



## Legislation Details (With Text)

**File #:** 14-0297      **Version:** 2      **Name:** Westheria Dr. paving and lighting  
**Type:** Resolution      **Status:** Passed  
**File created:** 6/30/2014      **In control:** City Council  
**On agenda:** 8/12/2014      **Final action:** 8/12/2014  
**Title:** Discussion and action on paving and sewer for Westheria, Narcissus, and Iris  
**Sponsors:** Pete Souza, City Manager  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Westheria-Iris-Narcissus Proposed Abutment

Date	Ver.	Action By	Action	Result
8/12/2014	2	City Council	approved as recommended	Pass
8/5/2014	1	Work Session	received and filed	
7/8/2014	1	City Council	deferred	

Discussion and action on paving and sewer for Westheria, Narcissus, and Iris

### SUMMARY:

As discussed in work session, a preliminary method for making the road and sewer improvements to the area is presented through an abutment process. State law allows the City to proceed through an abutment project at either the City's initiative or through the initiative of at least 51% of the property owners. State law requires that no more than 75% of the costs be assessed to the property owners. (In 1996, because the bids came in higher than estimated, there was a small abutment project that the Council only charged 49% of the costs to the property owners.)

Estimates are provided for 25%, 50%, and 75% with a 10-year payback; however, Council will make the final determination on the percentage and the payback term. It is noted that one property that abuts these roads is owned by Habitat for Humanity and is part of a very large tract that has not been subdivided. This causes their abutment to be extremely high. It is suggested by the City Manager that the City absorb those costs since the City works with them already on their projects.

If Council is ready to proceed through an abutment project, the following steps will be followed:

1. Vote by Council to proceed through the abutment process and authorize the City Manager to engage an engineer to prepare a preliminary cost estimate (in the past, there has been no charge for these).
2. Once the preliminary cost estimate has been received, a public hearing will be held with all property owners notified by certified mail.
3. Following the public hearing, Council will determine whether or not to proceed with the project.
4. If proceeding, a contract with an engineer will be approved to develop plans and specifications and bid the project.
5. When bids are received, Council will vote to approve or not approve the bid. If the City determines it could perform the work for less cost, the City Council can reject the bid and have the work performed by city crews. If the bids come in more than 10% of the original estimate, an additional public hearing (with all property owners notified) will be held to determine

whether or not to proceed.

6. If Council votes to proceed with the project, Council will make final determination as to the percentage to be charged to the property owners and the payback period.
7. Tax assessments and Notice of Lien will be made once the project is complete and all costs are known. Current estimate would be that the first installment of the abutment would likely not be until August 2016. (NOTE: The lien goes on the property, regardless of the property owner. If a property is sold, the lien can be paid off by the current owner or continue on with the new owner.)

BUDGET ACCOUNT:

NECESSARY COUNCIL ACTION: Vote to proceed through the abutment process and authorize the City Manager to engage an engineer to provide a preliminary cost estimate.