

**CITY OF FLORENCE  
RESOLUTION NO. 28, SERIES 2019**

**A Resolution Finalizing the costs for a Sanitary Sewer Reimbursement District  
for East Side of Hwy 101 Between 52<sup>nd</sup> Street and Heceta Beach Road**

RECITALS:

1. The City of Florence is requesting the establishment of a reimbursement district for sanitary sewer improvement along the east side of Hwy 101 between 52<sup>nd</sup> Street and south of Heceta Beach Road.
2. The City Council has determined a need to extend the sanitary sewer system along the east side of Hwy 101 between 52<sup>nd</sup> Street and south of Heceta Beach Road where currently no sewer improvements exist.
3. The City Council considered the Public Works Directors' written report on the actual costs of the improvements on November 4, 2019 in compliance with Florence City Code 8-5-1-11. The City Council finds that the described methodology for spreading the reimbursement fees to be reasonable and fair given the benefits of the project provided to each property. The Public Works Directors' report is incorporated herein.
4. Notice of the public hearing complying with FCC 8-5-1-4 was sent to the affected property owners and a public notice was published in the Register Guard on December 6, 2019 and in the Siuslaw News on December 7, 2019.
5. The City Council held a public hearing pursuant to FCC 8-5-1-11 on December 16, 2019 at the time and place stated in the public notice and after being fully advised by the testimony and reports presented at the hearing finalized the costs of the reimbursement district for the construction of sanitary sewer improvements along the east side of Hwy 101 between 52<sup>nd</sup> Street and south of Heceta Beach Road.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. A reimbursement district was created November 5, 2018 and comprised the properties abutting the east side of Hwy 101 between 52<sup>nd</sup> Street and south of Heceta Beach Road. The district area consists of the following nine benefiting properties as described as Assessor's Map Reference Number 18-12-14-20, Tax Lots 00101 and 00102; Map Reference Number 18-12-11-33, Tax Lots 00800, 00900, 01200, 01300, 01400, 01800, and 01900. A map of the reimbursement district boundaries is attached as Exhibit A.
2. Improvements have been constructed within the ODOT right-of-way of Hwy 101, between 52<sup>nd</sup> Street and south of Heceta Beach Road consisting of 1,498 linear feet of 12-inch sewer main and associated manholes, and service extensions.
3. As the applicant for the reimbursement district, the City has paid for all of the improvements, including project management. The final total costs of the project are \$432,425. Of the \$432,425, nine benefiting properties, Assessor's Map Reference Number 18-12-14-20, Tax Lots 00101 and 00102; Map Reference Number 18-12-11-33, Tax Lots 00800, 00900, 01200, 01300, 01400, 01800, and 01900 will contribute reimbursement fees in the total amount of \$238,000, apportioned by lineal footage of

street frontage along Hwy 101. The reimbursement fees will be paid to the City upon connection to the system, development, redevelopment, and/or annexation of their properties as applicable, as provided in FCC 8-5-1-12. The City's right of reimbursement shall not extend beyond fifteen (15) years from the District formation, up to and including November 5, 2033.

4. The reimbursement fees are based on two different variables: cost of the improvements and the amount of street frontage along Hwy 101 for each parcel. The fees for each property are listed on the attached Exhibit B. Reimbursement fee adjustment pursuant to FCC 8-5-1-13 shall be made by the City. The fee adjustment shall be based on the Engineering News Record (ENR) 20-City Composite Construction Cost Index and shall be the difference between the ENR beginning December 16, 2020 and the ENR for the month in which any of the actions in FCC 8-5-1-12 are approved and which require payment of the reimbursement fee.
5. The reimbursement fees shall be charged against specially benefited property for a capital construction project, shall be limited to the cost of construction and engineering, not exceed actual cost, are for bestowal of a special benefit to specific property or to rectify a problem caused by specific property, and shall be payable upon the initiation of development activities identified in FCC 8-5-1-12 of the specially benefited properties. Therefore, the reimbursement fees to be levied for these improvements shall not result in an assessment upon or a lien against real property and the reimbursement fees collected by the City are not taxes subject to the property tax limitation in Article XI, Section 11b, of the Oregon Constitution.
6. The City shall notify all property owners within the district of the adoption of this reimbursement district resolution. The City Recorder shall cause this Resolution to be filed with the County Assessor and recorded in the real property records for Lane County so as to provide notice to potential purchasers of property within the district. The recording shall not create a lien.
7. Except as this Resolution makes express, the reimbursement district shall be governed by the provisions of FCC Chapter 8-5.
8. This Resolution is effective upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 16th day of December, 2019.

  
\_\_\_\_\_  
Joe Henry, Mayor

Attest:

  
\_\_\_\_\_  
Kelli Weese, City Recorder





18-12-11-33-00800  
87675 Hwy 101 LLC

18-12-11-33-00900  
Hoberg, James E

18-12-11-33-01200  
Rogato, George

18-12-11-33-01300  
Credit Trust Charles & Donna Gesik

18-12-11-33-01400  
Covey Family Trust

18-12-11-33-01800  
Hale, Claudia

18-12-11-33-01900  
Hale, Claudia

18-12-14-20-00101  
Mullins, Patricia N

18-12-14-20-00102  
Mullins, Patricia N

**Exhibit A: Highway 101 East Sanitary Sewer Reimbursement District**

**RD ST**



0 110 220 Feet

1 inch = 220 feet

Map date: 10/28/2019  
Imagery date: 2018

Map/Taxlot information at [RLID.org](http://RLID.org)





## EXHIBIT B

### Highway 101 East Sanitary Sewer Reimbursement District

#### Final Costs per Property within the District

| <i>Taxlot</i> | <i>Owner's Name</i>                    | <i>Lineal Feet of Frontage</i> | <i>Area in Acres</i> | <i>Cost share for each property based on frontage</i> | <i>Total cost per property including City's contribution to project</i> |
|---------------|--|--------------------------------|----------------------|---|---|
| 1812113300800 | 87675 Hwy 101 LLC                      | 234                            | 3.485927             | \$37,178  | \$67,548  |
| 1812113300900 | Hoberg, James                          | 100                            | 1.488499             | \$15,888  | \$28,867  |
| 1812113301200 | Rogato, George                         | 100                            | 1.487519             | \$15,888  | \$28,867  |
| 1812113301300 | Charles A & Donna S Gesik Family Trust | 132                            | 2.145947             | \$20,972  | \$38,104  |
| 1812113301400 | Covey Family Trust                     | 104                            | 1.512537             | \$16,523  | \$30,021  |
| 1812113301800 | Hale, Claudia Joan Etal                | 198                            | 2.948968             | \$31,458  | \$57,156  |
| 1812113301900 | Hale, Claudia Joan Etal                | 350                            | 5.158955             | \$55,607  | \$101,034   |
| 1812142000102 | Mullins, Patricia N                    | 136                            | 0.77                 | \$21,607  | \$39,259  |
| 1812142000101 | Mullins, Patricia N                    | 144                            | 0.84                 | \$22,879  | \$41,568  |
| <b>TOTALS</b> |  | <b>1,498</b>                   | <b>18.22835</b>      | <b>\$238,000</b>                                      | <b>\$432,425</b>  |

Cost per lineal foot of frontage with SDC Contribution      \$158.88