



CITY OF SWEET HOME CITY COUNCIL AGENDA

May 10, 2022, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WiFi Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Meeting Information

The City of Sweet Home will meet in-person and will stream the meeting via the Microsoft Teams platform. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 541-367-5128, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: 321 716 901#

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Consent Agenda:

- a) Approval of Minutes:
 - i) [2022-04-26 City Council Meeting Minutes \(pg. 3\)](#)

IV. Recognition of Visitors and Hearing of Petitions:

- a) Introduction of Sportsman's Holiday Princesses
- b) [Sweet Home Chamber of Commerce Triannual Report and Strategic Plan Update \(pg. 8\)](#)

V. Old Business:

- a) [Request for Council Action - Vacant Building Fees \(pg. 22\)](#)
- b) [Request for Council Action - Wastewater Treatment Plant Funding Options \(pg. 78\)](#)

VI. New Business:

- a) [Mental Health Month Proclamation \(pg. 81\)](#)
- b) [Information Only - Traffic Enforcement Update \(pg. 82\)](#)
- c) [Request for Council Action - 9th Avenue Waterline Replacement Project Bid Posting \(pg. 87\)](#)
- d) [Request for Council Action - Resolution No. 14 for 2022 - Sportsman's Holiday Parade Street Closures \(pg. 151\)](#)

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

- e) [Request for Council Action - Future of Dilapidated Railroad Depot \(pg. 154\)](#)
- f) **Public Hearing** - Zone Map Amendment

VII. Ordinance Bills

- a) Request for Council Action and First Reading of Ordinance Bills
 - i) [Request for Council Action - Zone Map Amendment ZMA22-01 \(pg. 168\)](#)
- b) Second Reading of Ordinance Bills
- c) Third Reading of Ordinance Bills (Roll Call Vote Required)

VIII. Reports of Committees:

Ad Hoc Committee on Health
Administrative and Finance/Property
Area Commission on Transportation
Chamber of Commerce
Charter Review Committee
Council of Governments
Legislative Committee
Library Advisory Board
Park and Tree Committee
Solid Waste Advisory Council
Youth Advisory Council

IX. Reports of City Officials:

Mayor's Report
City Manager's Report

X. Department Director's Reports (1st meeting of the Month)

Library Services Director

- i) [Monthly Report - April 2022 \(pg. 178\)](#)

Community and Economic Development Director

- i) [Monthly Report - April 2022 \(pg. 180\)](#)

Public Works Director

- i) [Monthly Report - April 2022 \(pg. 184\)](#)

City Attorney

XI. Council Business for Good of the Order

- a) [City Council Issue Tracker Update \(pg. 187\)](#)

XII Adjournment



CITY OF SWEET HOME CITY COUNCIL MINUTES

April 26, 2022, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

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This video stream and call-in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM.

Roll Call

PRESENT

President Pro Tem Diane Gerson
Councilor Dave Trask
Councilor Lisa Gourley
Councilor Angelita Sanchez
Councilor Dylan Richards

ABSENT

Mayor Greg Mahler
Councilor Susan Coleman

STAFF

City Manager Pro Tem Christy Wurster
Community and Economic Development Director Blair Larsen
Communications Specialist Lagea Mull
Administrative Services Manager Julie Fisher
Library Services Director Megan Dazey
City Attorney Robert Snyder
Public Works Director Greg Springman
Police Chief Jeff Lynn

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

Finance Director Brandon Neish
Plant Supervisor Steven Haney
Engineer Technician Trish Rice
Captain Jason Ogden

MEDIA
Benny Wolcott

Motion to approve the absence of Mayor Mahler and Councilor Coleman made by Councilor Trask, Seconded by Councilor Gourley.

Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

Consent Agenda:

Motion to approve the Consent Agenda made by Councilor Gourley, Seconded by Councilor Richards. Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

Approval of Minutes:

- a) 2022-04-12 City Council Minutes

Recognition of Visitors and Hearing of Petitions:

Vince Adams requested the police department focus on speeding in residential areas. Mr. Adams also requested Public Works not complete street repairs on his street which he stated is a private street. Mr. Adams stated the potholes reduce speed on his street. The last item Mr. Adams brought forward was the request for recognition of Mr. Adam's wife who volunteers her time and resources providing dog rescue and rehabilitation services.

- a) Recognition of Student Athletes

The Council recognized the student athletes from various sports. There was a recess for the Council to congratulate the students. About 40 students and coaches attended the City Council meeting.

Old Business:

- a) Information Only - WWTP Improvements Project Update

Preston VanMeter with West Yost & Associates presented a Sweet Home WWTP Improvement Project update. He introduced a modified design and phasing approach that would reduce reduce cost and still improve the function and capabilities of the plant. An updated current project cost estimate was presented to the Council. Current OPCC (Opinion of Probable Construction Cost) is estimated at \$47,480,000 with additional engineering costs not included. Anticipated next steps were outlined with a groundbreaking estimated for September 2022.

- b) Request for Council Action - Proposal for Additional Engineering Services

Public Works Director Greg Springman presented the request for council to consider the proposal from West Yost for additional engineering services that would complete Phase 1 Final Design and 60% of Phase 2.

Motion to Approve the contract for additional engineering services with West Yost for design on the Wastewater Treatment Plant made by Councilor Gourley, Seconded by Councilor Richards.

Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

c) Information Only - FAC Managed Outreach and Community Resource Facility Update

Community and Economic Development Director Blair Larsen gave the Council an update on the FAC Managed Outreach and Community Resource Facility. The report included an update on the relocation of the former City Hall Annex, the construction of a portion of the shelters by the Sweet Home High School students, and placement of infrastructure.

Council requested to acknowledge the students who are working on the structures at a future meeting.

New Business:

a) Presentation of a Business Promotion Video Produced for the City of Sweet Home by Oregon RAIN.

The Rural Economic Alliance (REAL Oregon) is a group of 8 Cities working together for Economic Development. A promotional video was presented to the Council. The video was a way for RAIN to encourage business and entrepreneurship in general, and service the community.

b) Information Only – Council Goals Update

City Manager Pro Tem Wurster presented a staff report with an update on the Council Goals. There was an opportunity for the Council to ask questions of staff on progress made.

c) Request for Council Action - Authorization to Fill a Vacant Position

City Manager Pro Tem presented a request to fill two positions that will be vacant due to resignations. Both positions are in the Public Works department. One is for a Plant Operator and the other is a Seasonal Maintenance Worker.

Motion to approve the request to fill vacancies in Public Works made by Councilor Gourley, Seconded by Councilor Richards.

Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

d) Request for Council Action - Resolution No. 13 for 2022 - Grant Application to Oregon Parks and Recreation Department for a Parks Master Plan Update

Community and Economic Development Director Blair Larsen stated the Sweet Home Parks Master Plan lacks detail and lacks standard amenities that parks should have. The Oregon Parks and Recreation Program has a grant for a master plan update. Staff requested authorization to apply for the grant which would require a 40% match.

Motion to approve Resolution No.13 for 2022 made by Councilor Gourley, Seconded by Councilor Richards.

Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

e) Request for Council Action - Approval of Grant Agreement for ARPA funds (pg. 84)

Finance Director Brandon Neish requested Council approval for the City Manager Pro Tem to sign an agreement for an additional ARPA Funds for a pedestrian crossing at 22nd and Main.

City Manager Pro Tem Christy Wurster thanked Councilor Sanchez for her efforts.

Motion to authorize the City Manager Pro Tem Christy Wurster to sign the agreement for additional ARPA funds made by Councilor Gourley, Seconded by Councilor Richards.

Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

- f) Request for Council Action - Occupational Skills Training Program with Chemeketa Community College

Plant Operator Steven Haney asked for approval to allow the City Manager Pro Tem to enter into an agreement with Chemeketa Community College for a Skills Training Program which is no cost to the City. The students receive on the job training and the City benefits from the student labor.

Motion to approve the agreement with Chemeketa Community College for the Occupational Skills Training Program made by Councilor Trask, Seconded by Councilor Richards.
Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards

- g) Request for Council Action - Proposal to Rename City Wastewater Treatment Plant

Public Works Director Greg Springman proposed to the Council the naming of the Wastewater Treatment Plant after the Mahler family. Mayor Mahler has been the driving force for infrastructure improvements in Sweet Home for several years, and his father John Mahler participated in the construction of the existing treatment plant during his time as a Councilor.

Motion to approve the naming of the treatment plant after the Mahler family and allowing the Mahlers to select the name made by Councilor Gourley, Seconded by Councilor Trask.
Voting Yea: President Pro Tem Gerson, Councilor Trask, Councilor Gourley
Voting Nay: Councilor Sanchez, Councilor Richards

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

Reports of Committees:

Chamber of Commerce

President Pro Tem Diane Gerson reported the Sportsman's Holiday Court will be introduced during the next Council meeting. The Chamber will present their report to the Council and strategic plan updates.

Park and Tree Committee

Councilor Dave Trask announced that the Arbor Day event was very successful and had a great turn-out.

Reports of City Officials:

Mayor's Report

President Pro Tem Diane Gerson requested to add an item to the next Agenda. Motion was made by President Pro Tem Gerson for discussion on a nonuse fee for empty commercial buildings when they've been vacant for two years. Fines collected could be added to Economic Development, second by Councilor Gourley.

City Manager's Report

City Manager Pro Tem Christy Wurster stated an application has been received for the Sportsman's Holiday Parade which will require road closures.

Pro Tem Wurster reported on staff research of the former CDBG funds that have been released to cities to be used towards Economic Development purposes.

Community and Economic Development Director Blair Larsen gave an update on the Planning Commission's work on updates to the development code. It is estimated that the code will take 6.5 hours to read into the record. Consensus of the Council was to read the code in one meeting.

Department Director's Reports (2nd meeting of the Month)

Finance Director

A written report was included in the packet.

- a) Finance Monthly Report - March 2022

Police Chief

A written report was included in the packet.

- a) Police Department Monthly Report - March 2022

City Attorney

No Report

Council Business for Good of the Order

None

Adjournment

The meeting adjourned at 8:34 PM.

Mayor

ATTEST:

City Manager Pro Tem– Ex Officio City Recorder



TRIANNNUAL REPORT

Sweet Home Chamber of Commerce and Visitors Center

WWW.SWEETHOMECHAMBER.COM

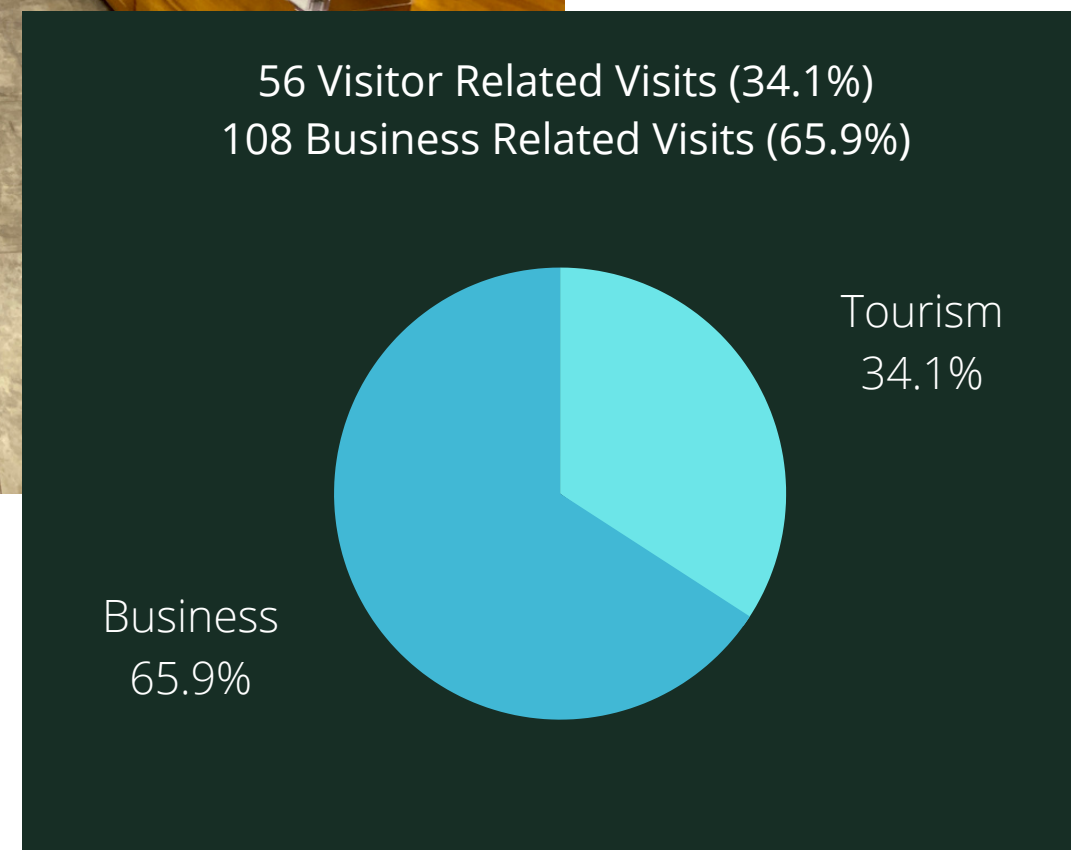




JANUARY-APRIL 2022

Per section 5 of the contract between the City of Sweet Home and the Sweet Home Chamber of Commerce for operation of the Visitors Center.





1. NUMBER AND TYPES OF VISITS DIFFERENTIATING BETWEEN TOURISM AND REGULAR CHAMBER BUSINESS

Visitors were from Sweet Home, OR; Aumsville, OR; Georgia; Brownsville, OR; Lebanon, OR; Coburg, OR; Albany, OR; Gladstone, OR; and Veneta, OR

Additional note: Several people purchased postcards to send to different states to fulfill class assignments of relatives seeking postcards from different places.



2. PHONE INQUIRIES DIFFERENTIATING BETWEEN TOURISM AND REGULAR CHAMBER BUSINESS

We've received calls asking for phone numbers of various services in town such as notaries, City or County services, and events.

The first quarter of business involved membership renewal and the annual community awards banquet.

Additional note: The numbers shown are the total number of calls recorded, not the total amount of calls received.

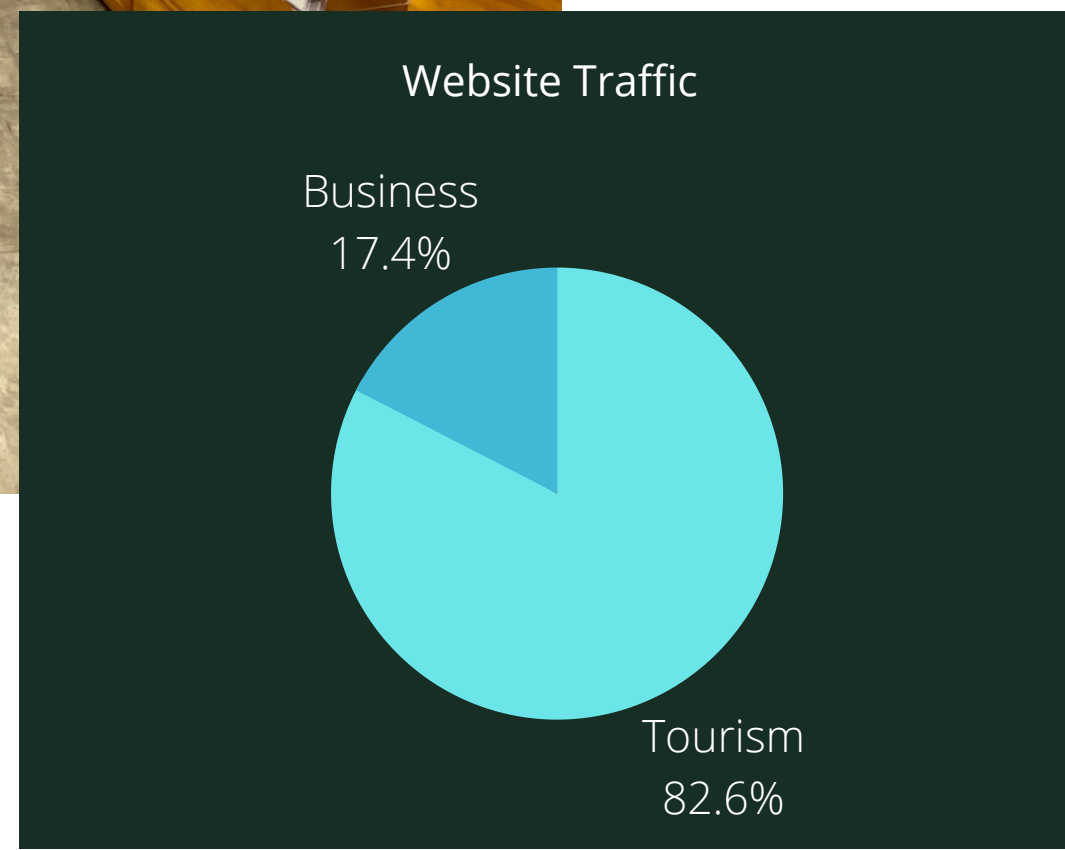


3. WEB HITS DIFFERENTIATING BETWEEN TOURISM AND REGULAR CHAMBER BUSINESS

Our website is frequently used to find information about tourism related activities like events and recreation.

Our top viewed webpages over the last 90 days are:

- Hiking & trails +20%
- Sweet Home Recreation +12.8%
- Fishing in Sweet Home +12.7%
- Rock Hounding +11.25%
- Sportsman's Holiday +10.6%





4. **FACEBOOK ACTIVITY DIFFERENTIATING BETWEEN TOURISM AND REGULAR CHAMBER BUSINESS, IF POSSIBLE**

Primarily business related in the first quarter, with sharing of member posts & our regular networking events.

This quarter will bring more tourism related posts with the upcoming Sportsman's Holiday Weekend.



5. INFORMATIONAL PACKETS DISTRIBUTED DIFFERENTIATING BETWEEN BUSINESS AND TOURISM

Primarily business related in the first quarter, with membership information packets going out.

Sent tourism packets to Pendleton, Monmouth, Stayton, Joseph, Newberg, and Condon.

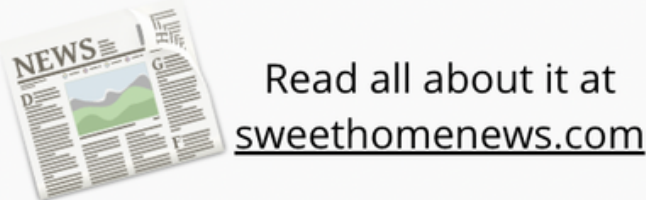
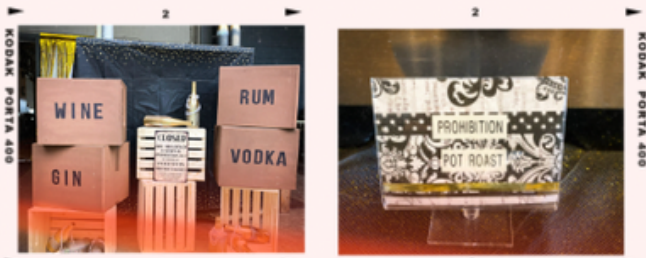
Tourism email sent to Veneta.





WHAT'S THE CHAMBER UP TO?

Thank you, Sweet Home, for another fantastic community awards banquet! HUGE thank you to our sponsors, the committee, emcee Don Knight, the Elks Lodge, Heaven's Jewell Photography, and Angila Tack Food Services for all of your work and creativity.



Read all about it at sweethomenews.com

CONGRATULATIONS 2022 Award Recipients

- JR. FIRST CITIZEN
Kayla Rosa
- FIRST CITIZEN
Shari Melcher Smith
- DISTINGUISHED SERVICE
Brenda Simmonds
- WOMAN OF THE YEAR
Debbie Paul
- BUSINESS OF THE YEAR
Buck's Sanitary Service
- CURB APPEAL
Cascade Timbre Consulting
- ORGANIZATION OF THE YEAR
Holley Church

Chamber hands out awards in true Ro Twenties style Saturday night



6. SAMPLES OF ADVERTISING EFFORTS OF THE CHAMBER DIFFERENTIATING BETWEEN TOURISM AND REGULAR CHAMBER BUSINESS

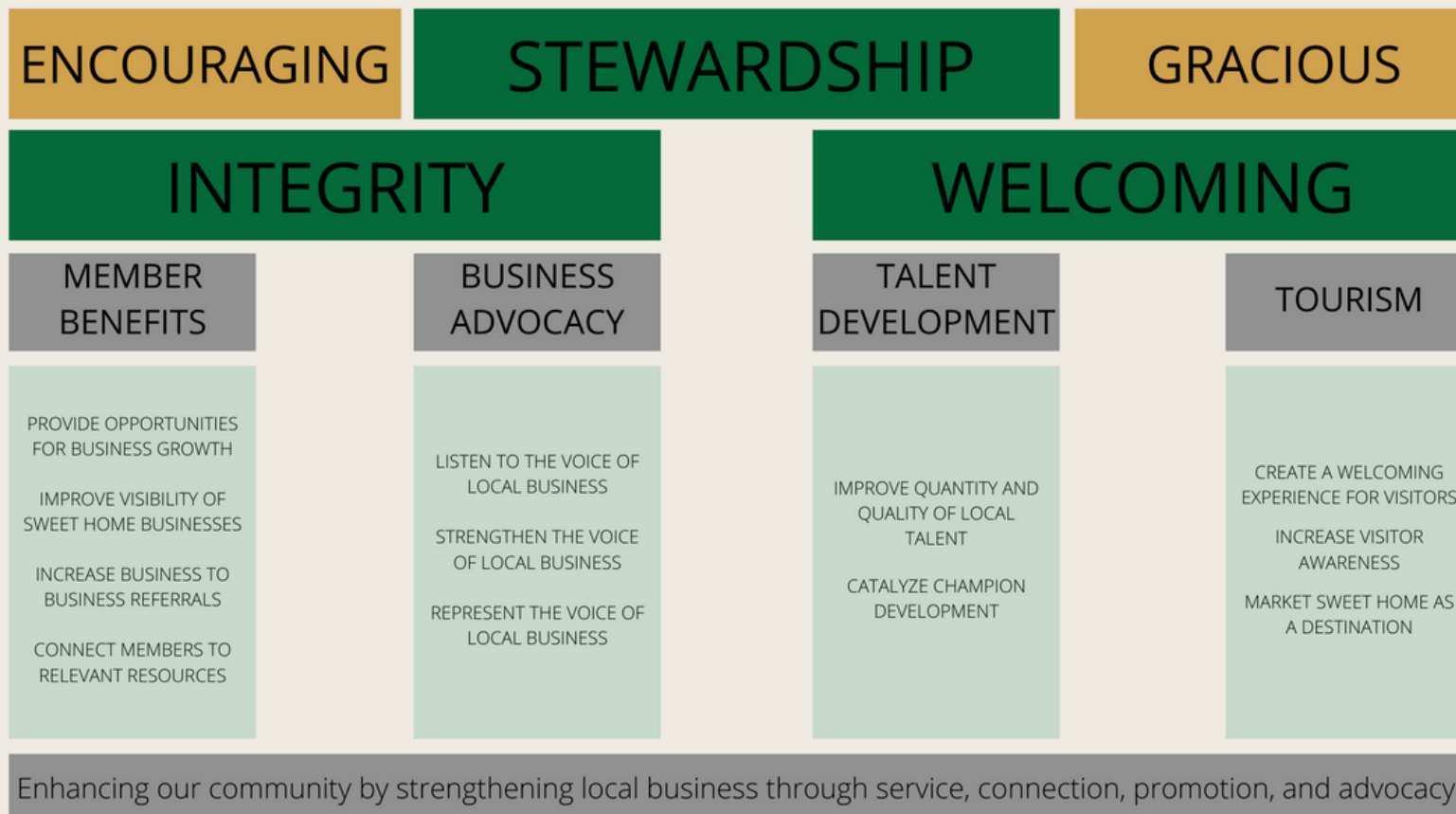
Our monthly newsletter goes out to about 1400 people per month. This has been our main source of advertising in the first quarter.

The collage features three promotional posters:

- Top Poster:** 'Easter Bunny Photos!' by Krake Home Sales. Includes 'Face Painting', 'Hot Cocoa & Cider', and 'Coloring Contests!'. Scheduled for April 9th from 10am to 1pm at 794 S Main St, Lebanon, OR. Contact: 844-547-7653.
- Middle Poster:** 'Egg Dropping Scavenger Hunt' on Friday, April 15th from 10:30-5:30. Includes 'Find an Egg & WIN prizes/discounts' and 'Dress like a Bunny, WIN cash!'. Location: 4432 Hwy 20, Sweet Home.
- Bottom Poster:** 'Easter Eggstravaganza' on Saturday, April 16, 2022 at 10 AM at Hope Church Sweet Home.



Sweet Home celebrates a thriving business community that fosters prosperity and well being for all.

