u>	<u>Construction Cost</u>	<u>E.L.A.</u>	<u>Outside Funding</u>	<u>Balance</u>
FAU	\$401,296.00	.00	(\$387,570.00)	\$ 13,726.00
State	.00	26,116.00	(42,538.00)	(16,422.00)
County	.00	.00	(9,670.00)	(9,670.00)
City	<u>4,318.00</u>	<u>45,235.00</u>	<u>.00</u>	<u>49,553.00</u>
ST-85-1	\$405,614.00	\$ 71,351.00	(\$439,778.00)	\$ 37,187.00

Section 2: Property and assessment data are listed on the attached sheets.

Section 3: The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the city liens and give notice thereof as provided by law.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, safety, and health of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: February 8, 1989

Approved by the Mayor: February 9, 1989

Effective Date: February 8, 1989



Mayor

ATTEST:



City Recorder

INTERDEPARTMENTAL MEMORANDUM
Public Works Department
Engineering/Utilities Division

TO: Albany City Council

VIA: Bill Barrons, City Manager

FROM: John Joyce, P.E., Public Works Director

DATE: January 18, 1989, for January 25, 1989, City Council Meeting

SUBJECT: Final Engineer's Report for ST-85-1, Salem Avenue, Sherman to Geary

Description of Project

This project provided for the reconstruction of Salem Avenue between Sherman Street and Geary Street. The project included construction of approximately 1,950 linear feet of street, 36-44 feet wide, with curb and gutter, sidewalk, and storm drains. Construction included widening the Periwinkle Creek bridge to accommodate sidewalk on the south side. Sidewalk was existing on the north side.

Project Details

In January 1986 the Albany City Council passed Resolution No. 2599 authorizing the City to enter into an agreement with the State of Oregon to use Federal Aid Urban (FAU) funds to finance a portion of the project cost. FAU funding for the project was approved by the Federal Highway Administration on March 18, 1986. Under the terms of the FAU agreement, the FAU contribution is 82% of the total participating project cost; the State contribution is 9%; and the City is responsible for the balance. (Those construction costs which are eligible for FAU participation are called "participating;" those that are not eligible are called "non-participating." The total participating project cost is the sum of the participating construction cost and the actual City and State preliminary and construction engineering costs.)

In July 1987 the Council passed resolution No. 2703 requesting Linn County to transfer jurisdiction of this portion of Salem Avenue to the City with the condition that the County participate in the improvement cost. The City has received the agreed-upon amount of \$9,670 from the County.

Most of the preliminary and construction engineering was performed by the City. The State provided the bridge design, review, and performed portions of the contract administration.

The construction contract of \$373,379.55 was awarded to Morse Bros. of Tangent, Oregon, on March 11, 1987. The Engineer's estimate was \$450,000. Construction was completed in May 1988, with a final construction cost of \$405,614. The \$32,234 increase in construction cost was primarily due to work performed under

change orders. Among these change orders was the construction of a retaining wall (\$11,032), replacement of a fence (\$3,767), and re-pavement of the Periwinkle Creek bridge deck (\$5,955). Also, soil conditions were poorer than estimated causing the foundation stabilization bid item to be overrun by \$2,978.

Summary of Costs

FAU Participating Construction Cost	\$401,296
City Preliminary and Construction Engineering, Actual	45,235
State Preliminary and Construction Engineering, Actual	<u>26,116</u>
 Total FAU Participating Project Cost	 \$472,647 (Item #1)
 Non-Participating Construction Cost	 <u>4,318</u>
 Total Project Cost	 \$476,965

Summary of Funding

FAU Contribution (82% of Item #1, above)	\$387,570
State Contribution (9% of Item #1, above)	42,538
County Contribution	<u>9,670</u>
 Total Other Sources of Funding	 <u>\$439,778</u>

City Contribution \$ 37,187

Property Owner Assessments

\$11.64 per front foot x 3,195 front feet \$ 37,187

Note: These figures are based on the current State estimate of final costs. Although these amounts should be quite close, the actual final costs will not be known until the State finishes its review of the project documentation, which may not be completed for another year or more. The actual final costs could be more but not less than estimated here, in which case, the City would pay any additional costs through existing funds and not attempt to assess any additional costs to property owners.

Method of Assessment

It is recommended that the benefitting property owners be assessed on a front-foot basis. Please refer to the attached assessment data sheet and district boundary map for a listing of property owners and property footages.

The pre-construction Engineer's Report recommended assessments ranging between \$10 and \$15 per front foot of property. The actual assessment value is \$11.64 per front foot of property.

Recommendation

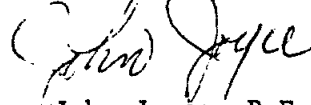
It is recommended that the City Council accept this Final Engineer's Report and schedule a public hearing to consider objections to the proposed assessment.