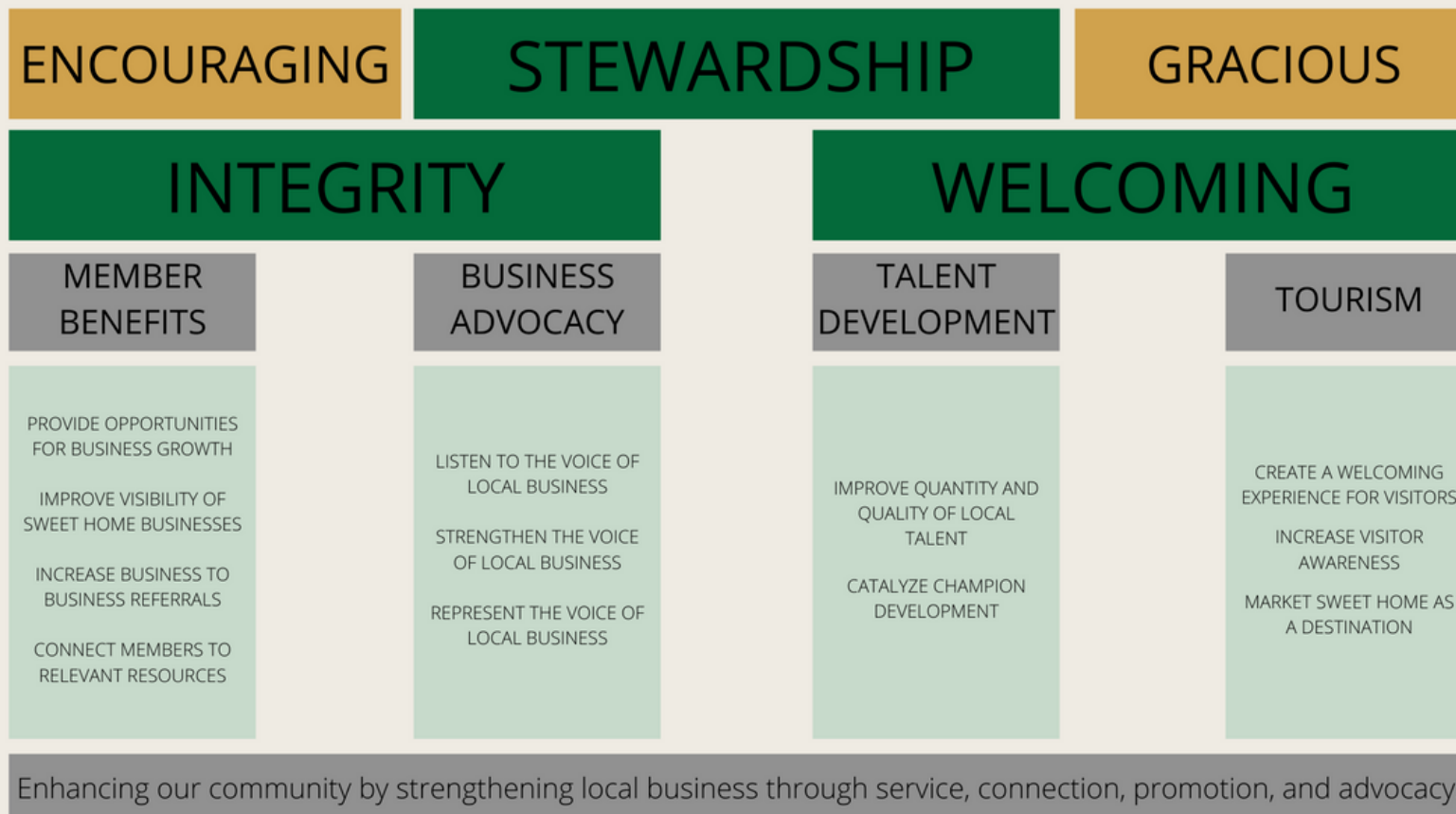


7. A BRIEF RECAP OF VARIOUS ACHIEVEMENTS RELATIVE TO THE CHAMBER'S BUSINESS PLAN OBJECTIVES

Added new tiers of membership, and brought on two new Elite Members this year.



Sweet Home celebrates a thriving business community that fosters prosperity and well being for all.



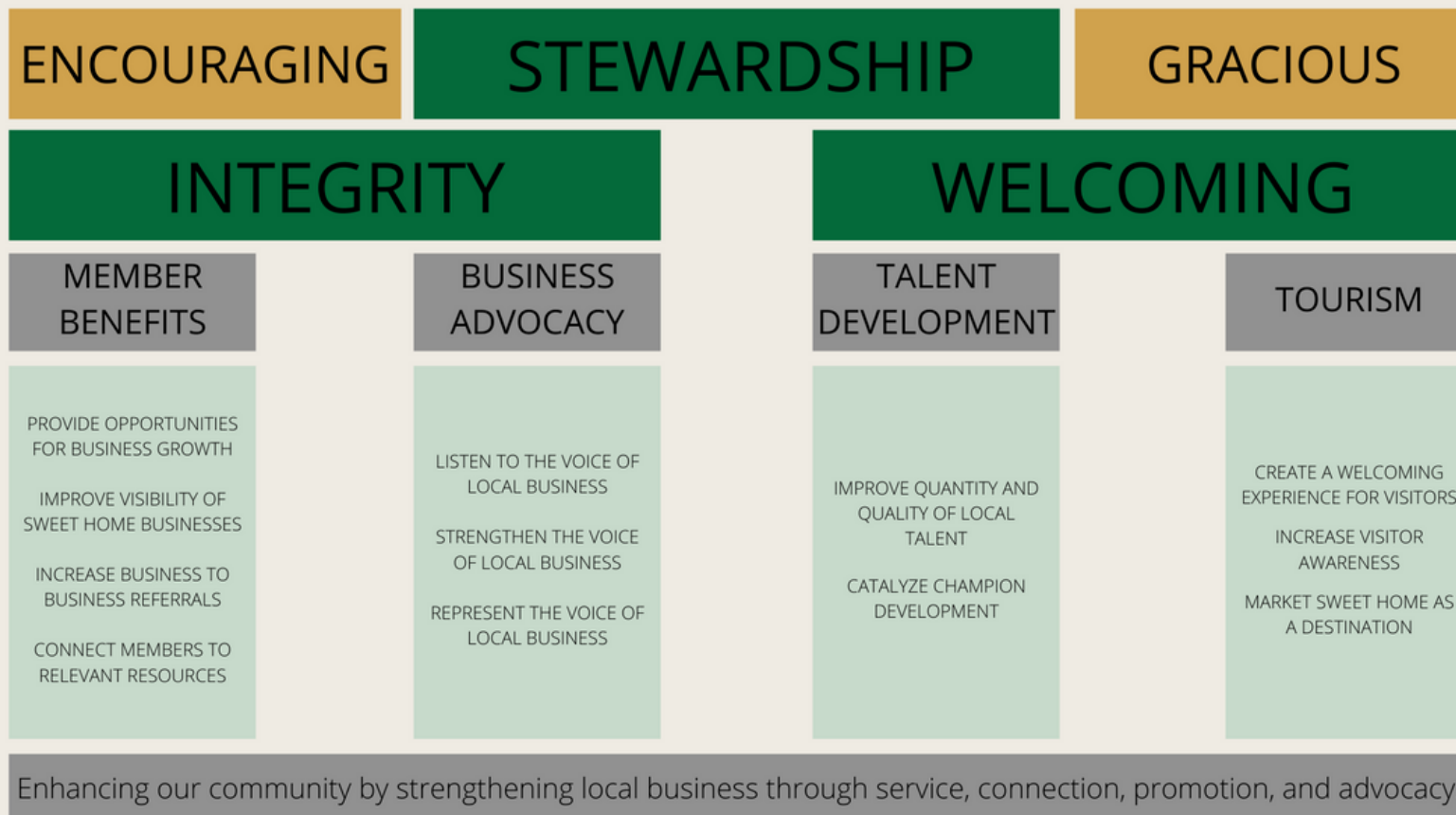
7. A BRIEF RECAP OF VARIOUS ACHIEVEMENTS RELATIVE TO THE CHAMBER'S BUSINESS PLAN OBJECTIVES

Added new tiers of membership, and brought on two new Elite Members this year.

Attended OSCC Conference and gained new knowledge of Chamber operations.



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Connection to High School Leadership program.



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Attended OSCC Conference and gained new knowledge of Chamber operations.

Connection to High School Leadership program.

Added a world map and pins for visitors to tag where they are visiting from.



8.

PROJECTED ACTIVITIES RELATED TO TOURISM.

Sportsman's Holiday Weekend

Coronation July 7

Cut the Gut, Chips N Splinters July 8

Parade, Vendor Fair, Logging Olympics, Fireworks July 9



THANK YOU! QUESTIONS?



REQUEST FOR COUNCIL ACTION

Title: Vacant Building Fees

Preferred Agenda: May 10, 2022

Submitted By: Blair Larsen, Community & Economic Development Director

Reviewed By: Christy Wurster, City Manager Pro Tem

Type of Action: Resolution ____ Motion Roll Call ____ Other ____

Relevant Code/Policy:

Towards Council Goal: Vision Statement, Aspiration V: Economically Strong Environment; Goal 4.2: Lead Economic Development Efforts

Attachments: Illinois Vacant Building Ordinances
New Mexico Vacant Building Ordinance White Paper

Purpose of this RCA:

The purpose of this RCA is to respond to a Council request to research vacant commercial building fees.

Background/Context:

The City of Sweet Home suffers from a high number of vacant commercial and industrial buildings. While it can often be difficult to sell such properties or find a tenant, vacant buildings often fall into disrepair, become a target for vandalism or squatting, and generally bring down the appearance of the area. This condition makes it even harder to sell such properties or find good tenants.

At several meetings, the City Council has identified the vacant commercial building problem as a priority and indicated a desire for the City to take more action on the problem.

The City currently has an ordinance in place that requires property owners to notify the City of vacant buildings, maintain their properties in watertight and secure condition, and have a local property manager assigned to the property. The ordinance also enrolls such properties into the Police Department's voluntary business watch program and allows the City to create a database of available properties. This ordinance has been in place for about a year and a half.

At the April 25th Council meeting, the Council directed staff to research potential models that other cities use for vacant commercial buildings to address the problem in the best interests of the community. In the brief time since the last Council meeting, Staff have researched the issue as much as possible, and learned the following:

Goals

Staff have found the two attached guides for vacant building regulations, one out of New Mexico, and another from Illinois. Both have very helpful information. One of the primary recommendations is to carefully lay out the goals of the program, and tailor the ordinance and fee closely to those goals. This will increase the likelihood of success and decrease unfair burdens on property owners who are unable to find tenants for their properties, despite actively marketing them.

If the goal is to have productively occupied commercial buildings, it is unlikely that increased regulation or fees will achieve the desired result. The success of commercial spaces relies too much on demographics and the overall market, and solid commercial lessees are much more difficult to find than residential tenants. However, if the goal is to address appearances and encourage the sharing of information, a carefully crafted program can be successful. For example, the City could require well-lit display spaces and exterior lighting, or make peeling paint and out-of-date business signs a code violation.

Fees

While there are other cities in Oregon with similar vacant building ordinances, most charge a minimal fee. Veneta has an escalating fee for non-compliant buildings that are abandoned, vacant, or distressed—it increases \$50 per year, up to a maximum of \$750 annually. Happy Valley also has an escalating fee, topping out at \$550, annually for vacant/distressed properties. Hillsboro charges escalating fees as well, which have reached nearly \$20,000; however, their ordinance applies only to residential property and is aimed at foreclosed properties.

While Staff have not had time for an exhaustive search, other states seem to have a range of fees, from very low (\$25 or so a year) to quite high (\$500 charged four times a year). Those that charge high fees tend to escalate them over time, based on the duration of the vacancy. Cities that have higher fees also tend to have waivers for properties that have a valid building permit or are actively listed for sale or lease. All the literature that Staff have found recommend waiving fees for properties that are making improvements (renovations, active real estate listings, etc.)

Staff recommend tying the fee to the cost of the program, specifically, the amount of time that the Code Compliance Officer spends enforcing the ordinance and any fees. Fees should have some connection with the City's costs for the program, and the impact of vacant buildings upon the City. If the fee is not justified by the cost of the program, it will appear more like a tax than a fee. In addition, if the fee is too high, it may be viewed by a court to be an excessive punishment—that is, a court may declare that the punishment doesn't fit the crime.

Timing

The Council should carefully consider the overall timing of increased regulation. Commercial property has been in decline even before the pandemic, due to an increase in e-commerce (such as Amazon) and the focus on large chains and big box stores. The pandemic has added to the difficulty of filling commercial spaces with an increased number of people working from home, rather than in commercial office space. The recent increase in inflation and blockages in the supply chain for building materials of all kinds, and rising interest rates make the present a difficult time to ask property owners to renovate or sell their properties.

Other Options

Before the Council considers charging a high fee for vacant buildings, it may be worth considering other options, such as increasing enforcement of existing ordinances, or smaller changes in the City Code.

Illegal uses: Some of the commercial buildings in the City that appear vacant, are actually in use—as storage. In the Central Commercial Zone, this is not a permitted use, and requires a conditional use permit. This is a violation of City code but has not previously been a large part of our code compliance efforts, which are typically focused on more visible violations, such as open storage of junk, tall grass and weeds, and occupied recreational vehicles.

Lighting: the City could add a lighting standard for commercial properties in the Central Commercial zone. Requiring store fronts to be lit at night could improve security and make properties appear less vacant. This lighting standard could include both exterior lighting (such as under awnings or next to doorways), and interior lighting of front display windows.

Windows and Display Areas: boarded-up or papered windows make an area feel more vacant and dilapidated. The City could require that windows facing a public right-of-way must be covered by attractive blinds, or must include an interior display area. In addition, the development code could be amended to require downtown buildings to maintain windows over a percentage of their frontage—that is, ban the practice of removing windows and replacing them with non-transparent materials such as masonry or siding. In addition, the City could create a partnership with SHOCASE or the School District to display residents' or students' artwork in vacant buildings.

Old Signs: Removal of signs advertising defunct businesses could help vacant buildings look more available and attractive to potential tenants. However, if this is required, the City must ensure that empty illuminated sign frames don't remain—they should either be removed entirely, or the sign should be replaced with a blank white filler.

Insurance: Some vacant building ordinances require property owners to prove property insurance coverage. This ensures that the property is further protected from deterioration and may give property owners adequate funding to make repairs after a qualifying claim.

Vacant Building Plan: Another requirement often found in vacant building ordinances is that property owners submit a vacant building plan, indicating the owner's schedule for maintenance, security, and rehabilitation, if needed. Such plans also can include plans for bringing the property into conformance with City Code, as well as marketing plans for the sale or lease of the property.

The Challenge/Problem:

How does the City address the problem of vacant commercial buildings?

Stakeholders:

- Sweet Home Commercial Property Owners – Property owners are responsible for the maintenance and management of their own properties.
- Sweet Home Residents – Residents deserve safe and well-kept commercial areas.
- Sweet Home Businesses – Local businesses benefit from well-maintained commercial building stock for their current and future operations.
- Sweet Home City Council – The City Council is responsible for adopting ordinances and policies that accomplish the City's purposes and goals.

Issues and Financial Impacts:

Increased regulation will require increased enforcement efforts. In the absence of additional budget or personnel, the Council should consider which provisions of the City Code are a higher priority for enforcement.

Elements of a Stable Solution:

A stable solution includes changes in City code, policy, or procedures that are enforceable, and improve the condition and appearance of vacant commercial buildings in the City.

Options:

1. Do Nothing – The Council could choose to do nothing at this time.
2. Schedule a City Council Workshop to Examine the Issue – A workshop will allow the Council to discuss the issue in greater detail, so that the unintended consequences of any changes can be minimized.
3. Direct Staff to Research Other Options – The Council may direct staff to research other ways to improve the City's commercial areas.

Recommendation:

Staff recommends option 2: Motion to Schedule a City Council Workshop to Examine the Issue.

Vacant Building Ordinances: Strategies for Confronting Vacant Building Challenges



Thank You

In researching and preparing this publication, the most important things we learned were from the staff and local officials who are working to address the challenges of vacant properties in their communities. We are enormously grateful to all of the municipalities who attended our workshops and shared their stories and experiences.

Arlington Heights	Elk Grove Village	Mundelein	Rolling Meadows
Aurora	Elmwood Park	Naperville	Romeoville
Bensenville	Evanston	Niles	Sauk Village
Berkeley	Evergreen Park	North Chicago	Schiller Park
Blue Island	Ford Heights	Oak Forest	Shorewood
Bolingbrook	Glendale Heights	Oak Lawn	South Chicago Heights
Calumet Park	Glenview	Olympia Fields	South Holland
Carpentersville	Hazel Crest	Palos Park	Streamwood
Chicago Ridge	Hoffman Estates	Park Forest	Villa Park
Cook County	Homer Glen	Park Ridge	Waukegan
Countryside	Homewood	Posen	Westchester
Crete	Joliet	Richmond	Woodridge
Dixmoor	Markham	Richton Park	Yorkville
Dolton	Midlothian	Riverdale	
East Dundee	Mokena	Robbins	
East Hazel Crest	Mount Prospect	Rockford	

Special thanks are due to the local officials who gave so generously of their time to participate as panelists in our workshops and fielded innumerable questions from us during the preparation of this publication. They are Lou Bednarek, Director of Building and Code Enforcement, South Chicago Heights; Carl Caneva, Assistant Director of Health Department, Evanston; Larrie Kerestes, Director of Community Development, and Jerry Martin, Code Enforcement Officer, Park Forest; Anne Linn, City Attorney, Waukegan; Bob Roels, Environmental Health Coordinator, and Jasmine Hernandez, Inspector, Mount Prospect.

We are deeply indebted to Brent Denzin, a partner at the law firm of Ancel Glink, for giving unstintingly of his time and expertise to this project and for sharing the Municipal Lien Checklist. Brent participated in every workshop and spent countless hours responding to our questions and helping us understand the practical impact of various aspects of municipal and vacant property law.

Vacant Building Ordinances: Strategies for Confronting Vacant Building Challenges

Business and Professional People for the Public Interest

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These can be found online at either of the websites listed below:

<http://www.bpichicago.org/programs/housing-community-development/affordable-housing/resources>

<http://mayorscaucus.org/initiatives/housing-and-community-development/vacant-property-issues>

Appendix 1: Examples of Statutory Language

Appendix 2: Resources for Identifying Responsible Parties

Appendix 3: Municipal Lien Checklist

Introduction

While the worst of the foreclosure crisis is behind us, many communities continue to grapple with foreclosure filings and the myriad problems posed by vacant and abandoned properties. Vacant properties pose health and safety risks, threaten the value of adjacent properties, destabilize neighborhoods, and frustrate local economic recovery efforts. This report provides information about an effective strategy that municipalities around the country have used to get vacant property problems under control.

In 2010, BPI, the Chicago Metropolitan Agency for Planning (CMAP), and the Metropolitan Mayors Caucus produced a guidebook, *How Can Municipalities Confront the Vacant Property Challenge? A Toolkit*, highlighting key strategies communities across the nation were using successfully to respond to the challenges of vacant properties.¹

Many Illinois municipalities report that one of these strategies, a vacant building ordinance (VBO), is an especially effective way to address these challenges. VBOs are a useful supplement to code enforcement efforts. They help to quickly identify who is responsible for problem properties. In addition, new fees and fines for noncompliance get the attention of responsible parties and help get problems resolved more quickly.

Most VBOs have very similar requirements:

- They require owners to **register** vacant buildings with the municipality and **provide contact information** for someone responsible for the property. Many also require financial institutions with a legal interest in the property to register if the owner cannot be found. This helps local governments identify who is responsible for a vacant property and contact them quickly when necessary.
- Most require registrants to **pay a registration fee**, which helps local governments offset the substantial costs they incur when dealing with vacant property challenges. These fees can be used to motivate responsible parties to act quickly to address troubled properties.

¹ The *Toolkit* and other publications can be found at <http://www.bpichicago.org/programs/housing-community-development/affordable-housing/resources>.

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- Many also require registrants to **maintain, secure, and insure vacant properties** as well as to prepare and implement plans to demolish them or return them to productive use.

In Illinois, there are now more than 100 municipalities with vacant building ordinances—more than twice as many as in 2010. Non-home rule municipalities have many of the same powers as home rule municipalities to implement building registry programs and have created programs that are essentially identical in their key features.² In addition, Cook and Kane Counties have enacted vacant building ordinances.

With VBOs flourishing in Illinois and around the country, we have been able to draw on a wealth of experience from municipal officials and staff working on the frontlines to address vacant property challenges. This document features some of the most important lessons they have learned.

Section 1 provides an overview of the principal features of vacant building ordinances. These program requirements are important, but how they are implemented is even more critical.

Section 2 discusses implementation and enforcement strategies, highlighting the practices that program administrators identify as key to their success.

The online **Appendices** provide examples of statutory language, more detailed information about resources for identifying responsible parties, and a checklist for pursuing various types of municipal liens related to property maintenance.

² The authority for non-home rule municipalities derives from their broad power to “define, prevent, and abate nuisances.” 65 ILCS 5/11-60-2.

Section 1 Key Features of Vacant Building Ordinances

Most vacant building registry programs share the same basic structure, though there is a great deal of variety with regard to program details. If your interest is in specific statutory language, excerpts from a variety of VBOs that illustrate different approaches to significant ordinance features are included in Appendix 1 (online).³

When designing a VBO, municipalities need to answer a few key questions:

- Who should register?
- What does it mean for a building to be vacant?
- When should a property be registered?
- What should the registration fee be and how should it be structured?
- What contact and property information should registrants provide?
- What other requirements should be included?
- What Happens If Someone Doesn't Comply?

The discussion below highlights some of the factors municipalities should consider when answering these questions.

³ In addition, Safeguard Properties maintains a matrix of known ordinances which can be accessed by state: http://www.safeguardproperties.com/Resources/Vacant_Property_Registration.aspx.

Who Should Register?

Effective VBOs require owners to register vacant properties. Some ordinances also require banks holding the mortgage on the property and mortgage servicers to register. Including banks and servicers in a registry is especially important in communities where abandoned homes are a problem.

There are different ways to apply a VBO to banks and servicers. Most ordinances define “owner” as any person or entity “having a legal or equitable interest” in the property. This language is broad enough to include both owners and banks. Some municipalities, like Waukegan, include a definition that explicitly includes “mortgagees,” like banks and servicers.

What Does It Mean for a Building to Be Vacant?

At what point does a building become "vacant" and require registration? The definition varies among municipalities.

- Every ordinance reviewed for this report applies not only to vacant buildings, but also to buildings that are illegally occupied.
- Some ordinances define “vacant” based solely on how long the property has been vacant or unoccupied. For example, Waukegan’s ordinance considers a building to be vacant if it has not been legally occupied for 30 consecutive days.
- Other ordinances provide a number of options for determining whether a building is vacant. Under these ordinances, it is not enough for a building to be without legal occupants. Vacancies must co-exist with any one of a number of physical conditions or illegal activity, or must exist for a specified amount of time. For example, Evanston’s ordinance includes eight different criteria, any of which would meet the definition of vacancy; for example, a building would be considered vacant if it is unoccupied and has multiple code violations or is unoccupied and has been the site of unlawful activity within the previous six months.
- Some ordinances, like both Waukegan’s and Evanston’s, provide exceptions to registration for certain types of vacant property, such as seasonal homes or properties under active construction, rehabilitation, or repair.

How should a municipality decide which definition of “vacant” to use, and which properties should register? It depends on the goals of the registration program and which properties municipalities believe should be closely monitored. For example, if a municipality’s primary concern is ensuring that vacant properties don’t cause problems for neighbors, it could apply registration requirements only to buildings with code violations or other signs of trouble. But if a municipality wants information about more properties that may be potential threats and the ability to act quickly if problems arise, it could require all properties to register after they have been empty of legal occupants for a specified amount of time.

Applying VBOs to Banks

Municipalities definitely have the power to apply VBOs to banks that own vacant properties, but there has been some question about whether municipalities can make banks responsible for cleaning up and securing properties they don't own—for example, if they simply hold a mortgage. When the City of Chicago applied its VBO to banks and servicers, including those with a legal interest but not an ownership interest in vacant properties, it was sued by the Federal Housing Finance Agency (FHFA).

In 2013, in *Federal Housing Financing Agency v. City of Chicago*, the court found that federal law imposed some limitations on how local governments can regulate Fannie Mae and Freddie Mac. However, following the court decision the City entered into a settlement with FHFA under which Fannie Mae and Freddie Mac agreed to register properties for which they hold the mortgage and to comply with the maintenance and security requirements. The only thing they don't do is pay the registration fee.

For all other banks and servicers working with non-Fannie Mae or Freddie Mac loans, the City enforces its ordinance in its entirety, including the requirements that apply pre-foreclosure and the requirement to pay a registration fee, and has been successful in achieving compliance. Several suburban communities—both home rule and non-home rule—have also been successful in enforcing their ordinances against mortgage holders pre-foreclosure.

When Should a Property Be Registered?

The timing of when a property must be registered varies. Some ordinances require registration within a certain time after a property becomes vacant or after the owner learns that the property is vacant. But many communities, like Evanston and South Chicago Heights, **require responsible parties to register as soon as they should know that the property is vacant.** Municipalities typically apply this standard by saying that if there is a problem at the property, the owner should know that it is vacant. That means that a municipality can issue a violation notice if a responsible party fails to register, regardless of whether the responsible party actually knows the property is vacant and regardless of whether the municipality has notified them that they must register. This puts the burden on the responsible party to monitor its own properties and makes it immediately accountable if the municipality finds a problem. The ability to issue a violation notice gives the municipality added leverage to prompt registration.

What Should the Registration Fee Be and How Should It Be Structured?

Municipalities have taken several different approaches to registration fees.

- **Require a fee.** Nearly all VBOs require payment of a fee at the time of registration and at regular intervals afterwards, as long as the property is vacant. Revenue from the fees helps municipalities defray the costs of administering their programs, including monitoring and enforcement. (In some municipalities, the fee-generated revenue may go back to the vacant property program; in others, the revenue goes to the general revenue fund.) Many local officials believe that fees with regular renewals are a critical factor in motivating owners to act quickly to maintain their vacant properties.
- **Require a fee, but offer waivers.** On the flip side, some municipalities say that their primary goal is to ensure that properties are returned to productive use, and that offsetting related local government costs isn't an issue. These municipalities waive fees if the owner or responsible party is actively engaged in rehabbing or demolishing the property or in actively marketing the property for sale or lease.
- **Do not require a fee.** Similarly, some municipalities say that the primary purpose of their program is to get properties registered in order to make it easier to find who is responsible for the property if there is a problem. In these programs, the ordinance encourages maximum participation by imposing no registration fee or a minimal one.

Designing a Registration Fee

How much should the fee be? Determining the amount of the registration fee involves a number of considerations. The most important thing to consider is the intent of the program. **If a municipality wants to encourage the largest possible number of people to register, it should consider setting the fee as low as possible. But if the municipality needs revenue to help cover program expenses, or wishes to use the fee as an incentive to keep properties maintained, it should set a higher fee.**

Both home rule and non-home rule municipalities have the authority to impose fees, though in both cases, the fee should not be more than is necessary to cover the cost of administering a vacant property program. Even though there are no formal requirements to document program expenses, municipalities should be able to justify the fee if challenged. **Program costs can include not only costs of maintaining the registry but also costs related to implementing the program,** including, for example, staff time and gas mileage related to monitoring and inspecting properties, as well as issuing and enforcing citations.

However, fees may never be high enough to actually cover all related local government expenses. Even those Illinois communities with fees in the higher ranges—Evanston at \$400 a year, Mount Prospect at \$500 a year, and Waukegan at \$250 every six months—say the actual costs of implementing the program exceed the fee revenue. But they say that even if a compelling case can be made for a higher fee, there are other considerations. For example, if a fee is set too high, it may discourage people from registering, and then most of the program's potential benefits will be lost.

Similarly, when setting the registration fee, municipalities should take into account other related fees, such as inspection fees, as well as fines and penalties that may be imposed for violations of the program requirements. For example, some municipalities include the cost of property inspections as part of the registration and thus set a higher fee; others charge a separate inspection fee but a lower registration fee. Some municipalities believe higher fees and fines may be more effective in encouraging compliance.

How often should fees be collected? Municipalities can structure collection of fees in different ways to promote different goals.

- Some municipalities seek to get as many properties registered as possible, and so just require a **one-time registration fee**.

- Some municipalities use fee revenue to help cover program expenses, so they require **periodic renewals**, typically once or twice a year. While renewal fees are generally due on the anniversary date of the original registration, Wilmington, Delaware, has established a single date for all fee renewals, regardless of the anniversary date, and prorates the initial registration fee accordingly. According to the program director, this has greatly simplified program administration, streamlining the issuance of renewal notices and making it easier to track compliance.
- A number of municipalities that use the fee to encourage compliance develop **creative combinations of fees and payment schedules**. For example, Burlington, Vermont, sets a high fee—\$500—and requires that it be renewed four times a year. On the positive side, that may create an incentive to get buildings occupied. On the negative side, the frequent renewals also mean more work for municipal officials.
- Wilmington, Delaware, has a **progressive fee structure** that kicks in after the property has been vacant for a year and increases for each year the property remains vacant. This is intended to account for the increasing local government costs that result from continued vacancy. The City of Chicago imposes a flat registration fee on owners, renewable every six months. However, to motivate responsible parties to keep their vacant buildings maintained and safe, the renewal fee increases progressively with each renewal if the property is in violation of any provision of the building or fire codes.

Some communities provide fee-based incentives to encourage timely compliance with program requirements. For example, Wilmington and Burlington waive fees for a certain period of time under specified conditions—for example, if the owner is in the process of actively repairing, rehabbing, demolishing, selling, or leasing the property. This means the ordinance is used primarily to target property owners who are not taking action to maintain or transfer their property.

Similarly, other communities, like Evanston and Waukegan, use their definition of vacancy to encourage owners to fix up the properties. Properties undergoing active construction or rehabilitation are exempt from the registration requirement. Mount Prospect's definition of vacancy incorporates an incentive that essentially exempts code-compliant properties from registration. Unless a property has been condemned, declared an immediate hazard, or has been unoccupied and unsecured, the obligation to register an unoccupied property and pay the fee does not kick in unless there is a code violation, or the building has been boarded for 30 days or more.

What Contact and Property Information Should Registrants Provide?

To speed resolution of code violations or other problems related to the property, all programs require registrants to provide information that will help the municipality identify whom to contact. **The most critical information includes the actual street address of the property (not a P.O. box), contact information for the owner/responsible party, 24-hour contact information for the person or property management firm responsible for day-to-day management, and designation of and contact information for a local agent authorized to receive legal notice.** Some municipalities collect additional information as well. Timely and accurate information is essential, and virtually all programs require prompt notice of any changes.

What Other Requirements Should Be Included?

Securing and Maintaining Vacant Buildings

Nearly all programs require responsible parties to secure and maintain vacant properties. These requirements are designed to prevent unauthorized persons from entering the building, maintain the structural integrity of the building for code enforcement and public safety officers, and minimize adverse effects on adjacent properties and the larger neighborhood. Some ordinances do this by specifying that vacant buildings are required to follow existing building code requirements; some create additional maintenance and security requirements that apply solely to vacant property.

Requiring and Recovering Costs for Property Inspections

Ordinances should require that vacant properties undergo a formal inspection to be conducted by a code enforcement officer. This allows municipalities to assess and document the condition of vacant buildings and ensure compliance with safety and maintenance requirements. Chicago requires owners to give building inspectors access to conduct interior and exterior inspections every six months.

Many municipalities recover the costs of doing inspections by building them into the program registration fee. Others require building owners to pay an inspection fee. For example, after a determination that a property is vacant, Evanston requires the owner to allow a code compliance inspection of the interior and charges a \$500 inspection fee.

Liability Insurance

Many ordinances require owners to maintain liability insurance to spread the risk of injury associated with vacant property. The amount of insurance typically depends on the number of units in the building. The added cost can also provide another incentive for owners to act quickly to fix or demolish their buildings. However, insurance requirements need to be carefully drafted. Only property owners can purchase property liability insurance—banks and others with a legal interest in a property cannot—so even if a VBO generally applies to anyone with a legal interest in a property, a requirement to maintain liability insurance should apply only to owners.

Practical Tips

To Post or Not to Post?

Some communities require that 24-hour contact information be posted on the building itself. Such posting requirements help police and fire officials or concerned neighbors know whom to contact without having to check the registry or contact the municipality. Municipalities have found that contacts by neighbors can increase pressure on responsible parties and help expedite corrective action. Some municipalities, however, believe that posting requirements may advertise a vacancy that may otherwise not be apparent, thereby inviting vandalism or negatively impacting the immediate neighborhood.

Developing a Vacant Property Plan

Many programs also require that the person or company responsible for a property create a detailed plan to take care of it. The requirements usually include a timeline for maintaining, rehabbing, reoccupying, or demolishing the property. Several municipalities have found this to be an effective way to engage with motivated property owners early on and help them identify concrete steps that should be taken to address problems with their properties. **Getting something in writing, even if it is very simple, also creates a reminder that the responsible party has an obligation to care for the property and creates a record of what the registrant promised to do.** Some ordinances give the municipality extra leverage by saying that failure to have an approved plan or to comply with an approved plan constitutes an ordinance violation. The violation may result in fines, or in getting the owner to come in and meet with municipal officials. In either case, it is an added incentive to take care of the property.

Municipalities that use this requirement emphasize the need for flexibility in its enforcement. For example, one community development official noted that in cases where banks do not hold title to the property, the municipality emphasizes the maintenance and security aspects of the plan, such as making sure the windows and doors are secure, rather than making the building ready for occupancy so that it can be offered for sale or rent. Banks usually want these buildings to be secure in order to protect their investment in them, so they have typically been very willing to comply with these important provisions.

What Happens If Someone Doesn't Comply?

Most vacant property ordinances provide that failure to comply results in a fine. Typically, each violation and each day's failure to comply constitute a separate offense. Fines typically range between \$100 and \$750 per day per violation but can be higher. Municipalities may not always collect all the money they charge in fines, **but the financial penalties provide an additional incentive for compliance and help to cover costs incurred by the municipality in the event of noncompliance.** These fines are in addition to whatever penalties the municipality may impose through their code enforcement and nuisance abatement programs. Mount Prospect's VBO provides that any violation of the VBO is also a nuisance; those same violations are therefore subject to a penalty for violating the vacant property ordinance as well as the daily nuisance fee.

In addition to imposing financial penalties, the enforcement provisions in vacant property ordinances commonly make it clear that the municipality may pursue other appropriate remedies, including demolition, condemnation, making repairs, foreclosure of liens, appointment of a receiver (where a judge appoints someone to repair or rehab a troubled property), and injunctive relief (where a judge requires the responsible property to take a specific action or face serious consequences).

One remedy that some home rule municipalities have found to be both effective and easy to administer is refusing to issue a real estate transfer stamp if fees are owed under the ordinance. A similar remedy, available in both home rule and non-home rule communities, is a requirement that before a vacant building can be occupied, the municipality must inspect the property and issue a certificate of code compliance, and all fees imposed under the ordinance must be paid.

Appeals

VBOs can result in serious consequences for property owners. For example, a determination that a property is vacant may trigger a requirement to register, pay a fee, purchase liability insurance, and prepare a vacant property plan. Failure to comply with such requirements can result in the imposition of a large fine. When the stakes are this high, it is important to give owners and others with a legal interest in a property an opportunity to appeal. For example, Evanston's VBO sets forth an administrative process for contesting a determination of vacancy. Mount Prospect's ordinance allows responsible parties to appeal administrative actions under its VBO through a hearing before the village's administrative law judge. Municipalities should discuss this issue with their municipal attorneys to determine whether appeals should be addressed in their VBOs.

Section 2 Implementation and Enforcement Strategies

While thoughtful design of a building registry program is essential, implementation and enforcement of these programs determine how effective they will be. This section explores several strategies that have been key to successful program implementation and enforcement.

Developing a Process to Identify Responsible Parties

Identifying the party responsible for a vacant property is critical for ensuring that properties are maintained and minimizing the burden they impose on municipalities. Tracking down the party responsible for a property can be difficult. Some vacant property owners have decided that they are better off if they just walk away from a property. Some financial institutions frequently transfer ownership of mortgages. In both cases, it is harder to get up-to-date, accurate information.

Municipalities in the Chicago area use several different resources to identify responsible parties. All provide information on property ownership, mortgagees, and lien holders that can expedite the process of identifying a responsible party, and many are either free or relatively low-cost. Local officials asked to identify the most helpful resources cited these four most often:

- **County Recorder.** The Recorder of Deeds office in each county in the Chicago region has a website that provides digital access to all information filed with the Recorder. Costs vary by county. Some are free, and others charge for downloading and printing. Some require a subscription to search. The Recorder is usually a good, inexpensive source of basic information and is a good place to start.
- **Safeguard Compliance Connections.** This free service identifies property owners, servicers, lien holders (including banks that hold mortgages), and points of contact for single-family (1-4 units) properties throughout the country that have a lien holder, not just those for which Safeguard is the servicer. Municipal officials can conduct unlimited searches. In addition, they can upload violation notices and pictures of damage. Safeguard can pass this on to the point of contact for each property, which can expedite the maintenance and collection process.
- **Real Info Target Property/Target Express.** These two services cover eight Chicago-area counties and make available outstanding deeds, mortgages and liens posted against a property, all in a single, clear form. Target Property is a monthly subscription service, while Target Express charges \$10 per property (\$15 with a credit card) and has more limited access to search types.
- **Record Information Services (RIS).** RIS provides access to information about properties located in nine Chicago-area counties. RIS includes real estate transactions, mortgage transactions, liens and judgments, foreclosures and auctions. The one-time search service costs \$5.95 per record and displays results from all databases at once, while the unlimited search requires a subscription to each separate database.

More details on these services can be found in Appendix 2 (online).

Practical Tips

Persistence Pays Off

When tracking down the party responsible for a vacant property, persistence and ingenuity go a long way. When an official in Berkeley, Illinois, contacted the loan servicing company that had once been responsible for maintaining a troubled property, he spoke to someone who said that the bank the servicer worked for had sold the mortgage to another institution, so neither the servicer nor the bank were responsible for the property anymore. The servicer representative said they weren't open to further discussion and ended the conversation. The building official waited about half an hour, called the service company again, and this time spoke with a different agent. The official explained the situation and suggested that the servicer contact the new bank. The servicer placed the building official on hold, and in a matter of minutes had contacted the new bank, regained the service contract, returned to the call with the building official, and begun to address the problem.

Getting the Attention and Cooperation of Responsible Parties

Merely identifying the party responsible for a particular property does not guarantee responsiveness. Responsible parties are more likely to be responsive in communities with a healthy real estate market where a maintained property will be likely to sell. But even under the best of circumstances, it can be challenging for municipalities to get the attention of responsible parties. Here are a few strategies municipalities have found to be helpful:

- Many **issue citations to everyone** with any responsibility for the property—owners, banks, servicers, or property managers—to maximize the chance of getting a response from at least one.
- When the traditional owner cannot be found, informing banks or servicers about the specifics of the building's condition can grab attention and result in a quicker response. **Sending photographs of the property** can be especially helpful.
- Others have found that **having neighbors call the responsible party to complain** increases the pressure to respond. Often there is a contact number posted on the building, or municipalities will provide the contact information.
- If the responsible party does not respond and conditions on the property warrant, the municipality may choose to clean up the property or undertake some repair and then seek to recover its costs from the responsible party. **Sometimes, when a municipal employee tells a servicer or owner that the municipality is going to do the work itself and bill the servicer or owner, it is enough to spur the responsible party to action**—since it may cost less to do the work itself than to pay the municipality.

Proactive communication. Municipalities have found it useful to reach out to building owners, banks, and loan servicers about new registry programs, even before problems arise at a specific property. Early communication with banks and servicers can help clarify who is responsible on each end and can sometimes speed up bank action. For example, the City of Chicago periodically sends banks a list of newly vacant properties, which gives them a head start in identifying those they are responsible for and allows them to take the necessary steps to register and correct problems. Similarly, before Evanston sends a bank the official legal notice of a VBO violation, it sends an email notice about the violation so that the responsible party can begin to comply.

Quick and consistent enforcement. Compliance is improved when responsible parties know that enforcement is swift and certain. Thus, when there is a violation, municipalities should issue violation notices promptly. If the violation is not corrected, municipalities should move as soon as possible to refer the matter for judicial action or administrative adjudication (an option available in many home rule communities that is often faster than going to court). Responsible parties are more likely to act quickly when they are facing penalties, especially if the penalties make it more difficult to sell the property in question.

Practical Tips

Personal Relationships Achieve Results Faster

The building director in the Village of South Chicago Heights was unable to get responses from the right people at some of the banks responsible for many of the vacant properties in his community. However, after he issued violation notices and the banks' attorneys began to show up in court, the building director began to develop constructive working relationships with them. Now, when a problem arises, **rather than working directly with the mostly unresponsive banks, he contacts their attorneys**, who then convey the information to their clients. Once the attorneys are involved, the banks often move quickly to resolve the problem. As a result, the Village may be able to get a work order issued quickly, without having to expend time in court.

Through this informal process, South Chicago Heights **gets problems addressed 30 to 60 days faster**. Moreover, good working relationships can lead to others. Now, when the building director has to deal with a new bank, he often asks an attorney with whom he has a good working relationship to introduce him to the attorney for the bank he does not know. This often results in better, faster responses.

Taking steps to ratchet up enforcement will almost always elicit a response.

As one director of community development observed, “It helps to get a reputation for bringing cases forcefully to court.” The department head from another municipality noted that communities must be willing to utilize the full arsenal of enforcement tools, including demolition or declaration of abandonment, if necessary: **“A credible threat of tough enforcement gets cooperation.”** (See box on pp.20-21 for more detailed discussion of demolition and abandonment.) Once the municipality demonstrates that it is serious about enforcement, banks and servicers are less likely to push back. However, as one municipal official emphasized, it is important to keep careful records and document every action taken with respect to a vacant property as if it were a potential court case.

Firm but flexible enforcement. While quick and consistent enforcement is fundamental to an effective program, municipal officials emphasize that it is important to exercise common sense and flexibility.

- Even if a municipality gets a responsible party to the table and may be able to recover outstanding fees, fines, and costs, it may benefit the municipality to forego full recovery of the money if doing so makes it more likely the building will be repaired and reoccupied.
- Similarly, if a property is not in full compliance, but the responsible party is working in good faith to complete the desired work within a designated time frame, a municipality may agree to forego or reduce fines as long as the work continues on schedule, or it might allow an extension of time before pursuing further enforcement.
- Some municipalities use flexibility in enforcing the requirement to create a vacant property plan. One local official explained that even though the municipality always requires plans for returning properties to occupancy, when he is working with banks that do not have title, he will focus on those plan requirements that ensure the property is safe, secure, and maintained. Banks without title are more likely to comply with those provisions, and he would rather spend time and energy to ensure that banks do the work that has the biggest impact on surrounding properties.

A veteran building department director summed up the “firm but flexible” guidance this way: **“Issue citations to get their attention and let them know you mean business. Follow up if they don’t do what they say they are going to do when they say they are going to do it. And be flexible once there is trust in the relationship.”**

Using Demolition and Abandonment Proceedings to Get Results

When other strategies aren't producing the results you need, or if you need to quickly address a serious or chronic problem, taking steps to demolish a building or have it declared abandoned may offer the best alternative.

The Demolition Statute—A Powerful, Flexible Tool

If a property owner allows a property to decline to the point that it poses a danger, Illinois law gives municipalities power to step in and address the problem directly. What is sometimes referred to as the Illinois “demolition statute” can be used to demolish a dangerous property, or to get it fixed up or cleaned up. And sometimes it is used to give the owner a strong incentive to act. The real threat of demolition—in the form of a request for court authorization to demolish a building, or the granting of such a request—will often bring the owner or responsible party to the table and ultimately get a property cleaned up.

The Illinois Municipal Code allows municipalities to obtain court authorization to demolish, repair, enclose, or remove garbage, debris, and other hazardous or unhealthy material from buildings that are “dangerous and unsafe” or “uncompleted and abandoned.” 65 ILCS 5/11-31-1(a). If the court grants a request to demolish a building, the municipality has the legal authority to demolish it, but isn't required to do so. Instead, it can use the court authorization to repair a building, secure it, or remove garbage or debris. Once a municipality has the legal authority to take such action, responsible parties will often bring a property into compliance.

If a municipality acts to clean up a property using the demolition statute, it has the legal right to recover the costs of doing the work, including court costs, attorneys' fees, and other related enforcement costs. Those costs can become a lien on the property. If the municipality follows the proper procedures to “perfect” the demolition lien, it takes priority over all other liens, except for tax liens. This means that if the property is sold and after the taxes are paid, the municipality is next in line to be paid back for demolition costs; if there is enough money left over, the municipality will be reimbursed in full.

For further discussion of demolition liens, see p. 22 below. See Appendix 3 (online) for a checklist on how to obtain a demolition lien.

Fast Track Demolition

State law also provides a process by which municipalities can demolish, repair, enclose, or remediate smaller properties without seeking court authorization. Fast-track demolition is available for buildings no larger than three stories tall. It requires that the top local building code official make a determination that a building is “open and vacant and an immediate and continuing hazard to the community,” 65 ILCS 5/11-31-1(e) and that the demolition or repair “is necessary to remedy the immediate and continuing hazard.” Once the official makes such a determination, the municipality—after proper notice has been given and no one with a legal interest in the property has objected—may demolish or repair

the building at any time without going to court. However, if the municipality wants to be reimbursed for demolition costs, it must follow the same process to “perfect” a demolition lien as under the court-authorized demolition procedure.

Declaration of Abandonment

Sometimes a municipality prefers to take ownership of a troubled property so that it can control how it is ultimately used. Like demolition, the threat of asking the court for a declaration of abandonment can be an effective way to motivate a responsible party to take corrective action.

A property can be declared abandoned if (i) it has been tax delinquent or has outstanding water bills for two or more years and (ii) it is not legally occupied, and (iii) it contains a dangerous or unsafe building. 65 ILCS 5/11-31-1(d). When a municipality files for abandonment, the property owner has 30 days from the date of the notice to file an appearance and prove he does not intend to abandon the property. During that time, anyone with an interest in the property can file a request to demolish or repair the property. If no party appears or takes action to demolish or repair the property within the required time, the municipality may petition the court for a judicial deed to the property. The judicial deed extinguishes all ownership interests and liens relating to the property, including tax liens and the rights of holders of a certificate of purchase of the property for delinquent taxes. That means the municipality owns the property and can demolish it, fix it up, or transfer it to a new owner entirely free of any debt or questions about who owns it.

When to Use Demolition vs. Fast-Track vs. Abandonment

A municipality may be able to achieve its objectives by using either demolition or abandonment. Often a municipality may choose to pursue both strategies simultaneously for a single property. If the local court is more familiar with one or the other of these processes, the municipality may prefer to pursue the more familiar process. Depending on the circumstances, however, there may be reasons to pursue one process or the other.

For example, if recovering costs is a high priority, a municipality should try to get a demolition order from a court, or a determination from a municipal official that it is eligible for fast track demolition. Under either approach, the municipality can get a demolition lien and try to get paid for the work it has done. If a municipality wants to save the time and expense of going to court, fast track demolition may be an option, though it requires “an immediate and continuing hazard,” and fast track isn’t an option if it is contested. If the municipality wants to transfer ownership of the property, abandonment may be the best option. Municipalities can transfer ownership of a troubled property using any of these approaches, but a declaration of abandonment makes it possible to transfer ownership in the fewest number of steps.

For more details on the process for pursuing demolition and declaration of abandonment, see Lien on Me: Using Liens to Collect Municipal Debt and Expenditures, edited by Stewart H. Diamond, Mark R. Heinle, and David Silverman; Ancel, Glink, Diamond Bush, DiCianni & Krafthefer, P.C., 2007, available at the Ancel Glink Library, ancelglick.com.

Recovering Costs

Despite best efforts to have owners, banks, or servicers take responsibility for their vacant properties, there are times when municipalities have no choice but to undertake the work themselves. In those cases, municipalities have several options to recover some or all of the money they spend on vacant property maintenance.

Refusal to issue real estate transfer stamp. A number of home rule communities, including Evanston, Mount Prospect, and Park Forest, require sellers to obtain a real estate transfer stamp from the municipality before they sell their properties. These municipalities refuse to issue the real estate transfer stamp until the seller pays everything it owes to the municipality, including outstanding registration or inspection fees, fines for noncompliance with VBO requirements, or bills from the local government for work done to secure or maintain vacant properties.⁴ Because sellers are usually eager to have these deals move forward, most quickly pay what they owe.

Refusal to issue certificate of occupancy. Home rule and non-home rule communities alike often require a certificate of code compliance and payment of outstanding fees before they will issue a certificate of occupancy to allow someone to begin occupying a currently vacant building. Since building owners lose money until the certificate of occupancy is issued, this can also be a very effective tool to motivate owners to comply and to help municipalities recover their costs.

Demolition liens (not limited to demolition). As described above, municipalities that successfully pursue demolition or clean-up through court authorization or the fast-track process may obtain a lien for the cost of demolition, repair, enclosure, or removal of garbage, debris, and other hazardous or unhealthy materials, plus court costs, attorneys' fees, and other related enforcement costs. To make these liens enforceable, the municipality must file a notice of lien with the county recorder within 180 days of the demolition, repair or enclosure. This demolition lien then takes priority over all other prior liens, except for tax liens. A municipality can foreclose on the lien and if the owner doesn't pay what is owed, the municipality can obtain title to the property. 65 ILCS 5/11-31-1 (a) and (e).

For properties that qualify for the fast-track process (see the box on pp. 20-21), Illinois law offers an expedited way to get a priority lien to recover the costs of demolition or any other authorized activity "necessary to remedy the immediate and continuing hazard," such as repairing the property, enclosing it, or removing garbage. 65 ILCS 5/11-31-1 (e). One municipal attorney describes fast-track demolition as an aggressive strategy that sends a strong message to banks or other parties with an interest in the property that they need to step up within 30 days or the municipality will do the work and saddle the property with a lien that trumps all other liens except unpaid taxes.

Demolition is discussed in greater detail in the box on pp. 20-21. See Appendix 3 (online) for a checklist on how to obtain a demolition lien.

⁴ This tool is not available to non-home rule communities in Illinois. Home rule communities that do not already have a real estate transfer tax but wish to create one may do so only by referendum. 65 ILCS 5/8-3-19.

Priority liens for securing and maintaining abandoned residential property. Illinois law provides another option for municipalities to recover the costs of specified work they undertake on abandoned residential property if properties are not eligible for the fast-track process or the municipality has determined not to use it. The law applies to any type of permanent dwelling unit that has been unoccupied for at least 90 days and for which the municipality attempted to contact the owner(s) or the owner's agent(s) but was unable to reach anyone. It covers the removal of weeds, trees, bushes, grass, garbage, debris, or graffiti, and securing or enclosing the property. 65 ILCS 5/11-20-15.1. Liens obtained under this law are superior to all other liens, except taxes. **Under this law, municipalities recover their expenses after taxes are paid but before the mortgage is recovered.** Thus, municipalities will recover even when the value of the property is less than the value of the mortgage. Municipalities are paid after the lender has foreclosed on the property at the hearing where the sale of the property is confirmed.

While the process under this law may be slightly more time consuming than the fast-track demolition process, it provides another way for municipalities to recover their costs. Many municipalities report that they have used this provision successfully. Park Forest (home rule) and South Chicago Heights (non-home rule) report that a checklist prepared by their legal counsel makes it easy to comply and allows them to do all the work in-house easily and cost-effectively without incurring the expense of using an attorney. [See Appendix 3 \(online\) for a checklist on how to obtain a priority lien for abandoned residential property.](#)

However, a municipality that wants to take a more aggressive enforcement stance could spend money to clean up a vacant property, use this statute to get a lien for that work, and then foreclose on that lien to force the sale of the property rather than waiting for the mortgage lender or other lien holder to foreclose. This approach could help municipalities get reimbursed more quickly for their vacant property-related expenses. It could also help get troubled properties into the hands of more responsible owners, which would be better for both the neighbors and the municipality. At the time of this publication, we are not aware of any examples of municipalities that have foreclosed on this type of lien, but some municipal attorneys believe that local governments have the authority to do so.