Respectfully submitted,

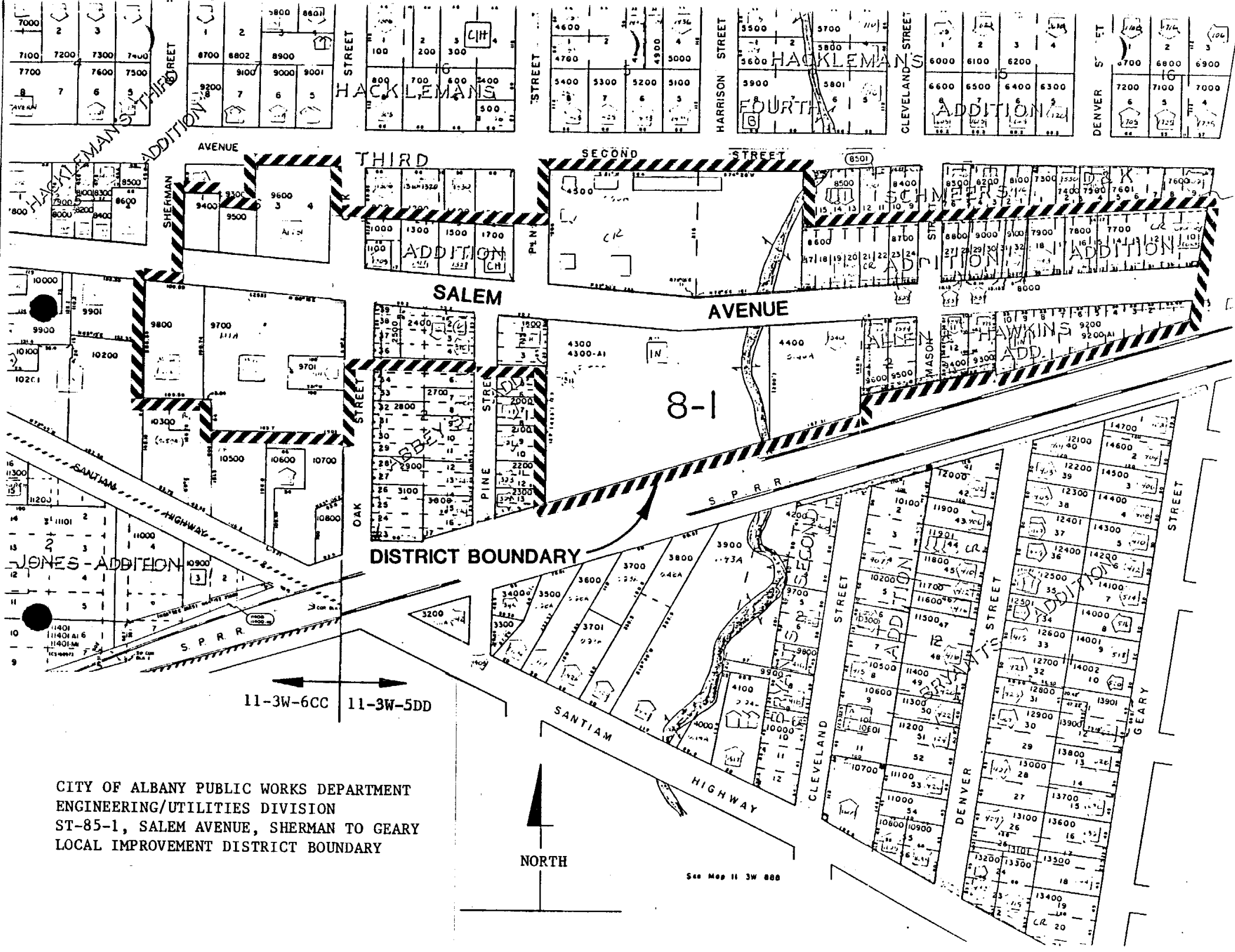


Mark A. Yeager, P.E.
Engineering/Utilities Division Manager

Approved by,



John Joyce, P.E.
Public Works Director



11-3W-6CC 11-3W-5DD

CITY OF ALBANY PUBLIC WORKS DEPARTMENT
 ENGINEERING/UTILITIES DIVISION
 ST-85-1, SALEM AVENUE, SHERMAN TO GEARY
 LOCAL IMPROVEMENT DISTRICT BOUNDARY