Judgment liens. If a municipality is owed money from unpaid fines or costs imposed by a court, there is a straightforward process the municipality can use to convert the money judgment to a lien on any property owned by the same owner. For example, if a property owner hasn't paid a VBO fee or fine, the municipality can have a lien placed on any property owned by that owner and then use the lien to put pressure on the owner to pay the municipality what is owed. The lien on another property can be a powerful incentive for owners to quickly pay the municipality what they owe.

Once a municipality has a judgment lien, it can either foreclose on the lien and force a judicial sale of the property or wait until the owner sells the property, at which point the lien must be paid before the property can change hands. While obtaining a judgment lien may be time consuming and costly, it can be an effective strategy, especially when there is a large judgment involved. [See Appendix 3 \(online\) for a checklist on how to obtain a judgment lien.](#)

In jurisdictions that use an administrative hearings process, municipalities can also get judgment liens for fines imposed by an administrative hearing officer. 65 ILCS 5/1-2.2-55. However, if a non-home rule community wants a lien for fines imposed by a hearing officer for building code violations, the municipality must first file an action in court to seek a judgment on the hearing officer's order. 65 ILCS 5/11-31.1-11.1.

Abandoned Property Program. The Illinois Housing Development Authority (IHDA) administers the Abandoned Property Program under which it **provides grants to municipalities and counties to cover the costs of securing, maintaining, demolishing, and rehabbing abandoned residential properties.** Created by legislation that went into effect in 2013, the program imposes new foreclosure filing fees on financial institutions.⁵ **Grant funds may be used to reimburse previously completed activities as well as for planned activities,** as long as such activities fall into the categories listed above. In the spring of 2014, IHDA awarded grants totaling approximately \$7 million to 53 municipalities, counties, and land banks across the state. Grant amounts ranged from \$20,000 for Woodridge to \$2 million for Chicago, with most grants somewhere between \$50,000 and \$250,000. IHDA expects to announce at least one funding cycle per year, depending on the rate at which funds accumulate. More information about the program, including links to the program rules and an FAQ, is on the IHDA website, <http://www.ihda.org/government/AbandonedPropertyProgram.htm>.

Program Administration

In some municipalities, several different departments have responsibilities related to vacant properties. Departments of community development, economic development, housing, police, fire, and public works may all play a role. Municipalities can deal most effectively with vacant properties when the work of all of these departments is well-coordinated, with up-to-date and accurate information about vacant properties that is available to all the relevant departments. This can be achieved by better information sharing, coordination of personnel and activities, and interdepartmental collaboration, as described below.

Information Sharing. At a minimum, **municipalities should establish a system to share vacant property information among all relevant individuals across departments.** This will ensure that each department has the information it needs to do its job effectively and that critical information does not fall through the cracks. For example, code enforcement officers should provide police and fire departments with lists of vacant properties and information about property conditions. Police are thus alerted to which properties may require extra vigilance, and fire officials know which properties pose extra danger to firefighters. In return, police and fire officials can alert code enforcement officials to suspected vacant properties or new problems with vacant properties already on the registry.

⁵ Under the law, fees will be collected through 2017, and the program will continue until funds are no longer available.

Methods for interdepartmental sharing of information vary considerably. For example:

- The building director in the Village of South Chicago Heights, a community with a population of just over 4,000, prints periodic lists of vacant properties and reports that are shared with multiple individuals across departments and maintains detailed property information in paper files.
- Park Forest maintains its vacant property registry in a simple Excel spreadsheet and shares it among departments.
- Wilmington, Delaware, has developed a customized in-house vacant property database that can be shared across all departments.

Coordination of Personnel and Activities. Staff from a variety of municipal departments may come into contact with vacant properties. If they receive a little bit of training, they can be a valuable extra set of eyes and ears to help ensure that vacant property problems are identified and addressed quickly.

Staff can be trained to identify indicators of vacancy and signs of property maintenance failure and the best ways to report them. Requiring only a minimal investment of time, it can produce substantial benefits. For example, because code enforcement inspectors can be in only so many places at once, Evanston has trained inspectors in the health and public works departments to identify and report code violations common to vacant properties when they are conducting their own inspections.

Evanston inspectors use iPads on site to document violations (including those related to vacancy) and upload them to a 311 reporting system that the building department can access. This means more eyes on vacant properties more often and the ability to communicate with property owners in real time about the status of the property. This increases the likelihood that more code violations will be identified and resolved more quickly. A representative of an absentee landlord in Evanston reported that the system saves time, establishes a point of contact for the property owner, and provides clear and timely information about what the City has found and what the property owner's obligations are.

In another community, code enforcement and fire officials conduct joint inspections of vacant properties. They have found that this maximizes efficiency and facilitates greater sharing of knowledge of vacant property problems across relevant departments.

In addition to a municipality's own employees, private contractors may also come in contact with vacant properties. If the municipality takes the time to inform contractors about the vacant property program, contractors can provide valuable information when they observe a problem. For example, Park Forest coordinates with a scavenger hauler with which it has a contract and who is in the neighborhoods on a weekly basis; Evanston coordinates with its water meter readers and pest control contractors. These contractors can then share valuable information with the municipality at no extra cost to the municipality. It's almost like having extra staff for free.

Interdepartmental Collaboration. Some municipalities have developed structured ways to encourage or require collaboration across departments. Collaboration is a more intentional way to bring different stakeholders together to share information, identify problems, develop solutions, and coordinate activities around a specific issue or issues. For example, a municipality may convene representatives from all departments that have responsibility for vacant properties to address troubled properties or broader issues regarding neighborhood stabilization and revitalization. Collaboration can be formal or informal. Some municipalities have created a formal task force with regularly scheduled meetings of officials across relevant municipal departments. Others just encourage informal but purposeful exchanges of information. Collaboration can bolster communication and coordination and reduce redundancies in dealing with vacant properties.

Creating a Culture of Collaboration

Park Forest's Troubled Buildings Task Force is one successful example of a formal collaboration. Created by the mayor and village manager in 2007, the Task Force included all department heads with a stake in vacant property management (public works, water, building, police, fire, health, and the village's attorney). They met monthly to work together to tackle their biggest problems with specific properties and to discuss issues relating to the village's efforts to ensure property maintenance, such as its crime-free housing program. These meetings encouraged department heads to get in the habit of sharing information about vacant or potentially vacant properties across the village government.

Within a few years, the department heads became so accustomed to working together to solve vacant property problems that they decided the formal monthly meetings were no longer necessary. The meetings were replaced with an informal system of regular communication among mid-level staff with in-person meetings arranged whenever necessary. In one Park Forest code enforcement officer's assessment, the formal meetings helped to set the direction and open the lines of communication across departments, conveyed the message that sharing information and collaborating across departments had the official sanction of the elected officials and upper level staff, and set the stage for the effective, informal collaboration that is now part of everyday operations.

Evanston instituted similar monthly meetings that also evolved into a more flexible, real-time collaborative structure. As in Park Forest, these meetings enabled building officials to pool information from any inspector or department head with knowledge about a vacant property. While these meetings no longer focus specifically on vacant property issues, the collaborative approach continues to pay dividends as officials work together across multiple departments to create policies and programs to meet local housing needs.

Conclusion

In Illinois and throughout the country, well-implemented VBOs have proven to be a powerful tool for confronting the challenges of vacant properties.

- VBOs can significantly enhance local code enforcement efforts.
- A vacant building registry that maintains accurate and up-to-date contact information about vacant properties makes it easier for municipal officials to quickly identify and contact responsible parties to take corrective action.
- Registration fees can help municipalities recoup some of the costs related to their vacant property programs and, along with fines, motivate responsible parties to act quickly to resolve problems.

With timely and consistent enforcement of their VBO requirements, municipalities have been successful in getting responsible parties, including banks (often before they have taken title), to maintain their vacant properties. Effective enforcement produces positive outcomes for communities by helping to contain the negative impact of vacant properties on neighbors and neighborhoods and reducing the drain on limited municipal resources.

For more information or assistance in establishing a vacant building registry program in your community or strengthening your existing program, call Betsy Lassar at BPI at 312.641.5570.

Online Appendices

Each of the appendices can be found online at either of the websites listed below:

<http://www.bpichicago.org/programs/housing-community-development/affordable-housing/resources>

<http://mayorscaucus.org/initiatives/housing-and-community-development/vacant-property-issues>

Appendix 1

Examples of Statutory Language

Appendix 2

Resources for Identifying Responsible Parties

Appendix 3

Municipal Lien Checklist

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VACANT BUILDING ORDINANCE WHITE PAPER



New Mexico MainStreet
New Mexico Economic Development Department
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PROBLEM

Vacant commercial buildings once housed vibrant storefront commercial businesses that at one point generated a profit. Examples of these commercial or retail uses include “five and dime” stores, offices, and restaurants. Now vacant, many of these commercial buildings are either historic, architecturally significant, or located within designated historic districts. These buildings contribute to a MainStreet’s unique character and its potential to revitalize. The challenge for potential property developers is that these vacant commercial buildings, which were once banks, hotels, department stores, churches, and theaters, may be costly to adapt, rehabilitate and repurpose for other uses.

When commercial buildings stay vacant, their declining status leads to blight, discourages economic development, diminishes property values, and can act as fire hazards and magnets for crime. Some vacant commercial property owners use their buildings for storage, in the same way a residential neighbor might use their broken car or RV for storage. In many cases, the building is “under-utilized,” in that it does not economically perform as a commercial structure would in generating income for the business/property owner and gross receipts tax (GRT) for the local government .

“Blight has a negative effect on surrounding property values, which not only hurts adjacent property owners but reduces local property tax revenue.”

Rich Williams

Co-Director of New Mexico MainStreet

Unmaintained vacant commercial buildings in New Mexico MainStreets’ commercial corridors create a negative and unwelcoming impression. Property owners of vacant commercial buildings and properties need to be held accountable for maintaining their buildings and properties, however motivating them to either lease their spaces or seek buyers to purchase their buildings is a complicated challenge for municipalities. Additionally,

many property owners live outside the community, or even in other states. Some property owners may also purposely maintain the vacant status of their buildings by inflating the lease rates beyond what the market can support to report lost revenue and decrease their personal tax liabilities.

Properties that are vacant over time become the victims of deferred maintenance, leading to problems with the building’s roof, foundation, electrical, plumbing, and HVAC systems. Under such conditions, buildings become dilapidated and irreparable and can be declared a public nuisance, or even demolished, further burdening taxpayers with the demolition and vacant lot remediation costs. In fact, “vacant lots can remain undeveloped for decades.”¹ Local governments are forced to prioritize whether to undertake the costs associated with removal of these abandoned buildings, and remediation of derelict properties or providing for the community’s basic needs, such as sanitation, water, street repairs, fire and police protection.

Without oversight from local governments in partnership with a local revitalization organization,

¹ Rich Williams, Co-Director of New Mexico MainStreet

vacant buildings and properties' diminish economic opportunities and can affect a community's economic health and opportunity, safety, and general welfare.

NEED AND CHALLENGES

Local governments have options when it comes to motivating property owners to “do something” with their vacant buildings. Numerous municipalities throughout the United States have implemented ordinances² that require owners to register their vacant buildings and properties as well as maintain them.³ The primary objective of a “vacant building ordinance” is to control the proliferation of vacant buildings and lots. Protection of a community's health, safety, and welfare provide the legal defense for local municipalities to enact strong anti-neglect ordinances. Passing such ordinances, however, requires dedicated resources for both pulling stakeholders together to create the ordinance and then redirecting staff time or adding additional staff to enforce it.

According to Sheila Hudman, Clerk/Treasurer of the Village of Santa Clara, approval of the Santa Clara's vacant building ordinance required eight public meetings and overall took considerable time to pass. The village wanted to include a hardship exemption in the ordinance to appease public resistance. Community members were concerned that elderly property owners of vacant buildings would be unnecessarily penalized. Despite this intent, the village did not include the exemption in the final approved ordinance.

Most municipalities with ordinances regulate all vacant properties, including residential, commercial, and industrial buildings. Only a small number of municipalities have focused their regulatory remedies on explicitly reducing the number of vacant commercial buildings. The City of Albuquerque's proposed “Vacant Commercial Building Ordinance”⁴ would have adopted a new article in the city's zoning code, requiring all vacant commercial property owners to register their properties, and apply minimum aesthetic standards.⁵ Boarded-up windows and doors would only be allowed for up to 180 days. Owners that violated the ordinance would be subject to a daily \$500 fine and other penalties. Vacant commercial properties that remained unmaintained within a year would be subject to demolition. City staff raised concerns regarding enforcement (hiring new personnel) and material costs (estimated at \$900,000 for demolitions). The outcry from the real estate industry led to the proposed ordinance never making it to a vote before the city council, and it died on expiration.

Instead of the proposed ordinance, the Albuquerque City Council approved the “Dilapidated Commercial Buildings and Properties Pilot Project”⁶ in late 2017. Since July 2018, the City had

2 Despite the risk of lawsuits from real estate lobbyists and private commercial property owners.

3 See Appendix B, Sample Vacant Building/Property Registration Form

4 O-16-11, sponsored by City Councilors Pat Davis (District 6) and Don Harris (District 9) was proposed in early 2017. The bill's sponsors wanted to deter the proliferation of vacant buildings that were deteriorating, becoming blighted, and negatively affecting surrounding properties and property values.

5 Removal of weeds and trash, posting "no trespassing" signs, fixing holes in exterior walls, and cleaning up graffiti.

6 The pilot project regulated dilapidated commercial buildings and properties in District 6 (Albuquerque's Southeast Heights, including UNM, Nob Hill, and the International District) and District 9 (the far Southeast Heights and Foothills). District 2 which covers Downtown and Barelas was not included in the pilot.

identified 30 dilapidated commercial structures, issued warnings, and attempted to negotiate solutions with property owners. The city issued 60-day notices to property owners that failed to respond to the warnings. If the property owner failed to take action after the issuance of the warning, the city attorney had the authority to file a complaint in district court and issue penalties as high as \$500 a day. The city allocated \$425,000 for the pilot's annual budget, which included \$300,000 for securing or demolishing neglected structures.

Despite the pilot program's success in targeting vacant commercial buildings in the two districts, the city council instead chose to amend the city's Uniform Housing Code with its "Vacant Building Maintenance" ordinance.⁷ Under this version of the ordinance, owners of any vacant building must obtain a vacant building maintenance license and arrange an inspection with Albuquerque Code Enforcement to ensure the building is secure, structurally safe, free from nuisance, and in good order. If repairs or upkeep are needed, the building owner has 45 days to bring their building into compliance. While the ordinance requires the maintenance and upkeep of all vacant structures, it does allow buildings to remain empty as long as they are maintained and licensed.

Enforcement of a vacant building ordinance is another challenge municipalities face. The Town of Silver City, NM has deemed its "Regulation of Unattended Vacant Buildings Ordinance"⁸ as "unenforceable." The ordinance requires vacant buildings owners, within its historic downtown district, to register their properties with the town, secure their buildings' openings (windows and doors), and remove weeds, trash, and graffiti. Some of the ordinance's shortcomings include:

- No requirement for out of town owners to assign a local agent;
- No section on either "appearance standards" or "external appearance" which would require owners to paint, maintain landscaping, and weatherproof their buildings;⁹
- No provision allowing the town manager to determine whether the vacant building is "detrimental to property values or the character of the neighborhood."¹⁰

Vacant building ordinances should be structured to discourage property owners from continually maintaining their buildings as vacant. The Silver City ordinance's fee schedule is relatively low with only a \$35 deposit required for the building's initial inspection, and a penalty fee of only \$100 for failing to register their vacant building or property. Finally, it is the owner's responsibility to register their property and file status reports every 30 days, without the town's enforcement.

It is not only small towns like Silver City that struggle to enact an enforceable ordinance, but even a large city/county like San Francisco is challenged with how to deter the proliferation of vacant buildings and properties. In 2009 San Francisco adopted its first Vacant or Abandoned Building

7 Enacted in December 2018

8 Enacted in in October 2012

9 Village of Santa Clara's "Registration, and Maintenance of Neglected Vacant Residential and Commercial Structures" ordinance

10 "Vacant building maintenance license; maintenance standards for vacant buildings", City of Tucumcari, NM and City of Las Vegas, NM

Ordinance (VABO)¹¹. The law required owners to register their vacant or abandoned buildings, pay registration fees, secure their properties to deny access to would-be trespassers, and provide proof of liability insurance coverage. VABO initially exempted buildings with a vacant commercial storefront and an occupied second floor from the ordinance. The city/county amended the ordinance in 2014 to remove this loophole, resulting in any property containing vacant or abandoned commercial storefronts to comply with the following:¹²

- Rent their retail or office storefronts to tenants who occupy the premises in compliance with all state and local laws; or
- Pay a fee of \$765.00 to include their commercial storefronts in the Registry of Vacant or Abandoned Commercial Storefronts.¹³

The amended ordinance allowed owners of commercial storefronts to demonstrate that they were making a good faith effort to rent, lease, or sell their commercial storefronts, or obtain a building permit to bring their commercial storefronts into compliance with the law. This exemption inadvertently created another loophole for property owners, who would perpetually place a “for lease” sign in their building’s storefront and/or list the property’s availability online. As of March 2019, the Board of Supervisors is once again amending the VABO with the following requirements:

- Required registration of a vacant or abandoned commercial storefront, regardless of whether it is actively being offered for rent or lease;
- Payment of the annual registration fee, with a refund up to one half for storefronts occupied before their registration’s expiration;
- Annual registration renewal must include an inspection report from a licensed professional (at the owner’s expense) verifying the storefront remains in compliance with the VABO’s maintenance requirements;
- A penalty fee for failure to register a vacant commercial storefront equal to four times the annual registration fee (\$3,060).

These amendments are intended to create an enforceable ordinance that will reduce the number of vacant storefronts throughout San Francisco’s numerous commercial corridors.¹⁴

SOLUTIONS: REGISTRATION, TRACKING, AND PENALTIES

The two municipalities highlighted below have both sought to reduce the number of vacant buildings

¹¹ Building Code Section 103A.4 et. seq.,

¹² Within 270 days of their commercial storefronts becoming vacant or abandoned

¹³ This fee shall be assessed on an annual basis for each year that a commercial storefront remains vacant or abandoned.

¹⁴ Changes in San Francisco’s retail environment may also contribute to the ongoing vacancies, including: “the internet, rapidly changing consumer habits, code issues, e.g., Formal Retail restrictions, burdensome regulatory requirements on both the building owner and the possible tenants that lease space,” John Bozeman, Building Owners and Managers Association of San Francisco

in their jurisdictions through their regulatory powers. Willits, CA and the Village of Santa Clara, NM are small cities¹⁵ founded during the same period (the 1860s). In 2018, the City of Willits enacted an ordinance which penalizes vacant commercial building owners who both ignore the upkeep of their properties as well as delay the sale or lease of these properties. The Village of Santa Clara, in Grants County, New Mexico enacted its “Registration, and Maintenance of Neglected Vacant Residential and Commercial Structures” ordinance in September 2016.¹⁶

Santa Clara’s ordinance ensures the “*appropriate maintenance of vacant residential and commercial structures so that unsanitary conditions, unsafe deterioration, and unauthorized entry will be prevented and do not become a public nuisance.*” The village started to enforce the ordinance in the downtown district, then phased in its enforcement throughout the entire village. Specific provisions of the Santa Clara ordinance include:

- Certification from either the Village Police Chief or the Fire Chief that the property is a “neglected vacant structure;”¹⁷
- Notification to the property owner of their responsibility to register their vacant building within thirty days¹⁸ and initiate repairs to minimize the appearance of neglect, and secure their structure from unauthorized entry.

8 As long as the vacant building is registered, maintained, and secured, the owner has met the intent of the ordinance and the Village of Santa Clara will consider waiving ongoing registration fees. Property owners that fail to register their buildings could face court imposed fines.¹⁹ Continuous neglect of a structure may also lead to the village declaring the neglected vacant structure a *public nuisance*.²⁰ Legally, the village has the power to place liens on properties and enact foreclosures, but officials contend that they prefer to work out an improvement plan with property owners and avoid legal actions. Since the ordinance’s approval, several property owners have fixed up their buildings and in some cases rented them. Moreover, because Santa Clara’s ordinance also regulates fire damaged vacant buildings, four property owners have demolished their structures.

The Willits “Vacant Commercial Building Ordinance,” focuses solely on vacant commercial properties, and goes beyond requiring property owners to maintain and secure their buildings through the following two provisions:

- “Out of area” commercial property owners²¹ are required to hire a property manager;

15 Both Willits (population 4875) and Santa Clara (population 1800) have seen a continual decrease in their populations since the 2000 census (4% and 7% respectively).

16 An amendment to their existing Health, Sanitation, and Environment Code (Title 4).

17 Defined by the ordinance as a structure or building (including a mobile home) that is vacant and not maintained.

18 The annual registration fee of \$300 is prorated and can be paid in installments of \$25/month. As long as the premises continue to be designated as a “neglected vacant structure”, the fee will continue and will increase each calendar year an additional \$100, for a maximum fee of \$500 annually.

19 Court imposed penalties could include a maximum fine of \$500 or ninety days imprisonment.

20 Such a declaration occurs when the owner fails to maintain their vacant structure in accordance with the State of NM sanitary codes, building codes, and fire codes.

21 A vacant commercial building owner who lives more than 50 miles from Willits.

- All owners must prove to the city that they are actively offering their buildings for sale, lease, or rent.

While these requirements are meant to counteract a property owner’s practice of maintaining the empty status of the building, proving to the city that vacant buildings are “actively being offered for sale, lease, or rent” may allow too many owners to maintain their properties as vacant, as was the case in San Francisco. Another loophole that the Willits ordinance may have created rests in making the property owner responsible for registering their buildings after 90 days of vacancy. In comparison, Santa Clara’s ordinance requires a certification of the building’s status from the police or fire chief.

Finally a best practice that both Willits and Santa Clara have undertaken is the offsetting of the costs to enforce their respective ordinances through the collection of registration and penalty fees. And both municipalities also require property owners to secure their buildings against squatters and maintain their physical condition. For a detailed comparison of the Santa Clara and Willits ordinances, see Appendix A.

PROGRESSIVE FEES FOR VACANT COMMERCIAL PROPERTIES

The City of Tukumcari’s “Vacant building maintenance license; maintenance standards for vacant buildings”²² requires vacant property owners that do not live or work in Quay County to designate a local authorized agent as part of the licensing process. The local agent becomes responsible for receiving and acting upon all notices related to code violations and court proceedings affecting the vacant building. The Tukumcari ordinance also requires vacant building owners to obtain a certificate of insurance for commercial liability. The City of Las Vegas, NM also passed a “Vacant buildings maintenance license; maintenance standards for vacant buildings” ordinance (Chapter 148-5) that except for the fee schedule is almost identical to the Tukumcari ordinance. The fees for licensing and renewals of vacant commercial buildings in Las Vegas are considerably less, in comparison to Tukumcari:

Vacant Commercial Building License Fees	City of Tukumcari	City of Las Vegas
Processing	\$50	\$50
License	\$350	\$300
First Year Renewal	\$500	\$150
Subsequent Renewals	\$1000	\$150

Whereas the license and registration fees for vacant residential buildings are considerably less in both municipalities:

Vacant Residential Building License Fees	City of Tukumcari	City of Las Vegas
Processing	\$25	\$25
License	\$200	\$150
First Year and Subsequent Renewals	\$200	\$150

²² Ord. No. 1124; 7.10.040, 2015

Both Tucumcari and Las Vegas state that multiple year renewals of the vacant building maintenance license are discouraged with few exceptions.²³ The City of Tucumcari’s progressive renewal fee for licensing vacant commercial buildings starts at \$500 for the first year and then doubles to \$1000 for subsequent renewals. These fees are substantial and can significantly increase a property owner’s costs of maintaining their commercial property as vacant.

METROPOLITAN REDEVELOPMENT AREA (MRA)

The recently updated Metropolitan Redevelopment Area Plan of Las Vegas, NM (2018) addresses the city’s concern about its vacant, abandoned and unsafe buildings within its downtown and MRA. The plan inventories vacant lots and buildings and encourages property owners to maintain, rehabilitate and occupy their buildings for productive purposes. The plan recommends that the city establish the following incentives and disincentives:

- Establish a “Clean & Lien” ordinance;²⁴
- Require annual inspections of vacant buildings;
- Identify funding sources for property owners to rehabilitate buildings;
- Connect property owners with nonprofit organizations, entrepreneurs, and other potential tenants;
- Research methods to streamline or fast-track the permitting process for restoring vacant historic properties;
- Prioritize adaptive reuse over demolition when possible.

TAX ASSESSMENT

The State of New Mexico’s Property Tax Code does not allow jurisdictions to assess vacant properties to penalize abandonment.²⁵ ²⁶ States that enable municipalities to assess an additional tax on a vacant property²⁷ generally work well in areas with high land values.²⁸ An additional tax increases a

23 Exceptions to multiple year renewals include: historical buildings, landmarks, buildings in redevelopment areas, and other properties that are subject to unique factors or conditions that require special consideration.

24 Would provide the city with the legal remedy to demolish unsafe buildings in the MRA and encourage new private construction to replace demolished buildings.

25 Information is from Randy Kincaid, Assessor and Mark Willard, Chief Appraiser of Chaves County via NM Counties Listserve

26 “County assessors neither impose nor collect taxes. Assessors only value property that may be subject to property tax. Property taxes are collected by the county treasurer and taxes are imposed by numerous taxing entities, such as municipalities, counties, schools, universities/colleges, the state, water districts, etc. So, if a county or municipality can legally impose a property tax on vacant property, that additional tax will appear on the tax rolls sent to treasurer who, in turn, will send the tax bill to the property owner.” (Ken Milder, Los Alamos County Assessor via NM Counties Listserve)

27 Ball Ground, GA and San Francisco, CA are considering the use of tax assessments on vacant buildings.

28 In Washington, D.C. and Pittsburgh, “land value tax” assessments on vacant properties are used to improve blight areas and raise revenue.

landowner's cost of holding on to an unused property and can motivate an owner to either develop or sell their properties. Some municipalities tax land and structures separately.²⁹ In Pittsburgh, a land value tax only applies to vacant properties within the city's Business Improvement District (BID).³⁰ In Oakland, voters approved the state's first tax on privately owned vacant properties in November 2018.³¹ The City of Oakland estimates that the parcel tax³² could raise as much as \$10 million annually for homeless services, blight remediation, and new affordable housing.^{33 34} Nonprofits and low-income owners are exempt from the tax, as well as others who can prove financial hardship. The measure also exempts owners who can demonstrate that specific circumstances prevent the use or development of their land.

CASE STUDIES

The following examples of public-private partnerships, inter-agency coordination, and technological innovations are helping municipalities to register and track vacant properties:

- The Downtown Memphis Anti-Neglect Initiative³⁵ requires an owner to either improve, rent, or sell a vacant property, otherwise the court can take possession and appoint a third party receiver to handle the property. Once the City of Memphis identifies a high-priority property, the Downtown Memphis Commission (DMC)³⁶, initiates a development plan in coordination with the property owner. If conditions do not improve over four years, the City of Memphis files a nuisance lawsuit against the neglectful property owner.
- In 2014 New Orleans' Mayor Mitch Landrieu streamlined the process for remediating blighted properties by implementing a new computerized system to track code enforcement and permitting. To coordinate the blight-reduction efforts of various city agencies, the Landrieu administration created "BlightSTAT," a process in which representatives from the Department of Code Enforcement, the Office of Community Development, the Office of Information Technology and Innovation, the Law Department, and the New Orleans Redevelopment Authority meet to set goals and report on progress.
- The Unified Government of Wyandotte County and Kansas City, Kansas worked in

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29 According to the Lincoln Institute of Land Policy, administering such a system can be difficult to implement.

30 The taxing of vacant properties has led to many owners not paying their taxes and letting the city seize their property. Use of a land bank would allow the municipality to acquire vacant properties and then work with developers (for-profit and nonprofit) to develop the properties for uses such as affordable housing or green spaces (<https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/03/07/can-extra-taxes-on-vacant-land-cure-city-blight>)

31 <https://www.sfchronicle.com/business/networth/article/Oakland-s-vacant-property-tax-takes-effect-13563273.php>

32 The parcel tax is a flat amount since California law does not allow cities to tie a parcel tax to market values.

33 <http://www.cpradio.org/122091>

34 Owners of properties in use fewer than 50 days per year are taxed \$6,000 per parcel annually.

35 The Downtown Memphis Anti-Neglect Initiative developed and implemented the Tennessee Neighborhood Preservation Act. The Initiative's mission is to eliminate blight, improve or stabilize long-term neglected properties, and/or move owners of problem downtown vacant properties towards proper maintenance and full use or eventually demolition or sale.

36 A local public-private partnership

partnership to implement an online registry³⁷ to track negligent property owners and their vacant properties. Previously, Wyandotte County would send code enforcement to investigate complaints and issue orders to secure properties. Under the new registry guidelines, vacant property owners are required to register their properties, pay a \$200 registration fee³⁸, and submit a detailed plan for improving the property.³⁹ Owners that do not improve their buildings risk having the properties declared a public nuisance and possibly even condemned through the courts. Condemned properties either get sold at a public auction or transferred to Kansas City's land bank. If a property has too many structural issues, the city will demolish it. In 2017 the Kansas legislature introduced a bill that that would have improved the process for local governments and nonprofits to obtain abandoned properties. The bill died in committee in early 2018.⁴⁰

CONCLUSION AND RECOMMENDATIONS

Most of New Mexico MainStreet's commercial corridors contain vacant and abandoned commercial properties. Owners that neglect their properties place stress on the communities where they are located and deter downtown revitalization efforts. Several Mayors across the state have expressed interest in addressing vacant property issues. Enacting and implementing an effective vacant commercial building ordinance can help local governments and MainStreet organizations halt and reverse the negative impacts of vacant and abandoned buildings.

12

For a municipality to create an effective and enforceable vacant building ordinance, the following provisions should be included:

1. Enforced registration of vacant buildings through interagency coordination;
2. Required annual inspections of vacant buildings;
3. Maintain a registry of vacant buildings;
4. Include minimum aesthetic requirements;
5. Negotiate with property owners to provide an improvement plan before assessing penalty fees or taking action through the court system;
6. Require out of town owners to assign a local agent;
7. Penalty and registration renewal fees should be progressive and increase over time;
8. Owners need to provide proof of liability insurance upon registration;

37 PROCHAMPS partners with communities to combat neighborhood blight through property registration. <https://prochamps.com/HomePage.aspx?CommunityId=0>

38 The fee is split between Wyandotte County and the on-line registry provider, ProChamps.

39 The registry is part of Kansas City's SOAR program (Stabilization, Occupation and Revitalization), a five-year plan to address blighted residential buildings.

40 <https://www.kshb.com/news/local-news/kansas-city-kansas-rolling-out-new-registry-to-track-down-negligent-property-owners>

9. Phase in implementation of the ordinance, starting with the MainStreet district or principal downtown corridors.

Finally, aside from distributing this white paper to MainStreet organizations and local government officials, New Mexico MainStreet will assist in promoting the implementation of vacant building ordinances through the following activities:

- Presentations, in coordination with the almost 30 affiliated MainStreet districts, at both the local level and at the following annual conferences: New Mexico Municipal League, New Mexico Infrastructure Finance, and New Mexico Association of Counties;
- Convening a working group of local leaders, in coordination with New Mexico MainStreet/Economic Development Department, to develop policy recommendations to address the issue better.

Appendix A Vacant Building Ordinances - Comparison	Willits, CA (Mendocino County)	Village of Santa Clara, NM (Grant County)
---------------------------------------------------------------------	---------------------------------------	--------------------------------------------------

1. Title	Vacant Commercial Building Ordinance	Registration & Maintenance of Neglected Vacant Residential & Commercial Buildings
2. Purpose	Abandoned and vacant buildings contribute to blight, discourage economic development and diminish property values, attract criminal activity, and create fire hazards. It is the responsibility of property owners to prevent buildings from becoming a burden and a threat to public health, safety, and welfare. Vacant buildings result in increased expenditures for police, fire, and code enforcement inspections. Maintenance of the public health, safety, and welfare require the City to maintain accurate registration of all vacant commercial buildings.	To help protect the health and safety of the of the Village of Santa Clara residents by ensuring appropriate maintenance of vacant residential & commercial structures so that unsanitary conditions, unsafe deterioration, and unauthorized entry will be prevented and do not become a public nuisance. This ordinance will promote the Village's public welfare by preventing blight, protecting property values, and ensuring neighborhood integrity and safety.
3. Definitions: <i>The Willits ordinance solely regulates vacant commercial buildings and has special provisions for out of the area owners (those that reside in excess of 50 miles from their property for at least six months a year). The Village of Santa Clara ordinance regulates <u>all</u> vacant buildings and properties.</i>	-Commercial building -Commercial unit -Secured -Out of area -Unsecured -Vacant commercial building	-Lot -Neglected vacant structure -Occupancy -Owner -Registration -Structure -Vacant Structure
4. Requirements ✓ Registration & Fees: Both ordinances will waive registration fees once the building meets certain standards. The Willits ordinance goes further in that in requires owners to prove that their building is actively being offered for sale, lease, or rent.	After 90 days from when a commercial building becomes vacant, the property owner must register it; A city council resolution determines the registration fee; The registration payment deadline will serve as the date for calculating the annual renewal fee. Owners shall not have to pay the annual renewal fee if their building(s) meet all codes, do not contribute to blight, are being	After the Police or Fire Chief certifies that a building or structure is vacant and neglected, the Village Clerk then notifies the owner by certified mail, return receipt of the neglect determination and the property owner's responsibility to register the structure with thirty calendar days. The property owner is also assessed an annual fee of \$300. The fee is prorated and can be made in monthly installments of \$25/month. As long as the premises

Appendix A

Vacant Building Ordinances - Comparison

Willits, CA (Mendocino County)

Village of Santa Clara, NM (Grant County)

<p>✓ Maintenance, Security, & Appearance <i>Both ordinances are similar but the Willit's requirement of removing signage from the previous business could detract from the historical value of a building. The Village of Santa Clara's ordinance requirement of weatherproofing the roof can help to maintain the integrity of a vacant building and its investment potential.</i></p>	<p>maintained and monitored, and can prove that building is actively being offered for sale, lease, or rent. Fees collected will offset the costs associated with administration, inspection, and enforcement of the ordinance.</p>	<p>continue to designated as a "neglected vacant structure", the fee will continue to be assessed and will increase each calendar year an additional \$100, for a maximum fee of \$500 annually. Once the property owner improves the building, as per the ordinance standards, then a fee is no longer assessed. And if a property owner can demonstrate that they are improving the building, the fee may also be waived. Fees collected thus far are used to enforce the ordinance.</p>
<p>✓ <i>Both ordinances are similar but the Willit's requirement of removing signage from the previous business could detract from the historical value of a building. The Village of Santa Clara's ordinance requirement of weatherproofing the roof can help to maintain the integrity of a vacant building and its investment potential.</i></p>	<p>Property shall be maintained accordingly: -Free of weeds, dry brush, dead vegetation, trash, junk, debris, and excessive foliage growth; -Free of any building materials, accumulated newspapers, circulars, flyers, notices (except those required by federal, state or local law); discarded personal items, including but not limited to furniture, clothing, large and small appliances, printed material; -Free of graffiti or tagging by removal or painting over with an exterior paint that matches the color of the structure's exterior. Exterior shall be cleared of any advertisement or signage of previous businesses. All doors, gates, windows or other openings must be secured to prevent further decline of the building's condition or appearance.</p>	<p>A building owner's maintenance responsibilities include: -Securing the structure from illegal entry, including covering and/or repairing all broken windows, doors, and other openings; -All boards or covering must be fitted and sized to the exterior opening; -Providing at least one operable door, secured with a lock; -Securing and maintaining the lot where the building is located, including removal of all combustible materials, litter, debris, and garbage; -Removing graffiti and promptly repairing damage from intrusions into the building; -Applying paint, siding, stucco or other finishes in the same color to all exterior surfaces; -Ensuring the roof is of sufficient construction to weatherproof the building.</p>
<p>✓ Signage</p>	<p>A vacant commercial building shall be posted with the name and contact phone number of the owner, realtor or local property management company that must be retained by an out-of-area owner. The posting shall state "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL."</p>	

Appendix A Vacant Building Ordinances - Comparison	Willits, CA (Mendocino County)	Village of Santa Clara, NM (Grant County)
✓ Annual Inspection	Upon the request of the city building official, an owner shall provide access to all interior portions of any vacant commercial building or suspected vacant commercial building to permit a complete annual inspection.	
✓ Owner Inspection	The owner(s) or their local property manager shall inspect the vacant commercial building monthly basis to determine if the building is in compliance; if a notification of noncompliance is reported, the property shall be brought into compliance within 5 days.	
5. Public Nuisance Declaration	Violation of the registration, inspection, maintenance and security requirements could constitute a public nuisance and be subject to abatement proceedings	
6. Destruction of Structure		Structures vacated as a result of a fire or act of nature shall be secured with fencing & "No Trespass" signs, cleared of litter and debris, and either demolish remaining parts of structure or show proof of state permits for rebuilding the partially destroyed structure.
7. Penalties <i>The Willits ordinance requires the property owner to improve the building to its highest and best use so that it is either lease ready or saleable. Santa Clara's ordinance emphasizes maintenance, security, and appearance of a building.</i>	If at the time of the 2 nd annual visit by the code compliance officer the registered vacant commercial building is still in a "continuous, vacant condition", an administrative penalty of \$500 may be imposed. If the owner's building remains vacant 180 days after the 1 st administrative penalty, then a 2 nd penalty may be imposed not to exceed \$3,000.	Fail to register, pay the requisite fee and to allow a vacant structure to maintain a condition defined as a "neglected vacant structure" could result in a court imposed fine of not more than \$500 or ninety days imprisonment. The Village also has the power to place liens properties and enact foreclosures.

Appendix B



Community Development Department
66 Mentor Avenue • Painesville, Ohio 44077
• (440) 392-5931

VACANT PROPERTY/BUILDING REGISTRATION FORM

All vacant properties/buildings must register with the City of Painesville Community Development Department in accordance with the Vacant Building Registration Ordinance – Section 1377 of the Painesville Codified Ordinance. Please complete this form for each vacant property address. Temporary exemptions for disaster-affected properties, structures actively under construction, properties listed with a licensed realtor in the State of Ohio, or a vacant property that is being marketed for rent may be approved upon **written request**.

Section I: Address/es of Vacant Property/Building (Required)

Street Address/es: _____

Section II: Property Owner Information (Required)

(No P.O. Boxes are permitted; must provide a building address.)

If Individual Owner or Designated Agent, please complete the following:

Property Owner's Name: _____
Owner's Address: _____
City: _____ State: _____ Zip Code: _____
Designated Agent or Contact Person: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____ Fax Number: _____
E-Mail Address: _____

If Partnership, Corporation, Trust or Other, please complete the following:

(Please use the supplemental form to list each additional partner, officer, or trustee.)

Tax ID Number of Partnership or Corporation: _____
Name of Partnership or Corporation: _____
Contact Person: _____ Title: _____
Title: _____
Designated Agent or Contact Person: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____ Fax Number: _____
E-Mail Address: _____



Community Development Department
66 Mentor Avenue • Painesville, Ohio 44077
• (440) 392-5931

Section III: Vacant Building Plan (Required)

I hereby submit a plan of (*Please Circle*): Demolition | Secure Vacancy | Rehabilitation:

Section IV: Proof of Insurance (Required)

If submitting a plan of demolition, please also provide proof of holding in escrow with the City of Painesville the amount of \$10,000 for a residential property or \$75,000 for a commercial property. Escrow funds will be released upon completion of the submitted plan. Use additional paper to outline further details pertaining to your plan.

Escrow for Demolition: Yes _____ No _____

Section V: Fees (Required)

Please make checks payable to **City of Painesville**. The vacant property registration payment included with this form pertains to the current year of vacancy and is (*Please Circle*):

Residential: \$200-1st yr | \$400-2nd yr | \$800-3rd yr | \$1,600-4th yr | \$3,200-5th yr or later
Commercial: \$400-1st yr | \$800-2nd yr | \$1600-3rd yr | \$3,200-4th yr | \$6,400-5th yr or later

I, _____, hereby request to register the vacant property/building listed above and acknowledge that the information above is complete and accurate. I have read and understand Ordinance 11-11 for owning a vacant property in the City of Painesville and agree to comply with these requirements. In accordance with this Ordinance, I agree to notify any future owner of this vacant building registration.

_____/_____
Applicant's Signature **Date**

Subscribed and duly sworn before me according to the law, by the above named applicant this day _____ in the City of _____.

Notary Signature: _____



New Mexico MainStreet
Economic Development Department
Joseph M. Montoya Building
1100 South St. Francis Dr.
Santa Fe, NM 87505-4147
505-827-0168
www.nmmainstreet.org



NEW MEXICO MAINSTREET



REQUEST FOR COUNCIL ACTION

Title: Wastewater Treatment Plant Funding

Preferred Agenda: May 10, 2022

Submitted By: Brandon Neish, Finance Director

Reviewed By: Christy Wurster, City Manager Pro Tem

Type of Action: Resolution ____ Motion ____ Roll Call ____ Other X

Relevant Code/Policy: N/A

Towards Council Goal: Goal 2.b: Increase community awareness of infrastructure needs and appropriate planning documents (sewer).

Attachments: Cost estimates (West Yost presentation)

Purpose of this RCA:

To review funding options for the Wastewater Treatment Plant (WWTP) project and determine next steps.

Background/Context:

The City began the engineering process for an upgraded WWTP in 2018 after the Oregon Department of Environmental Quality (DEQ) issued an enforcement letter in June 2017 for exceeding allowable Total Suspended Solids (TSS) and E-Coli levels. Since early 2018, issues with preliminary engineering and the COVID-19 pandemic have delayed the project which was originally slated to begin construction in Q4 2020 with substantial completion estimated for October 2022. The delays have added 24 months for construction start with substantial completion estimated for March 2025.

In 2018, original estimates set a budget of \$28.2 million. With the effects of the pandemic and inflation driving construction costs upward, the estimated cost of the WWTP is now nearing \$55 million with total engineering and construction costs. To date, the City has secured \$2 million in lottery funds and \$7 million in general fund proceeds from the State of Oregon and has \$7.3 million in its own funds. Together, the City's contributions along with the state assistance provides \$16.3 million in total funding. Remaining funding would need to come from a mix of grants and loans.

An issue noted by the various funding agencies is the phasing of the project. DEQ's interim financing that the City was going to use until USDA funding was received (USDA distributes at the end of a project) cannot spread across phases. Additional complications include timing of DEQ distributions and the need to spend \$7.0 million before July 2023. Phase one of the project is projected to cost \$25.9 million for construction with an additional \$1.7 million for engineering and \$2.5 million for construction services for a total of \$30.1 million. Assuming the City is able to draw the entire \$7.0 million, this would leave the City drawing \$23.1 million of an

approved \$30.1 million. The additional \$7 million in loan funds cannot be rolled to phase two. This leaves the City vulnerable as a second application would be necessary for phase two.

Staff has begun to review a preliminary plan which would see construction begin on up to \$12 million of the overall plant. This phase would be funded by the state assistance received previously and the City's available funds, pushing available loans to a larger, full-scale phase two project. The modified phase one would culminate in the construction of the influent pump station(s), updating the headworks to remove more debris from the wastewater (currently a major problem which can lead to overflows) and replace the current solids dewatering process.

To fund the second phase, the City would be reliant on grants and loans as previously mentioned above. The City has secured grants or principal forgiveness guarantees from DEQ, Business Oregon and the United States Department of Agriculture (USDA). DEQ is able to forgive up to \$500k, Business Oregon can grant \$750k provided that the City borrow \$750k and USDA originally stated they could provide \$3 million in grant assistance. During a conference call with USDA on May 3rd, USDA staff indicated that available grant for this project could increase up to 30% with available state and federal resources. This could result in \$11.2 million in grant funding from USDA leaving \$26.2 million in needed loans to complete the project.

Other options for financing the construction of the plant include obtaining a General Obligation Bond (GO Bond) which would increase property taxes across properties in Sweet Home City limits or extending the project into additional phases (currently being designed in two phases). A GO Bond must be approved by the voters and would necessitate decreasing the repayment terms from 40 to 30 years. Additionally, interest rates are higher in the municipal bond market which was at 3.1% as of May 4, 2022. These factors increase the debt payments to \$1.4 million annually and would result in a bond rate of \$2.50/\$1,000 assessed value (AV) or approximately \$300 annually (~\$25/month) in taxes to property owners.

The Challenge/Problem:

Can the community afford loans for the WWTP totaling \$26.2 million, resulting in annual debt service payments of approximately \$1.1 million annually for 40 years?

Stakeholders:

- Sweet Home utility ratepayers – Sewer rate payers will ultimately shoulder the burden of any debt incurred by the sewer fund as rate revenue is the only stream of revenue beyond interest earnings. Utility customers likely desire a system that works while balancing that with a rate that is affordable to a majority.
- Sweet Home staff – Staff is charged with ensuring the sewer treatment plant is operating and limiting violations at the plant in terms of state and federal law. Violations will likely continue to increase as the plant approaches 50 years old and staff has limited options for repairs and maintenance. Staff must also balance operational needs with utility rates to prevent charging a rate that is unattainable for rate payers.
- Sweet Home City Council – The City Council is the deciding body for budget, operations and infrastructure needs in the community. While the City Manager and their staff aid in managing the operations, it is the City Council who must represent the citizens that elect them and ensure the long-term viability of the community (which includes its infrastructure needs).

Issues and Financial Impacts:

\$1.1 million per year represents 34.3% of the annual revenue brought in by sewer rates. Currently, the City generates \$3.1 million annually at an average rate of \$70.21/month per utility account. Additionally, operating expenditures (including existing debt service) for the 2022-2023 fiscal year as approved by the Budget Committee total \$2.5 million. When combined with the debt service on \$26.2 million, annual expenditures would total \$3.6 million, a deficit of \$523k. To make up this deficit with rates alone, the City would need to generate an estimated \$12.45/month per utility account.

Elements of a Stable Solution:

A stable solution sees the City complete the previously approved engineering to 60% for phase two for the WWTP at a minimum. Beyond that, a decision on direction is necessary before moving on to construction with any part of the project.

Options:

1. Do nothing – This is not a recommended option as staff needs more direction on the path the City Council wishes to pursue. Each of the options contains potential financial implications and future action may be necessary related to rates. Doing nothing would require that staff chose a path forward.
2. Move forward with current planned phase approach with no changes – Engineers from West Yost have been designing a two phased approach which would split the project basically in half. There are some concerns on this approach from DEQ and USDA related to funding.
3. Direct staff to research pursuing a General Obligation Bond and return to Council at a future meeting with an overview of process and rates – The City could pursue a general obligation bond to fund the construction of the Wastewater Treatment Plant. Such a bond would require voter approval prior to any construction which would delay construction timelines and staff research and subsequent action by the Council would need to occur quickly to qualify for the November 2022 election.
4. Extend the WWTP project by creating additional phases. This option would see the current two phased project move to three or more. In turn, additional loans would slowly be added creating less of an initial shock to utility rates once the debt payments are due. The dangers with this option include funding agencies not loaning additional funds as our debt portfolio increases over time and costs rising more in the future. Benefits of this option include the potential for costs to come down from today's highs and a gradual increase of utility rates to account for the debt service over time.
5. Move forward with the previously approved engineering and a reduced scope for the initial phase of construction. Staff believes this may be the best option to mitigate concerns with funding timelines and provide some relief to engineers who are moving at an extraordinary pace. Moving at the pace they are creates some (albeit small because they are professionals) liability as they attempt to figure out how phase one items will integrate with phase two plans that are still being developed. Additionally, reducing phase one ensures that the City still spends current funds on hand while combining the loans to one project down the road. The danger of this option is that costs could rise over the next few years while phase two design is completed and more would be stacked into that phase (13% phase one and 87% phase two vs. current 50/50 split). The benefit could be that supply/product availability increases over the next few years and costs begin to settle some.
6. Complete engineering work and pause construction until such time the City Council is ready to proceed. The City Council could decide that the costs to rate payers is currently outside the community's ability to pay such rates and the best thing to do would be to pause the project until costs come down from their current highs. There is no guarantee (and a high likelihood) that costs will return to their previous levels when this plant was in original engineering in 2018-2019 but they could find a new floor that is below today's costs. This would potentially reduce the burden for rate/tax payers but could potentially force DEQ to begin enforcement over issues they've otherwise postponed due to the City's continued progress on designing and constructing the updated facility.

Recommendation:

Staff recommends option 5, move forward with the previously approved engineering and a reduced scope for the initial phase of construction. This solution ensures the project continues without delay and spends essential funds in the first project while allowing time for the market to potentially correct some before constructing the second phase.