NORTH

See Map 11 3W 888

PROPERTY AND ASSESSMENT DATA
Office of the Public Works Director
City of Albany

ST-85-1, Salem Avenue, Sherman to Geary, Local Improvement District

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OWNER/ADDRESS	TAX LOT & DESCRIPTION	FRONT FT.	TOTAL ASSESSMENT
Mildred Harris Nancy Tunison 1922 Springhill Dr. Albany, OR 97321	9400, 11-3W-6DD	66.18	\$770.32
David & Carmen Mazzocco 2401 SW 4th Ave. Portland, OR 97201	9500, 11-3W-6DD	66.18	\$770.32
David & Carmen Mazzocco 2401 SW 4th Ave. Portland, OR 97201	9600, 11-3W-6DD	132.36	\$1,540.65
Tana Dee Rickard c/o Robt./Judith Richardson P. O. Box 68186 Oak Grove, OR 97268	9800, 11-3W-6DD	109.89	\$1,279.10
Tana Dee Rickard c/o Robt./Judith Richardson P. O. Box 68186 Oak Grove, OR 97268	9700, 11-3W-6DD	253.00	\$2,944.87
Warren Gaskill c/o Yvonne Gaskill P. O. Box 925 Lebanon, OR 97355	1100, 11-3W-5CC	49.13	\$571.86
Warren Gaskill c/o Yvonne Gaskill P. O. Box 925 Lebanon, OR 97355	1000, 11-3W-5CC	17.00	\$197.88

OWNER/ADDRESS	TAX LOT & DESCRIPTION	FRONT FT.	TOTAL ASSESSMENT
Elaine Weinberg 1317 Salem Ave. SE Albany, OR 97321	1300, 11-3W-5CC	66.18	\$770.32
United Pentecostal Church 230 Pine St. SE Albany, OR 97321	1500, 11-3W-5CC	66.18	\$770.32
United Pentecostal Church 230 Pine St. SE Albany, OR 97321	1700, 11-3W-5CC	66.18	\$770.32
Lawrence & Dorothy Hobart c/o Robt. & Judith Richardson P. O. Box 68186 Oak Grove, OR 97268	2500, 11-3W-5CC	45.10	\$524.96
Melvin Abraham c/o Larry & Catherine Nelson 1320 Salem Ave. Albany, OR 97321	2400, 11-3W-5CC	135.30	\$1,574.87
Joe & Norma McPherson c/o C. Oulman, K-D Properties Co. P. O. Box 516 Albany, OR 97321	4500, 11-3W-5CC	334.64	\$3,895.15
Mervin & Gladys Dickerson c/o Opal & Eulus Ballard 1542 Salem Ave. SE Albany, OR 97321	8600, 11-3W-5CC	157.62	\$1,834.67
Marie Patton 1529 Salem Ave. SE Albany, OR 97321	8700, 11-3W-5CC	52.54	\$611.56
Oregon Education Assoc. 6900 SW Hainer Rd. Tigard, OR 97223	1800, 11-3W-5CC	90.20	\$1,049.91

OWNER/ADDRESS	TAX LOT & DESCRIPTION	FRONT FT.	TOTAL ASSESSMENT
Oregon Electric Railway Co. c/o Burlington Northern, Inc. Property Tax Dept. 777 Main St., Suite 2680 Fort Worth, TX 76102	4300, 11-3W-5CC	309.36	\$3,600.89
Jon & Lesley North 1530 Salem Ave. Albany, OR 97321	4400, 11-3W-5CC	165.71	\$1,928.83
Lois Hiatt 1925 Old Salem Rd. NE Albany, OR 97321	9600, 11-3W-5CC	45.00	\$523.79
Estate of Miriam Lent 1539 Salem Ave. SE Albany, OR 93721	9500, 11-3W-5CC	50.00	\$581.99
John & Christina Brown 37185 Robinson Dr. Scio, OR 97374	8800, 11-3W-5CC	44.40	\$516.81
Estate of Miriam Lent 1539 Salem Ave. SE Albany, OR 93721	9000, 11-3W-5CC	73.81	\$859.14
Doris Capwell c/o Cliff & Rita Jackson 1541 Salem Ave. SE Albany, OR 97321	9100, 11-3W-5CC	39.40	\$458.61
Linn County P. O. Box 100 Albany, OR 97321	8000, 11-3W-5CC	(8.0)	Not assessable
John & Mildred Coakley 18945 Shirley Ave. NE Hubbard, OR 97032	7900, 11-3W-5CC	77.00	\$896.27

OWNER/ADDRESS	TAX LOT & DESCRIPTION	FRONT FT.	TOTAL ASSESSMENT
Bob Cornelious c/o Gene & Annie Stryker 1545 Salem Ave. SE Albany, OR 97321	7800, 11-3W-5CC	60.00	\$698.39
Allen & Linda Westbrook c/o Margaret J. Smith 1113 29th Ave. SW Albany, OR 97321	7700, 11-3W-5CC	172.00	\$2,002.05
Estate of Miriam Lent 1539 Salem Ave. SE Albany, OR 97321	9400, 11-3W-5CC	50.00	\$581.99
Gerald Boatwright c/o Esequiel & Verna Palomo 1548 Salem Rd. SE Albany, OR 97321	9300, 11-3W-5CC	50.00	\$581.99
Oregon Electric Railway Co. c/o Burlington Northern Inc. Property Tax Dept. 777 Main St., Suite 2680 Fort Worth, TX 76102	9200, 11-3W-5CC	<u>350.45</u>	<u>\$4,079.17</u>
TOTAL		3,194.81	\$37,187.00