May 2022 Mental Health Month Proclamation



WHEREAS, mental health is essential to everyone’s overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, faith-based organization, health care provider, veteran’s groups and citizen have a responsibility to promote mental wellness and support prevention efforts; and

WHEREAS, the Linn County Mental Health Advisory Board is emphasizing that there is no health without mental health by being involved with Public Service Announcements, Health Fairs, public speakers and various trainings regarding mental health issues;

THEREFORE, I Greg Mahler do hereby proclaim May 2022 as Mental Health Month in Sweet Home. As the Mayor, I also call upon the citizens, governmental agencies, public and private institutions, businesses and schools in Sweet Home to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

PROCLAIMED this 10th day of May 2022

Mayor

ATTEST:

City Manager Pro Tem – Ex Officio City Recorder

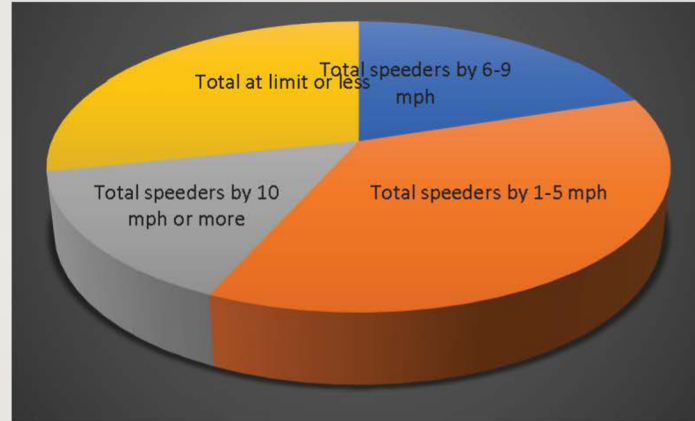


TRAFFIC ENFORCEMENT DATA AND EFFORTS

CLARK MILL I 300 BLOCK

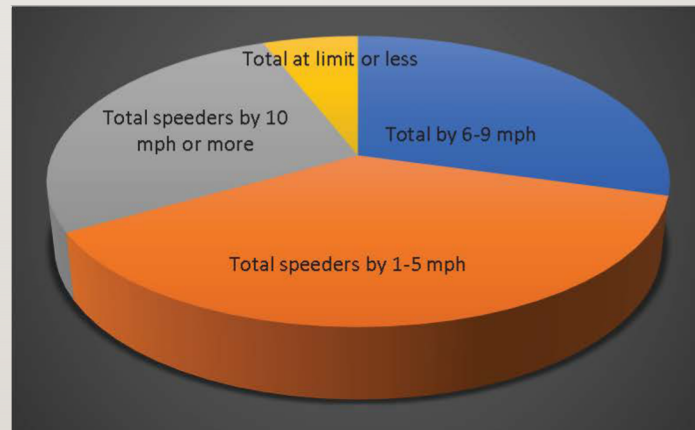
25 mph

Nov. 15, 2021, 15:54-16:39



Samples: 60
Median Speed: 28.5
85th Percentile: 33.3
Max Speed: 42
**Speeding by
6 mph plus: 35%**

Jan. 17, 2022, 16:04-16:49



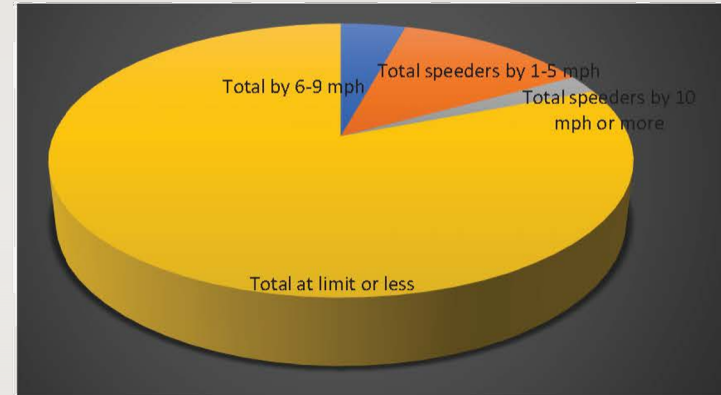
Samples: 51
Median Speed: 31
85th Percentile: 35.5
Max Speed: 41
**Speeding by
6 mph plus: 56.9%**

LONG STREET

4500 BLOCK

35 mph

Nov. 22, 2021, 16:04-16:49



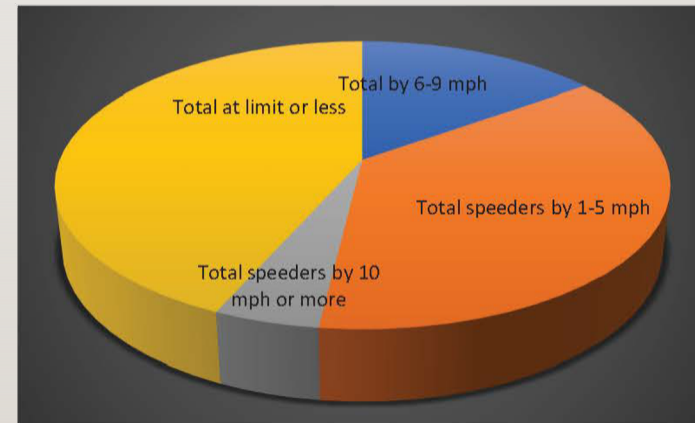
Samples: 47
Median Speed: 28.5
85th Percentile: 33.3
Max Speed: 42
**Speeding by
6 mph plus: 6.4%**

LONG STREET

4000 BLOCK

35 mph

Jan. 31, 2022, 16:04-16:49



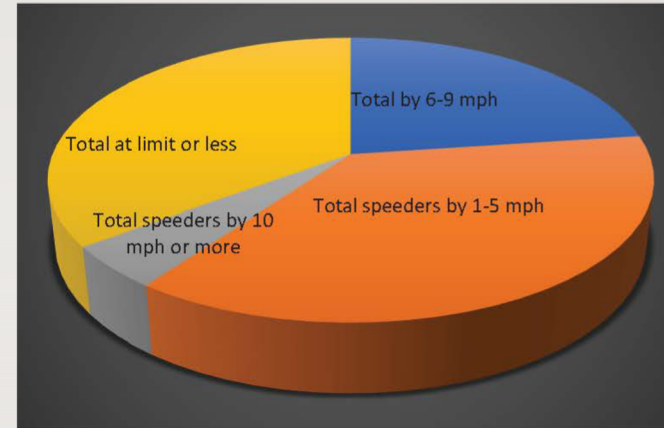
Samples: 106
Median Speed: 36
85th Percentile: 41
Max Speed: 49
**Speeding by
6 mph plus: 19.8%**

MAIN STREET

5400 BLOCK

45 mph

Oct. 8, 2021, 16:28-16:58



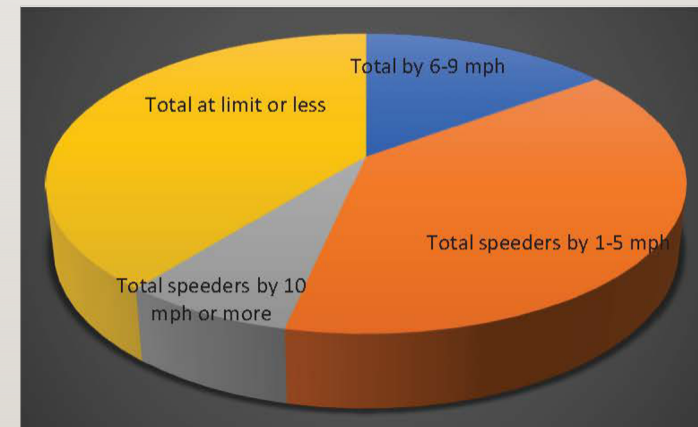
Samples: 267
Median Speed: 47
85th Percentile: 52
Max Speed: 61
**Speeding by
6 mph plus: 27.7%**

MAIN STREET

4200 BLOCK

45 mph

March 15, 2022, 16:25-16:55



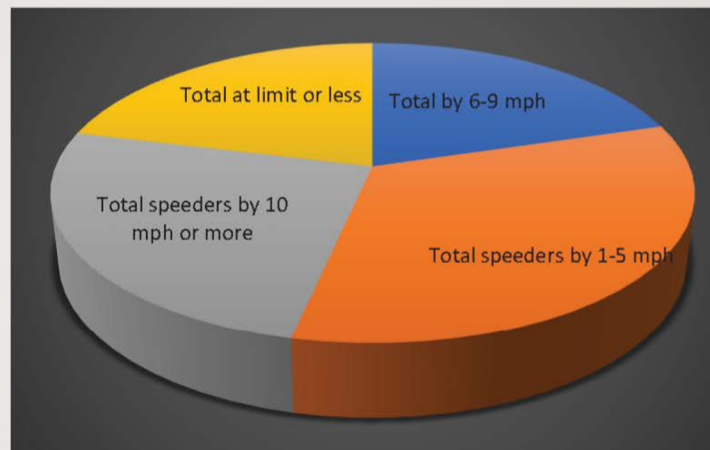
Samples: 367
Median Speed: 47
85th Percentile: 52
Max Speed: 61
**Speeding by
6 mph plus: 22.4%**

MOUNTAIN VIEW

900 BLOCK

25 mph
(partial school zone)

March 10, April 28, May 2, 2022



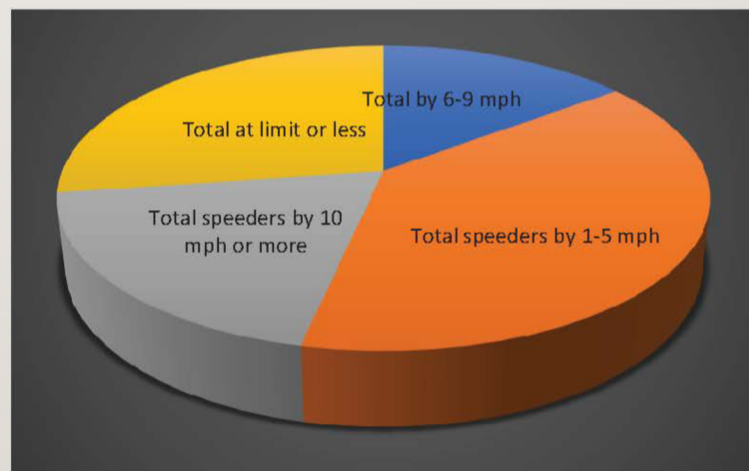
Samples: 118
Median Speed: 30
85th Percentile: 36.5
Max Speed: 44
**Speeding by
6 mph plus: 45.8%**

MOUNTAIN VIEW

900 BLOCK

20 mph
(school zone)

May 3, 2022, 15:02-15:47



Samples: 88
Median Speed: 24
85th Percentile: 30
Max Speed: 42
**Speeding by
6 mph plus: 34.1%**

**The lower statistics here are primarily driven by lower speeds at the Junior High pickup time. Speeds increased after approximately 15:15.*



REQUEST FOR COUNCIL ACTION

Title: 9th Avenue Waterline Replacement Project - Bid Posting

Preferred Agenda: May 10, 2022

Submitted By: Trish Rice, Engineering Tech 2
Greg Springman, Public Works Director

Reviewed By: Christy Wurster, City Manager Pro Tem

Type of Action: Resolution ____ Motion X Roll Call ____ Other ____

Relevant Code/Policy: n/a

Towards Council Goal: Goal 1.1 Develop specific steps for implementation of the adopted infrastructure master plans

Attachments: 9th Avenue Waterline Replacement Project bid documents
9th Avenue Waterline Replacement Project engineer's estimate

Purpose of this RCA:

Staff requests authorization to solicit bids for the 9th Avenue Waterline Replacement Project.

Background/Context:

Civil West Engineering Services, working under our Engineer of Record contract as a sub of West Yost, has developed the attached plans and specs for replacement of small diameter water mains. The project consists of Schedule A, 9th Avenue between Cedar St and Oak Ter, Grape St and Catalpa St off of 9th Ave; and Schedule B, Alder St from South Hills Trail to 9th Ave, 8th Ave from Alder St to Cedar St, and Birch St. The work includes replacement of the waterlines and services, added fire hydrants, and street restoration overlay and corner ramp replacements (which is an ADA requirement when overlaying improved streets).

This block of Alder St and the southern end of 8th Ave are outside of City Limits. Staff have long desired to annex the remainder of 8th Ave and Alder St, and have reached out repeatedly to Linn County to inquire, to very little response. Staff's recommendation is that City funds should not be used to overlay county roads, however if these are annexed in time then we would like to include it. Therefore the street overlay for the county roads have been estimated separately as an additive alternate to the base bid.

The engineer's estimate is \$1,024,320 for the base bid or \$1,056,270 with the additive alternate. The project will be funded using ARPA funds as per previous Council direction to allocate \$1M to the small diameter replacement program. The project is presented as Schedule A and Schedule B so that if the bid price exceeds our available budget, we can remove a schedule; but if the bids come in below estimate then we can make the most efficient use of the funds.

Schedule	Location	Estimate
	Mobilization	\$170,720
A	9 th Ave, Grape St, Catalpa St	\$522,900
B	8 th Ave, Birch St, Alder St	\$330,700
Base Bid Subtotal		\$1,024,320
B	Additive Alternate, 8 th Ave/Alder St Paving Overlay	\$31,950
Total Estimate		\$1,056,270

There will be a mandatory pre-bid meeting on May 25 prior to bid closing on June 8. Construction is anticipated to begin in July. Substantial completion of the water system is expected by the end of the year; however a generous contract completion date of June 30, 2023 has been provided due to concerns about material lead times in the current market. It is possible that lead times on water system materials may cause the project to miss this season's paving window, so we have allowed them time in next season's paving window if needed.

The Challenge/Problem:

How do we make efficient use of limited funds to complete needed water projects?

Stakeholders:

- Sweet Home Residents – Residents deserve well-maintained City infrastructure that meets their needs and improves their quality of life.
- Sweet Home City Council – The City Council has a goal to provide viable and sustainable infrastructure that serves development and improves residents' quality of life.
- Sweet Home City Staff – City Staff have an interest in completing projects that empower them to meet the Council's goals and which reduce staff time spent on reactive repairs.

Issues and Financial Impacts:

The engineer's estimate is \$1,024,320 for the base bid or \$1,056,270 with the additive alternate. The project will be funded using ARPA funds as per previous Council direction to allocate \$1M to the small diameter replacement program. The project is split into schedules to optimize use of the available funds based on the bids received.

Elements of a Stable Solution:

A stable solution will provide efficient completion of needed water maintenance and improvements.

Options:

1. Option 1 – Do Nothing. The project will remain in the CIP. The unspent funds will go into the ending fund balance and be available for re-budgeting.
2. Option 2 – Move to post the solicitation as presented. Staff will post the solicitation. The results will be brought to Council for awarding the contract.
3. Option 3 – Move to post the solicitation with minor revisions. Staff will make minor changes to the plans or contract as directed by Council, then post the solicitation.
4. Option 4 – Make major revisions to the solicitation. Staff will make major changes to the plans or contract as directed by Council, then bring the bid package back to Council for approval prior to posting the solicitation. This will delay the project by at least few weeks.

Recommendation:

Staff recommends Option 2 – Move to post the solicitation as presented.

	ITEM DESCRIPTION WITH BID UNIT PRICE	UNIT	APPROX. QUANTITY	UNIT PRICE	TOTAL AMOUNT
1	Mobilization, Cleanup, Traffic & Erosion Control	LS	1	20%	\$ 170,720

Bid Schedule A. 9th Avenue, Grape Street, Catalpa Street					
2	4" AWWA C900 PVC	LF	640	\$ 60	\$ 38,400
3	4" Fittings, Valves, and Appurtenances	LS	1	\$ 4,800	\$ 4,800
4	6" Fittings, Valves, and Appurtenances	LS	1	\$ 10,500	\$ 10,500
5	8" AWWA C900 PVC	LF	1460	\$ 100	\$ 146,000
6	8" Fittings, Valves, and Appurtenances	LS	1	\$ 32,400	\$ 32,400
7	1" AWWA C904 PEX Meter Service - Short Side	EA	22	\$ 800	\$ 17,600
8	1" AWWA C904 PEX Meter Service - Long Side	EA	27	\$ 1,000	\$ 27,000
9	Fire Hydrant Assembly (inc. Tee to hydrant)	EA	2	\$ 8,000	\$ 16,000
10	Connect to Existing	EA	4	\$ 2,000	\$ 8,000
11	Manhole Raise	EA	13	\$ 200	\$ 2,600
12	Valve Can Raise	EA	4	\$ 200	\$ 800
13	ADA Ramp Replace	EA	6	\$ 8,000	\$ 48,000
14	Sidewalk and Curb Replacement	LF	160	\$ 150	\$ 24,000
15	Trench - Level 2, 1/2" ACP Mixture	TON	410	\$ 110	\$ 45,100
16	Overlay - Level 2, 1/2" ACP Mixture	TON	855	\$ 110	\$ 94,050
17	Driveways - Level 2, 1/2" ACP Mixture	TON	15	\$ 110	\$ 1,650
18	Pavement Markings	LS	1	\$ 6,000	\$ 6,000
Subtotal					\$ 522,900

Bid Schedule B. 8th Avenue, Birch Street, Alder Street					
19	6" AWWA C900 PVC	LF	380	\$ 60	\$ 22,800
20	6" Fittings, Valves, and Appurtenances	LS	1	\$ 4,500	\$ 4,500
21	8" AWWA C900 PVC	LF	1285	\$ 100	\$ 128,500
22	8" Fittings, Valves, and Appurtenances	LS	1	\$ 36,000	\$ 36,000
23	10" AWWA C900 PVC	LF	15	\$ 100	\$ 1,500
24	10" Fitting, Valves, and Appurtenances	LS	1	\$ 4,000	\$ 4,000
25	1" AWWA C904 PEX Meter Service - Short Side	EA	7	\$ 800	\$ 5,600
26	1" AWWA C904 PEX Meter Service - Long Side	EA	13	\$ 1,000	\$ 13,000
27	Connect to Existing	EA	4	\$ 2,000	\$ 8,000
28	Manhole Raise	EA	3	\$ 200	\$ 600
29	Valve Can Raise	EA	2	\$ 200	\$ 400
30	Catchbasin Installation	LS	1	\$ 8,000	\$ 8,000
31	ADA Ramp Replace	EA	3	\$ 6,000	\$ 18,000
32	Sidewalk and Curb Replacement	LF	40	\$ 150	\$ 6,000
33	Trench - Level 2, 1/2" ACP Mixture	TON	235	\$ 110	\$ 25,850
34	Overlay - Level 2, 1/2" ACP Mixture	TON	325	\$ 110	\$ 35,750
35	Driveways - Level 2, 1/2" ACP Mixture	TON	20	\$ 110	\$ 2,200
36	Birch Street Grind	LS	1	\$ 10,000	\$ 10,000
Subtotal					\$ 330,700

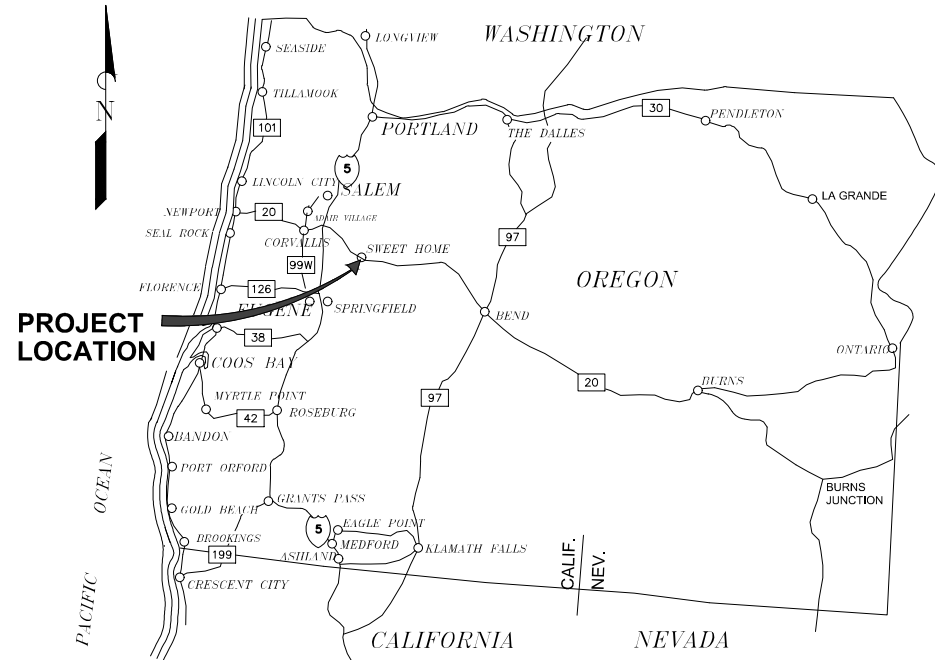
Bid Schedule B. 8th Avenue Alder Street Paving Overlay Additive Alternate					
37	Overlay - Level 2, 1/2" ACP Mixture	TON	225	\$ 110	\$ 24,750
38	Driveways - Level 2, 1/2" ACP Mixture	TON	20	\$ 110	\$ 2,200
39	Pavement Markings	LS	1	\$ 4,000	\$ 4,000
40	Manhole Raise	EA	2	\$ 200	\$ 400
41	Valve Can Raise	EA	3	\$ 200	\$ 600
Subtotal					\$ 31,950

Total					\$ 1,056,270
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CITY OF SWEET HOME 2022 WATERMAIN REPLACEMENT PROJECT LINN COUNTY, OR

PROJECT NO. 2817-05
APRIL 2022

PRELIMINARY



LOCATION MAP



VICINITY MAP
NOT TO SCALE



Engineering Services, Inc.
200 FERRY ST SW
ALBANY, OR 97321
541-223-5130
www.civilwest.com

REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM	DRAWN BY: FT	CHECKED BY: MDW	PROJECT NO: 2817-05
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CITY OF SWEET HOME
LINN COUNTY OR.

2022 WATERMAIN REPLACEMENT PROJECT

COVER SHEET

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-General.dwg

GENERAL NOTES

- ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH 952-001-0090. YOU MAY OBTAIN A COPY OF THE RULES BY CALLING THE CENTER.

NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987. STAT. AUTH.: ORS 757.542 THROUGH ORS 757.562 AND ORS 757.993.
- THE CONTRACTOR SHALL CONTACT 'ONE CALL' FOR UTILITY LOCATES PRIOR TO EXCAVATION. (1-800-332-2344)
- THE EXISTING UTILITY CROSSINGS OF THE PIPELINES ARE SHOWN ACCORDING TO AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL THE UTILITY CROSSINGS ALONG THE LENGTH OF THE PIPELINES AS SPECIFIED. NO GUARANTEE IS MADE THAT ALL OF THE EXISTING UTILITIES ARE SHOWN. THE CONTRACTOR SHALL EXERCISE CAUTION WHEN EXCAVATING AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING HIS OPERATIONS.
- OVERHEAD ELECTRICAL DISTRIBUTION SYSTEMS MAY NOT BE SPECIFICALLY INDICATED ON THE DRAWINGS BUT DO EXIST ALONG THE PIPELINE ROUTES.
- EXISTING WATER METER BOXES AND VALVES MAY NOT BE SPECIFICALLY INDICATED ON THE DRAWINGS BUT DO EXIST ALONG THE PIPELINE ROUTES. CONTRACTOR SHALL LOCATE PRIOR TO THE START OF CONSTRUCTION.
- THE LOCATION AND DEPTH SHOWN ON THESE DRAWINGS FOR THE EXISTING WATERLINES ARE APPROXIMATE ONLY AND BASED ON AS BUILT DRAWINGS, VALVE LOCATIONS AND OTHER INFORMATION. THERE ARE NO TRACER WIRES FOR LOCATING THE MAJORITY OF EXISTING WATERLINES AND EXISTING WATERLINES MAY BE IN CLOSE PROXIMITY TO NEW WATERLINE ROUTES.
- CONTRACTOR SHALL POTHOLE AND LOCATE EXISTING WATERLINES PRIOR TO PLACEMENT OF NEW WATERLINES. EXISTING WATERLINES SHALL REMAIN IN SERVICE AND BE PROTECTED IN PLACE UNTIL COMPLETION OF NEW WATERLINES. CONTRACTOR SHALL PROVIDE TEMPORARY CONNECTIONS AS REQUIRED TO MAINTAIN CONTINUED SERVICE TO CUSTOMERS UNTIL COMPLETION OF NEW WATERLINE.
- AFTER COMPLETION OF NEW WATERLINES AND ALL TESTING AND CONNECTIONS HAVE BEEN MADE. DESIGNATED PORTIONS OF THE EXISTING WATERLINES ARE TO BE ABANDONED IN PLACE. REMOVE TEMPORARY CONNECTIONS, EXISTING VALVES, COVERS AND PROVIDE END CAPS OR PLUGS AS REQUIRED FOR ABANDONMENT.
- THE PIPELINE PROFILES HAVE BEEN MARKED TO INDICATE THE REQUIRED BACKFILL CLASSES (A, B, & E) SEE TECHNICAL SPECIFICATION FOR SPECIFIC BACKFILL MATERIAL REQUIREMENTS.
- WHEN NO RECORD WAS AVAILABLE TO INDICATE THE ELEVATION OF AN EXISTING UTILITY A MINIMUM COVER OF 30-INCHES WAS ASSUMED. THE CONTRACTOR SHALL EXERCISE CAUTION WHILE EXCAVATING NEAR THESE ESTIMATED UTILITY LOCATIONS WHICH ARE INDICATED ON THE PROFILE DRAWINGS.
- CONTRACTOR SHALL INSTALL NEW WATERLINES WITH A MINIMUM CLEARANCE OF 18-INCHES AT ALL CROSSINGS WITH SANITARY SEWER LINES AND/OR STORM DRAIN LINES, UNLESS OTHERWISE SPECIFIED OR APPROVED BY THE ENGINEER. WHERE NEW WATERLINES CROSS EXISTING UNDERGROUND TELEPHONE, ELECTRICAL, AND/OR GAS LINES, A MINIMUM CLEARANCE OF 6-INCHES SHALL BE UTILIZED, UNLESS OTHERWISE NOTED.
- ALL MATERIALS IN CONTACT WITH WATER SHALL BE NSF 61 APPROVED.
- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE PROJECT DESIGN SPECIFICATIONS AND DRAWINGS. THESE DRAWINGS SHALL BE COORDINATED AND USED IN CONJUNCTION WITH THE TECHNICAL SPECIFICATIONS AND APPROVED SUBMITTALS. CONSTRUCTION PERMITS AS REQUIRED FROM LINCOLN COUNTY ROAD DEPARTMENT TO WORK WITHIN THE RIGHT-OF-WAY SHALL BE OBTAINED BY THE OWNER PRIOR TO THE START OF CONSTRUCTION.
- PROPERTY AND RIGHT OF WAY LINES SHOWN IN THIS PLAN SET ARE APPROXIMATE AND BASED ON BEST AVAILABLE INFORMATION. CONTRACTOR SHALL OBTAIN TEMPORARY CONSTRUCTION ACCESS OR PERMISSION FROM PRIVATE LAND OWNERS PRIOR TO ENTERING PRIVATE PROPERTY.
- PERMITS ASSOCIATED WITH THE TRENCH DE-WATERING SYSTEM SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO POTHOLE EXISTING WATERLINES AND SURROUNDING UTILITIES TO DETERMINE THEIR EXACT LOCATION AND DEPTH. POTHOLE EXPLORATION SHALL OCCUR A MINIMUM OF SEVEN (7) DAYS PRIOR TO THE COMMENCEMENT OF WORK IN ANY AREA.

SHEET INDEX

SHEET INDEX

SHEET NO.	SHEET TITLE
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G2	GENERAL NOTES
G3	LEGEND
	SCHEDULE A - 9TH ST
C1	9TH AVE EXISTING CONDITIONS
C2	9TH AVE IMPROVEMENTS OVERVIEW
C3	9TH AVE PLAN STA 0+00 TO 4+50
C4	9TH AVE PLAN STA 4+50 TO 8+75
C5	9TH AVE PLAN STA 8+75 TO 13+50
C6	9TH AVE PLAN STA 13+50 TO 16+64
	SCHEDULE B - 8TH & ALDER
C7	8TH & ALDER EXISTING CONDITION
C8	8TH & ALDER IMPROVEMENTS OVERVIEW
C9	8TH ST PLAN STA 0+00 TO 4+25
C10	8TH ST PLAN STA 4+25 TO 6+62
C11	BIRCH STREET
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D2	WATER SERVICE CONNECTION DETAIL
D3	THRUST BLOCK DETAIL
D4	VALVE BOX DETAIL
D5	FIRE HYDRANT ASSEMBLY DETAIL
D6	BLOW-OFF ASSEMBLY DETAIL
D7	ASPHALT CONCRETE PAVEMENT DETAIL
D8	SIDEWALK WITH LANDSCAPE STRIP DETAIL
D9	CURB AND GUTTER DETAIL
D10	CATCH BASIN DETAIL

GENERAL ABBREVIATIONS

AC	PAVEMENT	HDD	HORIZONTAL DIRECTIONAL DRILLING	SD	STORM DRAIN
BC	BEGIN CURVE	HDPE	HIGH DENSITY POLYETHYLENE PIPE	SE	SPOT ELEVATION
BFV	BUTTERFLY VALVE	HPC	HYPOCHLORITE	SPW	SPILLWAY
BLDG	BUILDING	HS	HARVESTED SLUDGE	SS	SANITARY SEWER
BM	BENCH MARK	HSG	HIGH PRESSURE SLUDGE GAS	STA	STATION
BOW	BACK OF WALK	IE	INVERT ELEVATION	SW	SIDEWALK
CB	CATCH BASIN	IP	IRON PIPE	TBC	TOP BACK OF CURB
CPLG	COUPLING	LIP	LIP OF GUTTER	TD	TANK DRAIN
CTR	CENTER	LT	LEFT	TG	TOP OF GRATE
CW	CITY WATER (POTABLE)	TOE	TOP OF SLOPE	TOP	TOP OF BANK
CWN	CITY WATER (NONPOTABLE)	TOC	TOP OF CURB	TRANS.	TRANSITION
D	DRAIN	TYP	TYPICAL	TW	TOP OF WALL
DI	DUCTILE IRON	NG	NATURAL GAS	UNO	UNLESS NOTED OTHERWISE
EC	END CURVE	OF	OVERFLOW	V	VENT
EL	ELEVATION	PED	PEDESTAL	VAC	VACUUM
EOC	EDGE OF CONCRETE	PRC	POINT OF REVERSE CURVATURE	VC	VENT (CHEMICAL)
EOG	EDGE OF GRAVEL	PVC	POLY VINYL CHLORIDE PIPE	WM	WATER METER
EOP	EDGE OF PAVEMENT	PVI	POINT OF VERTICAL INTERSECTION	WW	WATER VALVE
EX	EXISTING	ROW	RIGHT OF WAY		
FH	FIRE HYDRANT	RS	RAW SEWAGE		
FL	FLOWLINE	RT	RIGHT		
FLG	FLANGE	RW	RAW WATER		
FM	FORCE MAIN	RWR	RECLAIMED WATER		
GV	GATE VALVE				

PRELIMINARY



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200 FERRY ST SW
ALBANY, OR 97321

REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM	DRAWN BY: FT	CHECKED BY: MDW
PROJECT NO: 2817-45		

CITY OF SWEET HOME
LINN COUNTY, OR.
2022 WATERMAIN REPLACEMENT PROJECT
GENERAL NOTES

G2

APRIL 2022

DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\204_Final_Design\Drawings\2817-05-General.dwg

EXISTING FEATURE LEGEND

SYMBOL LEGEND

SANITARY SEWER MANHOLE		MAIL BOX	
STORM DRAIN MANHOLE		AIR RELEASE VALVE	
CATCH BASIN		BLOW OFF VALVE	
WATER VALVE		PROFILE SERVICE LATERAL CROSSING	
WATER METER		PROFILE TELEPHONE LINE CROSSING	
FIRE HYDRANT		PROFILE ELECTRICAL LINE CROSSING	
CLEANOUT		PROFILE WATERLINE CROSSING	
POWER POLE		PROFILE SANITARY SEWER CROSSING	
GUY ANCHOR		PROFILE STORM DRAIN CROSSING	
POWER PEDESTAL		TREE/SHRUB	
TELEPHONE PEDESTAL		STREET SIGN	
SURVEY MARKER			

LINETYPE LEGEND

WATER LINE	
STORM DRAIN	
SANITARY SEWER	
ELECTRICAL	
OVER HEAD LINE	
TELEPHONE LINE	
GAS LINE	
TREELINE	
EDGE OF PAVEMENT	
RIGHT OF WAY	
CONTOURS	

HATCH LEGEND

CONCRETE	
PAVEMENT	
GRANULAR MATERIALS SUCH AS CRUSHED ROCK OR GRAVEL	
NATURAL GROUND	
WETLANDS	
BUILDING	

NEW FEATURE LEGEND

SYMBOL LEGEND

SANITARY SEWER MANHOLE		TEE/CROSS FITTING	
STORM DRAIN MANHOLE		ELBOW FITTING	
CATCH BASIN		REDUCER FITTING	
WATER VALVE		MECHANICAL JOINT ADAPTER	
WATER METER		AIR RELEASE VALVE	
FIRE HYDRANT		BLOW OFF VALVE	
CLEANOUT		MAILBOX	

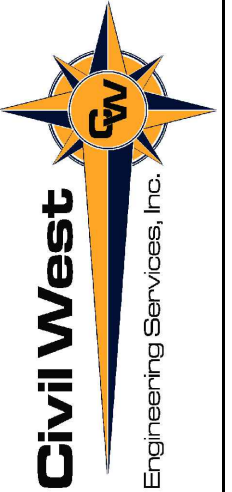
LINETYPE LEGEND

WATER LINE	
STORM DRAIN	
SANITARY SEWER	
ELECTRICAL	
OVER HEAD LINE	
TELEPHONE LINE	
GAS LINE	
CONTOURS	

HATCH LEGEND

CONCRETE	
PAVEMENT	
GRANULAR MATERIALS SUCH AS CRUSHED ROCK OR GRAVEL	
DRIVEWAY	
ADDITIVE ALTERNATE AC OVERLAY	
ADDITIVE ALTERNATE DRIVEWAY	

PRELIMINARY



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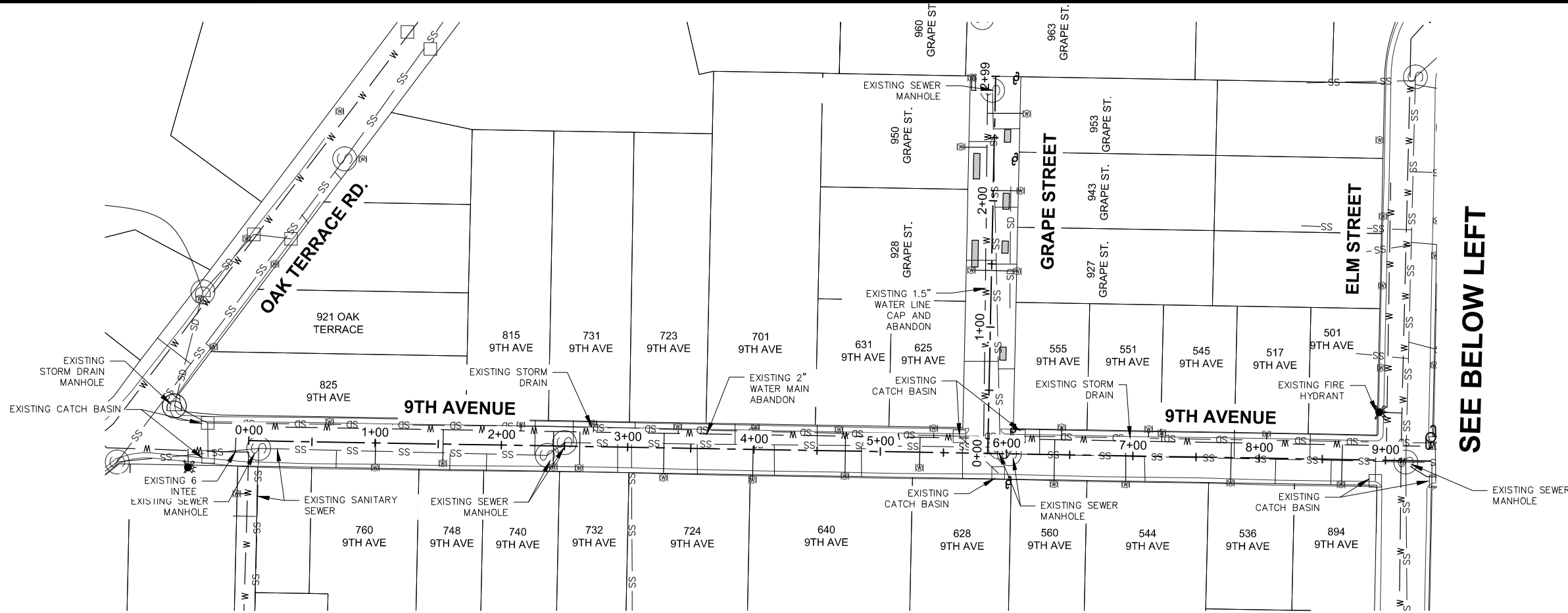
DESIGNED BY: ERM	DRAWN BY: MDW	CHECKED BY: MDW
PROJECT NO: 281745		

CITY OF SWEET HOME
LINN COUNTY OR.
2022 WATERMAIN REPLACEMENT PROJECT
LEGEND

G3

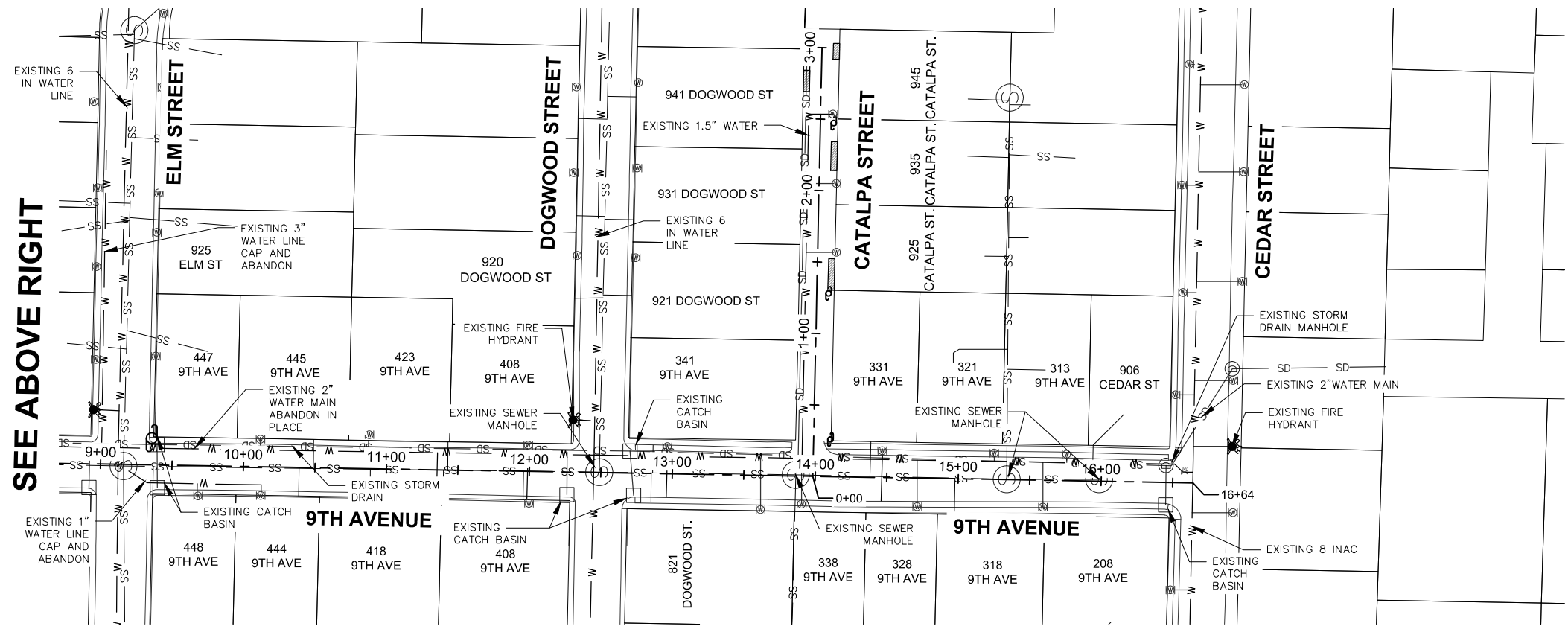
APRIL 2022

DATE: 4/26/22 FILE: C:\CW_Projects\2017_Sweet Home\2017-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\2017-05-DESIGN 9th.dwg



1
C1
9TH AVE EXISTING CONDITIONS
SCALE: 1" = 100'

SEE BELOW LEFT



2
C1
9TH AVE EXISTING CONDITIONS
SCALE: 1" = 100'

SEE ABOVE RIGHT

PRELIMINARY



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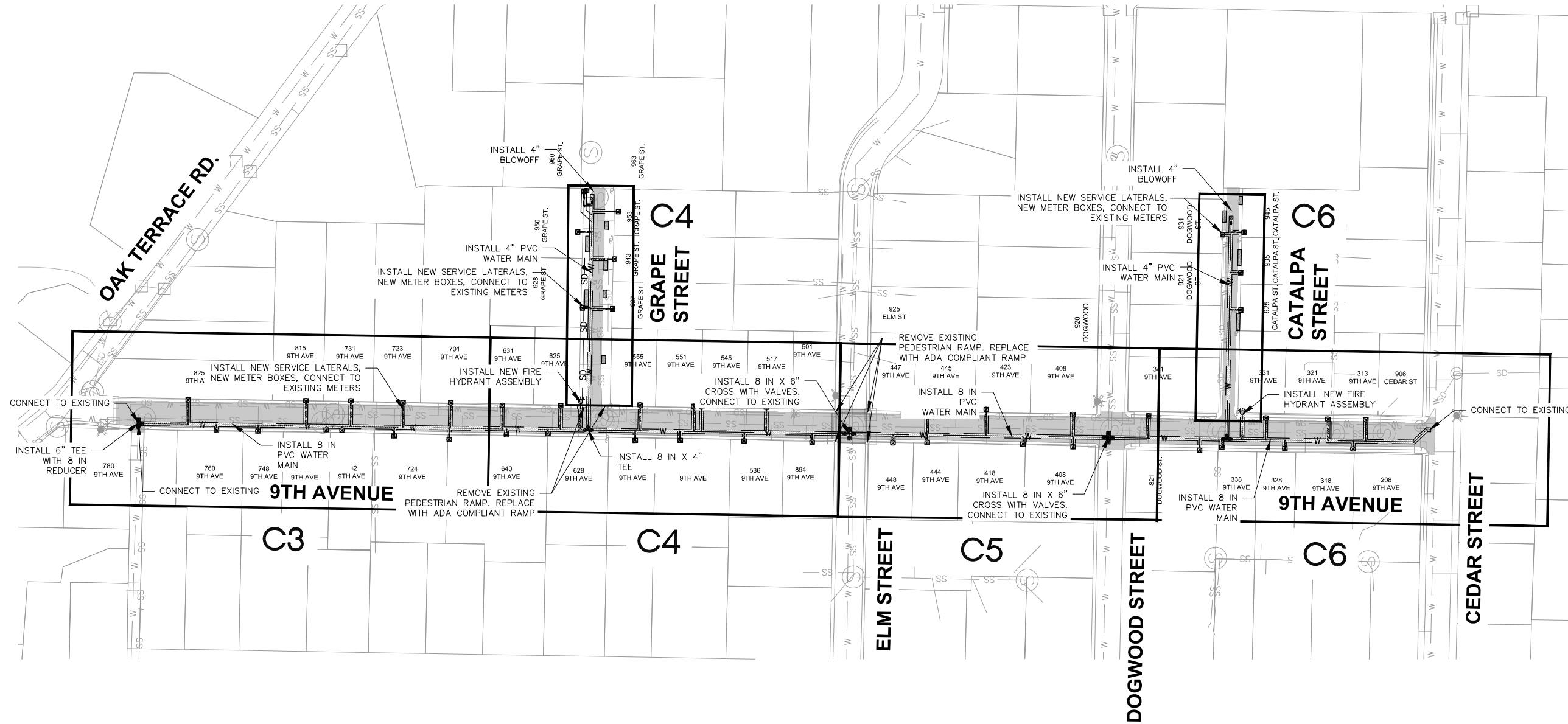
REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM	DRAWN BY: MDW	CHECKED BY: MDW
PROJECT NO: 2817-05		

CITY OF SWEET HOME
LINN COUNTY, OR
2022 WATERMAIN REPLACEMENT PROGRAM
9TH AVE EXISTING CONDITIONS

G1

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-DESIGN 9th.dwg



1
C2

IMPROVEMENT OVERVIEW PLAN
SCALE: NTS

PRELIMINARY



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REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM
DRAWN BY: FT
CHECKED BY: MDW
PROJECT NO: 2817-05

CITY OF SWEET HOME
LINN COUNTY, OR

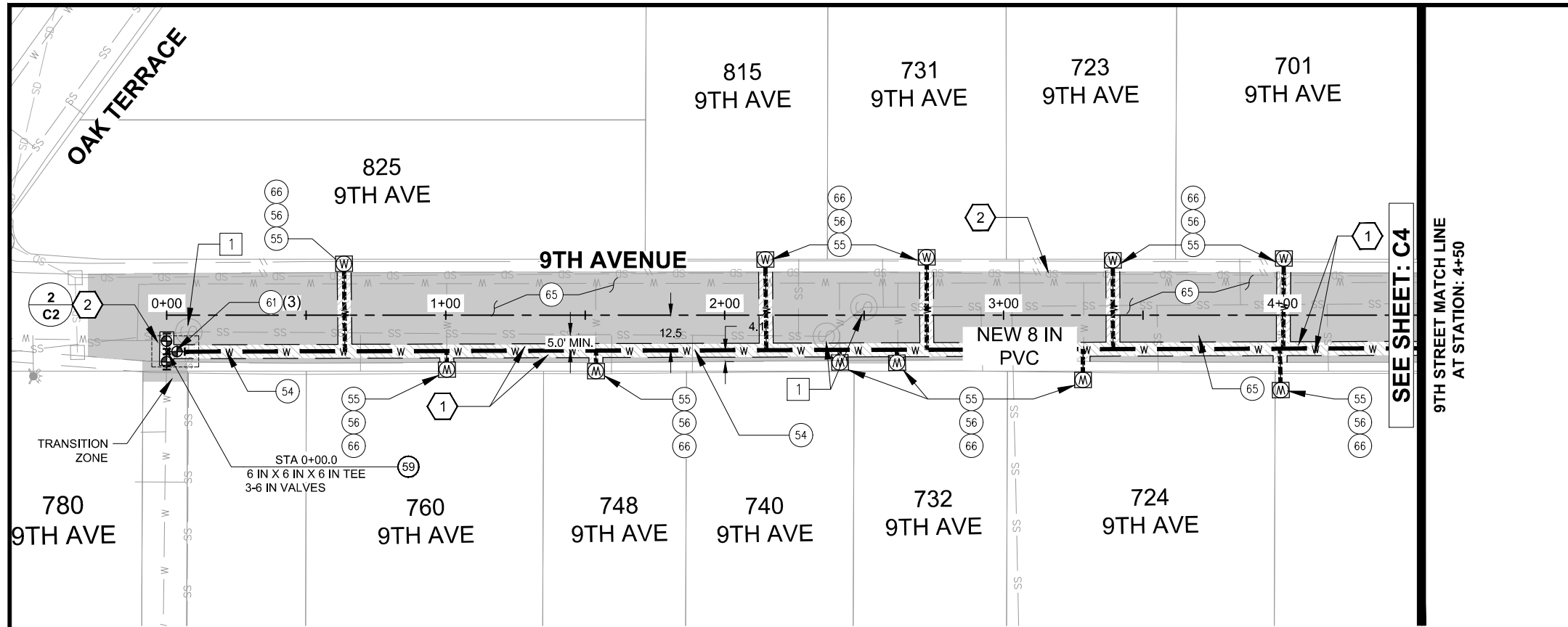
2022 WATERMAIN REPLACEMENT PROGRAM

9TH AVE IMPROVEMENTS OVERVIEW

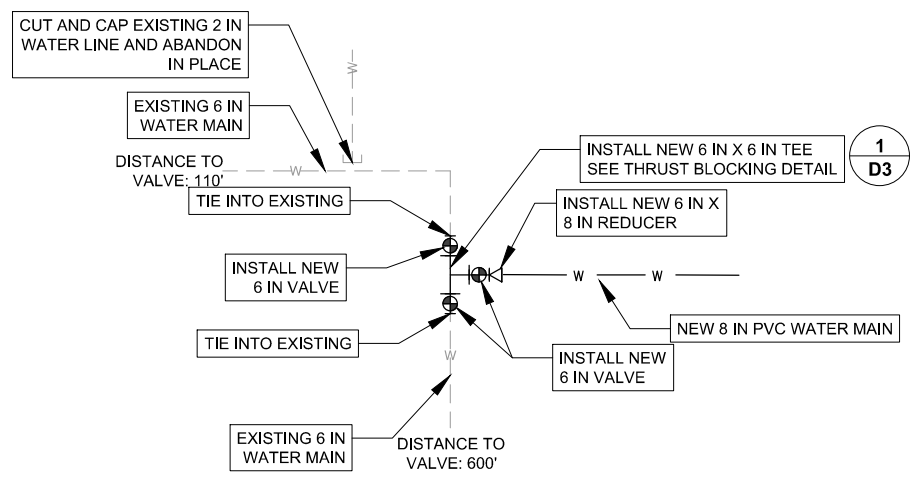
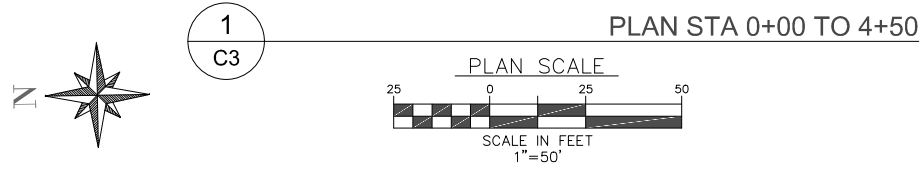
G2

APRIL 2022

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\204 Final Design\Drawings\DWG\2817-05-DESIGN 9th.dwg



SEE SHEET: C4
9TH STREET MATCH LINE
AT STATION: 4+50



2 C3 NEW 6 IN X 6 IN X 6 IN TEE CONNECTION
SCALE: NTS

DEMOLITION NOTES:

- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

- 54 INSTALL NEW PVC WATER PIPE (C-900) INCLUDING FITTINGS AND FIXTURES WITH 36" COVER MINIMUM. SEE DETAIL. 1 D1
- 55 INSTALL NEW WATER SERVICE LATERAL. SEE DETAILS. 1 D2
- 56 INSTALL NEW WATER METER BOX. SEE DETAILS. 1 D2
- 59 INSTALL THRUST BLOCKS AND MEGALUGS AT EACH TRANSITIONAL JOINT. SEE DETAIL. 1 D3
- 61 INSTALL NEW WATER VALVE PER PROJECT SPECIFICATIONS. SEE DETAIL. 1 D4
- 63 INSTALL NEW FIRE HYDRANT ASSEMBLY AND SERVICE LINE. ALL BEDDING, THRUST BLOCKS, AND FIXTURES SHALL CONFORM TO PROJECT PLANS AND SPECIFICATIONS. SEE DETAIL. 1 D5, 1 D3
- 64 INSTALL BLOW OFF VALVE. SEE DETAIL. 1 D6
- 65 OVERLAY ASPHALT, MATCH EXISTING SLOPES, SEE DETAILS. 1 D7, 2 D7
- 66 REPLACE SIDEWALK, CURB AND GUTTER, MATCH EXISTING. SEE DETAIL. 1 D8, 1 D9
- 67 4" PERFORATED PIPE TO BE INSTALLED BY OTHERS
- 68 REMOVE EXISTING PEDESTRIAN RAMP. REPLACE WITH ADA COMPLIANT PEDESTRIAN RAMP

KEYED NOTES:

- 1 PROTECT IN PLACE. RAISE AS NEEDED
- 2 POT HOLE EXISTING PRIOR TO WATERLINE INSTALLATION

SHEET NOTES:

1. CONTRACTOR SHALL CONTACT "ONE CALL" FOR UTILITY LOCATES PRIOR TO THE START OF ANY EXCAVATION.
2. CONTRACTOR SHALL POT HOLE EXISTING WATERLINE PRIOR TO NEW WATERLINE CONSTRUCTION TO CONFIRM EXISTING WATERLINE DEPTH LOCATION, AND FITTING REQUIREMENTS FOR CONNECTION OF NEW WATERLINE TO EXISTING.
3. TYPICAL BURY FOR NEW WATERLINE SHALL BE 36" TO TOP OF PIPE. ADJUST DEPTH OF BURY AS REQUIRED TO MAINTAIN CONSTANT GRADE
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PRELIMINARY

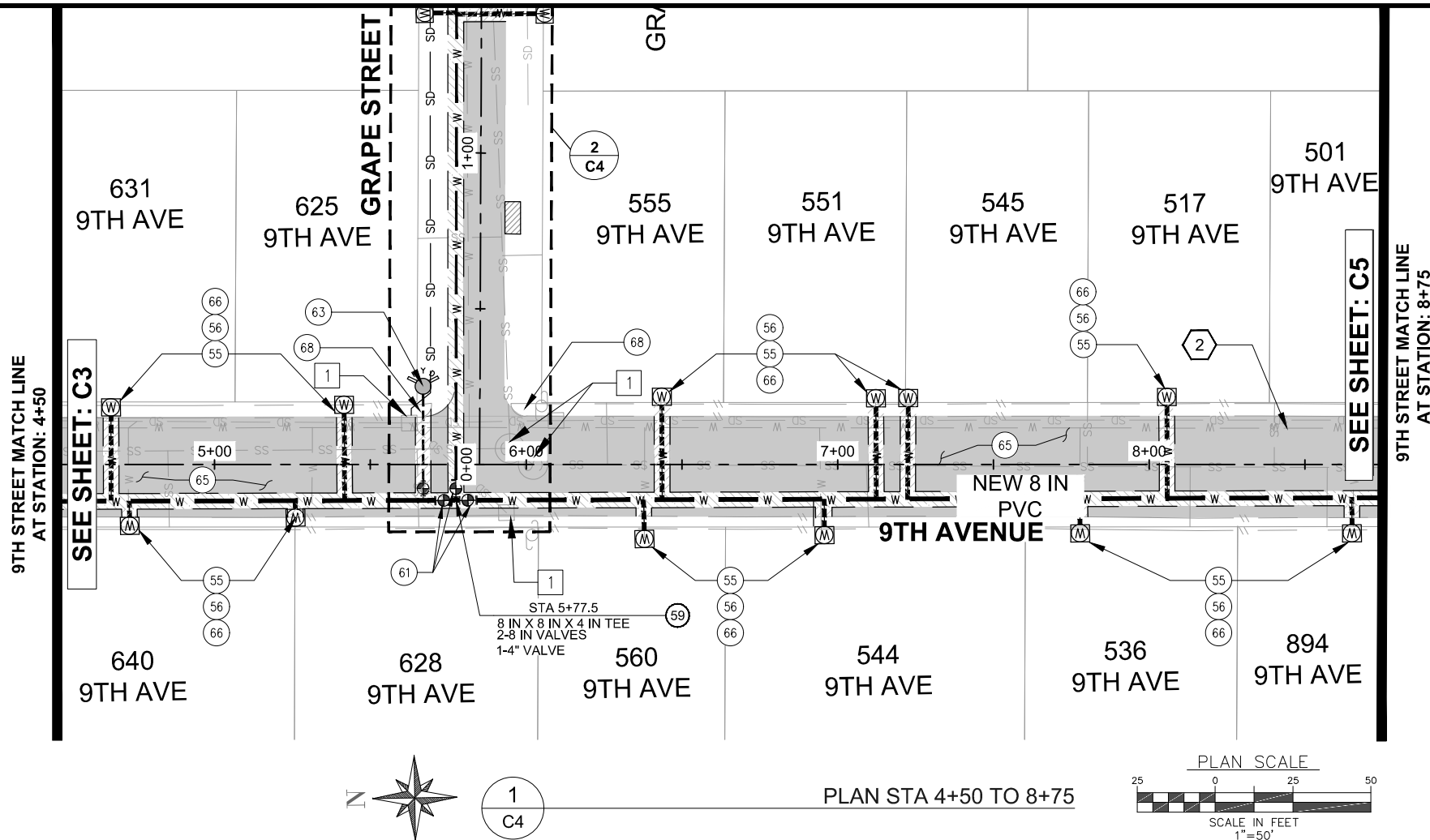
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Engineering Services, Inc.
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ALBANY, OR 97321
541-223-5130
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REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM	DRAWN BY: MDW	CHECKED BY: MDW
PROJECT NO: 2817-05		

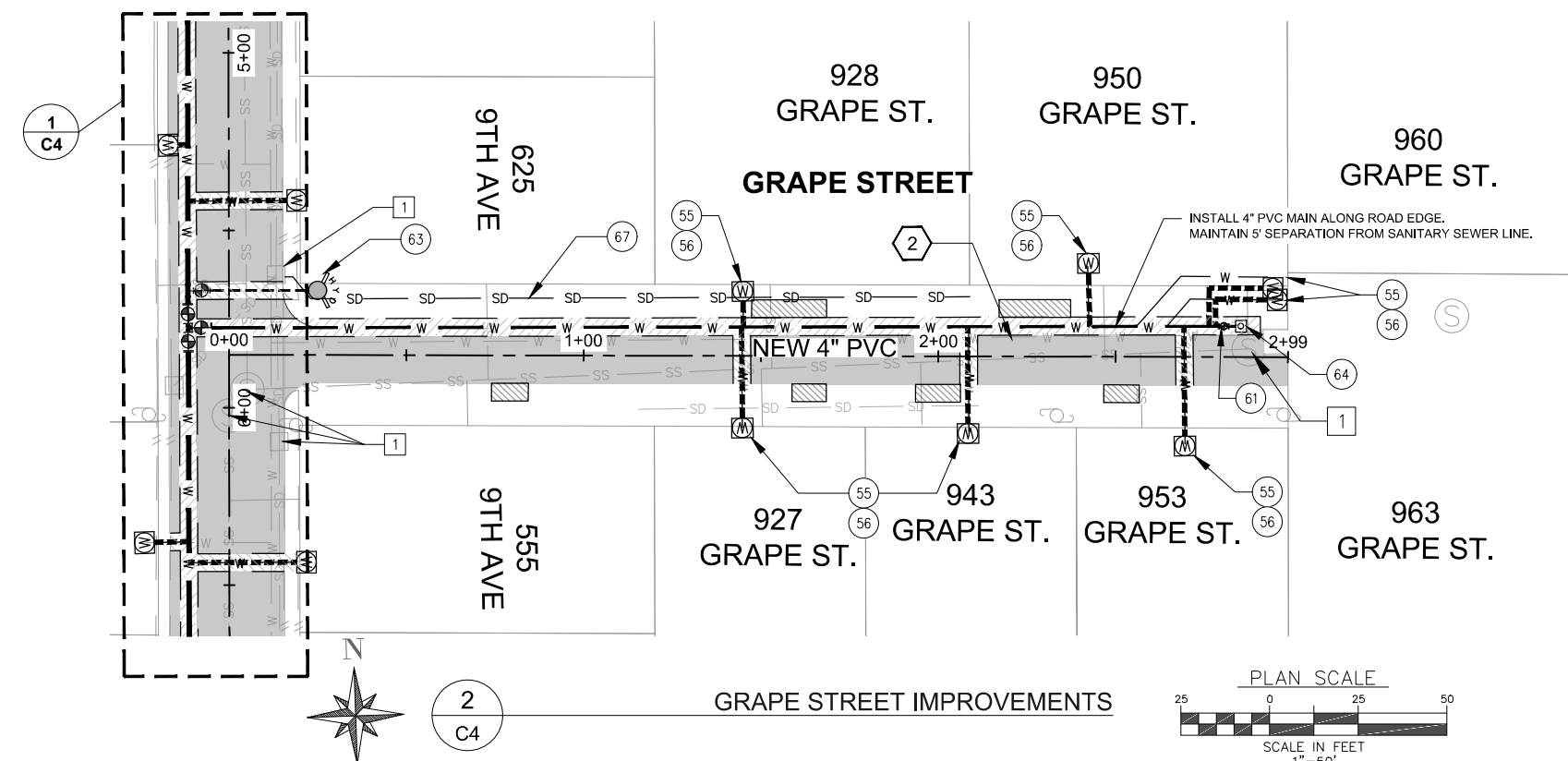
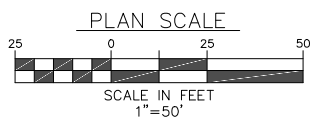
CITY OF SWEET HOME
LINN COUNTY, OR
2022 WATERMAIN REPLACEMENT PROGRAM
9TH AVE PLAN STA 0+00 TO 4+50

DATE: 4/26/22 FILE: C:\CW_Projects\2017 Sweet Home\2017-005 9th Ave Water Distribution System Improvements Ph2\204 Final Design\Drawings\DWG\2017-05-DESIGN 9th.dwg



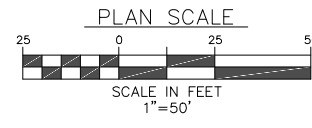
1
C4

PLAN STA 4+50 TO 8+75



2
C4

GRAPE STREET IMPROVEMENTS



DEMOLITION NOTES:

- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

- 54 INSTALL NEW PVC WATER PIPE (C-900) INCLUDING FITTINGS AND FIXTURES WITH 36" COVER MINIMUM. SEE DETAIL. 1 D1
- 55 INSTALL NEW WATER SERVICE LATERAL. SEE DETAILS. 1 D2
- 56 INSTALL NEW WATER METER BOX. SEE DETAILS. 1 D2
- 59 INSTALL THRUST BLOCKS AND MEGALUGS AT EACH TRANSITIONAL JOINT. SEE DETAIL. 1 D3
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DESIGNED BY: ERM
DRAWN BY: FT
CHECKED BY: MDW
PROJECT NO: 2017-45

CITY OF SWEET HOME
LINN COUNTY, OR

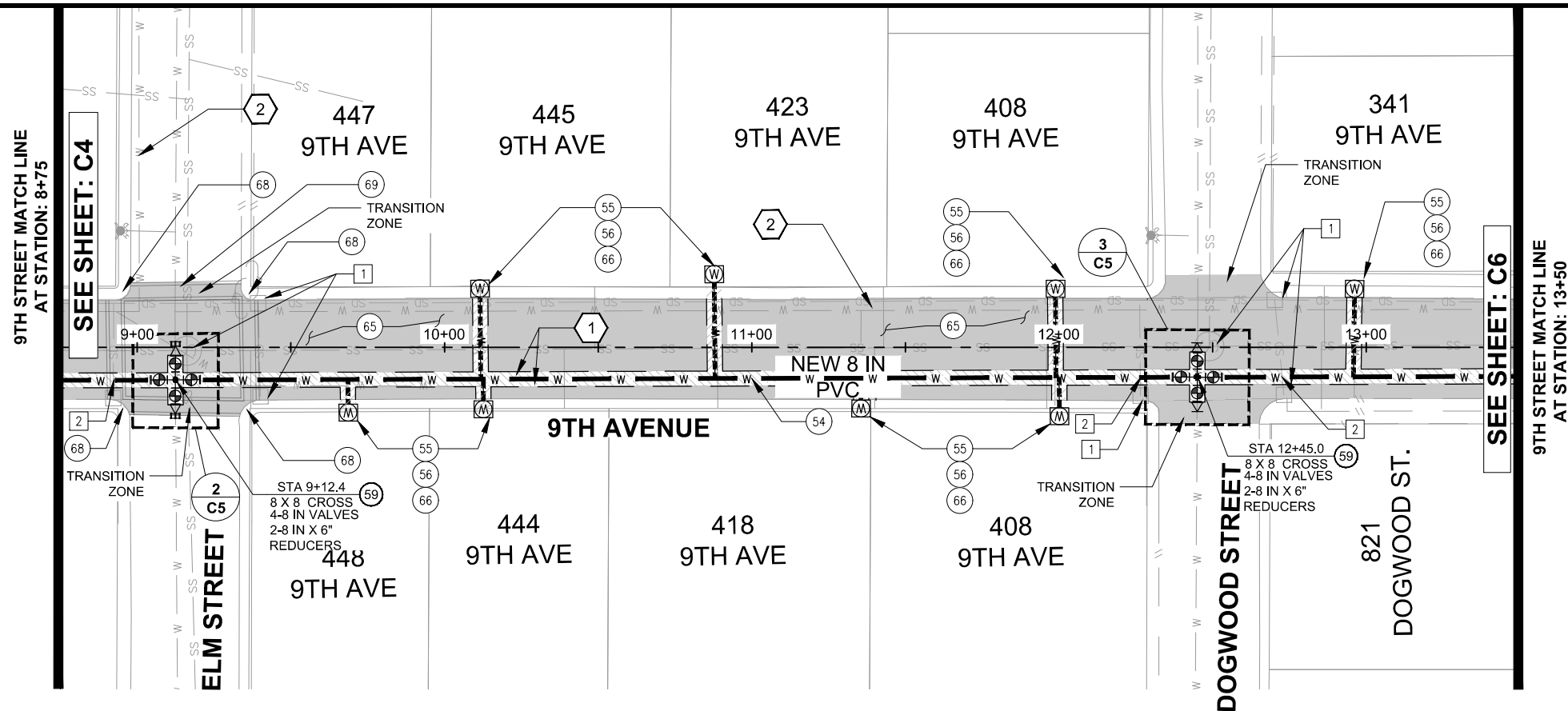
2022 WATERMAIN REPLACEMENT PROGRAM

9TH AVE PLAN STA 4+50 TO 8+75

C4

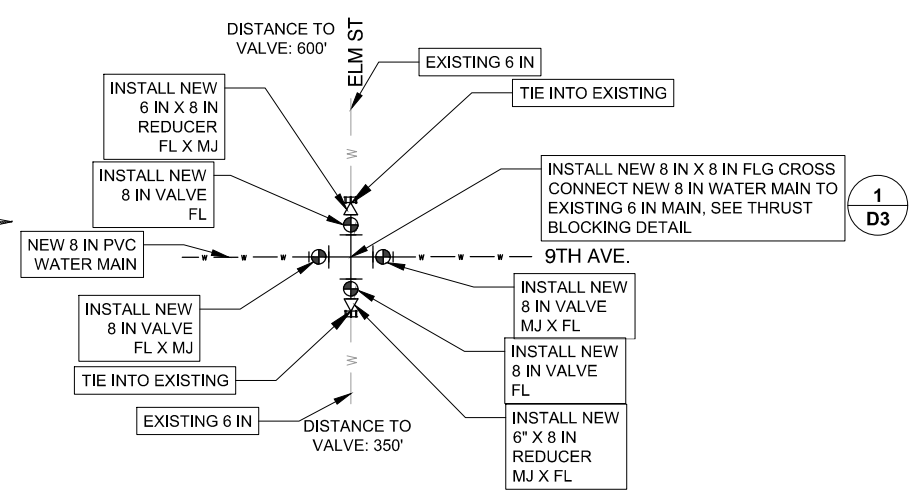
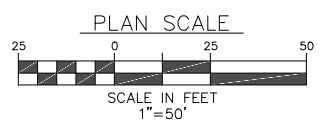
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DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\204 Final Design\Drawings\DWG\2817-05-DESIGN 9th.dwg

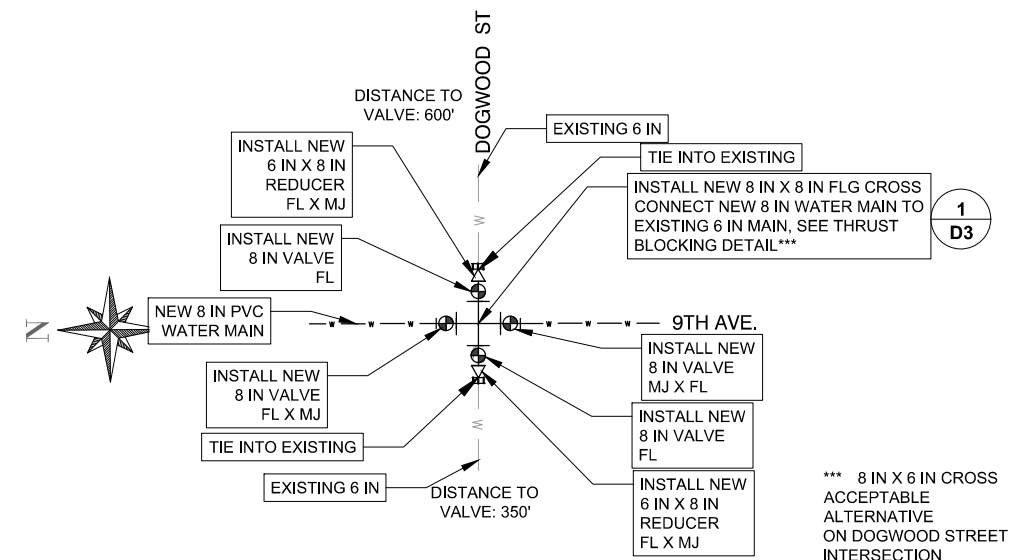


1
C5

PLAN STA 8+75 TO 13+50



2
C5 NEW 6 IN X 8 IN CROSS TEE AT ELM ST
SCALE: NTS



3
C5 NEW 6 IN X 8 IN CROSS TEE AT DOGWOOD ST
SCALE: NTS

DEMOLITION NOTES:

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IMPROVEMENT NOTES:

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- 68 REMOVE EXISTING PEDESTRIAN RAMP. REPLACE WITH ADA COMPLIANT PEDESTRIAN RAMP
- 69 REMOVE AND REPLACE CROSSWALK THERMOPLASTIC PER ODOT TM530

KEYED NOTES:

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REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM
DRAWN BY: FT
CHECKED BY: MDW
PROJECT NO: 2817-05

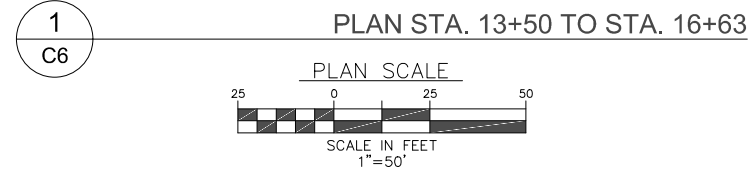
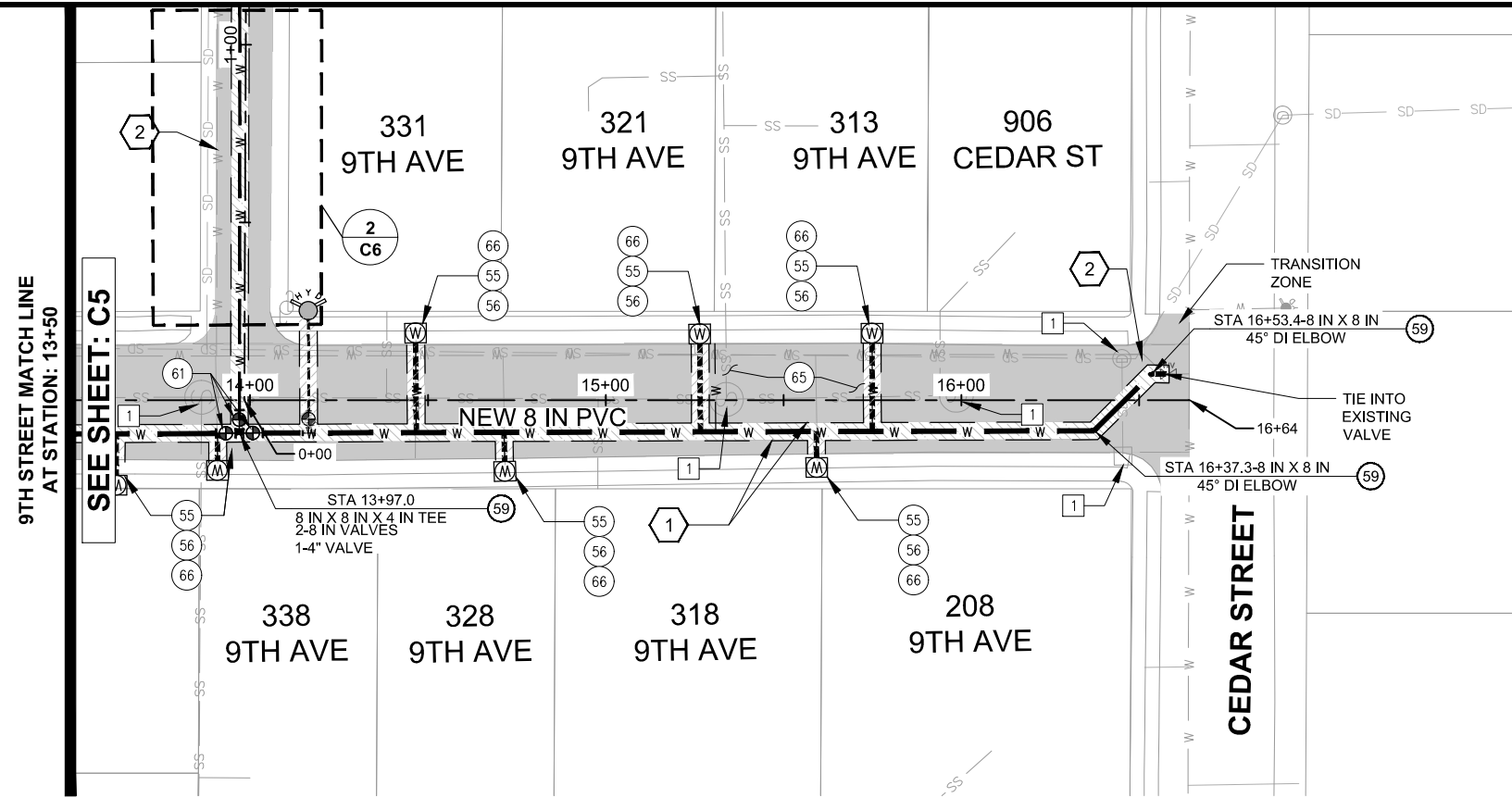
CITY OF SWEET HOME
LINN COUNTY, OR

2022 WATERMAIN REPLACEMENT PROGRAM

9TH AVE PLAN STA 8+75 TO 13+50

Sheet No: **C5**
Date: **APRIL 2022**

DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-DESIGN 9th.dwg



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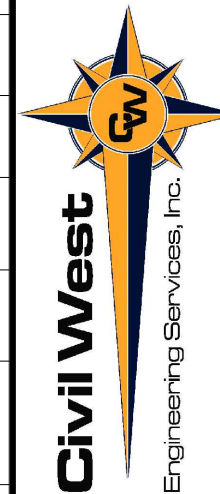
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DRAWN BY: FT
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PROJECT NO: 2817-05

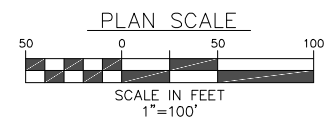
CITY OF SWEET HOME LINN COUNTY, OR	2022 WATERMAIN REPLACEMENT PROGRAM	9TH AVE PLAN STA 13+50 TO 16+64
Sheet No: G6	APRIL 2022	Page 98

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\2817-05 DESIGN ALDER.dwg



1
C7

EXISTING CONDITIONS



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PROJECT NO: 2817-05		

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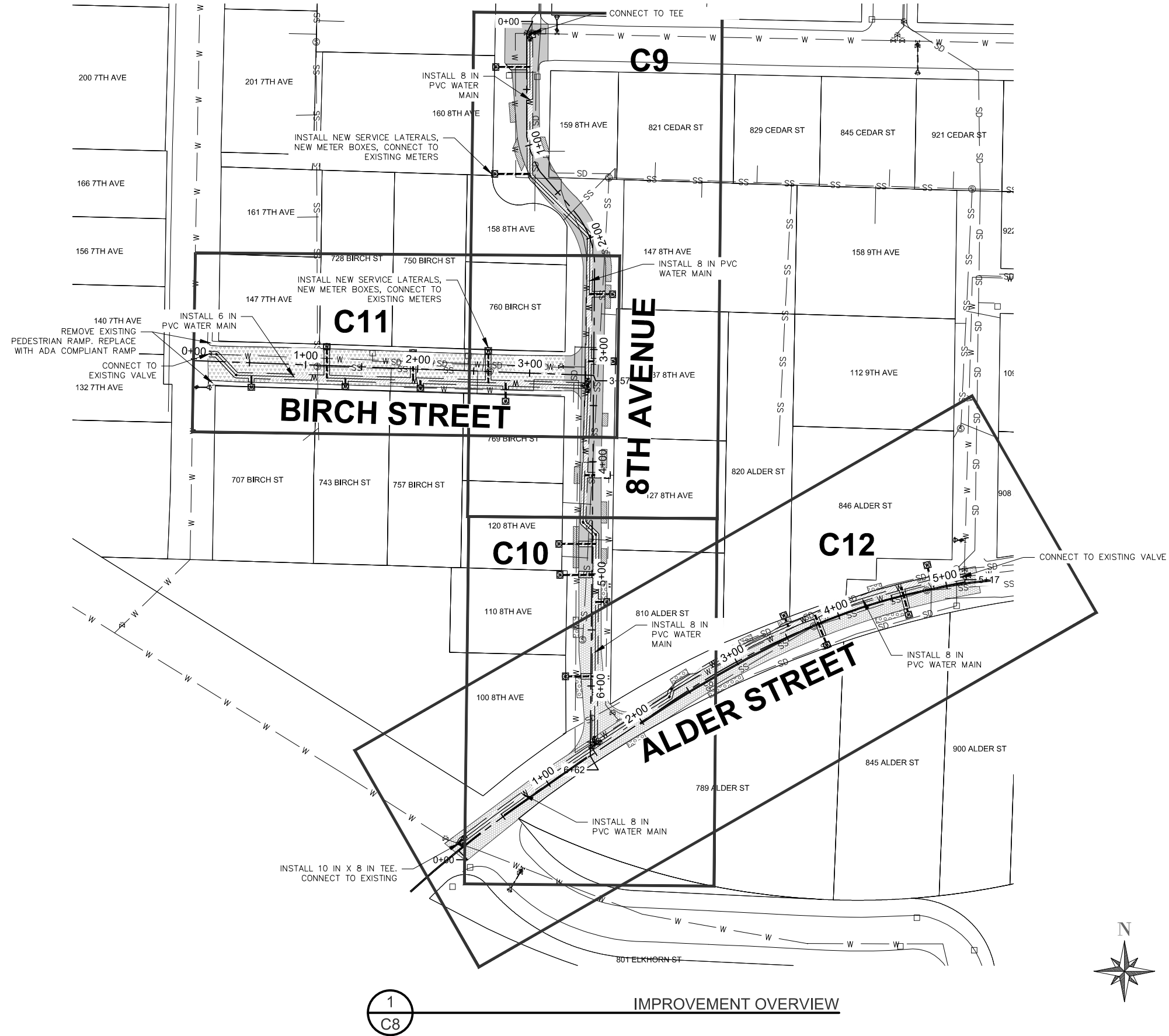
2022 WATERMAIN REPLACEMENT PROGRAM

8TH + ALDER EXISTING CONDITION

C7

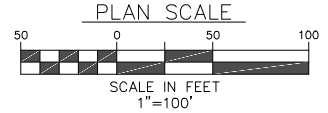
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DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\2817-05 DESIGN ALDER.dwg



1
C8

IMPROVEMENT OVERVIEW



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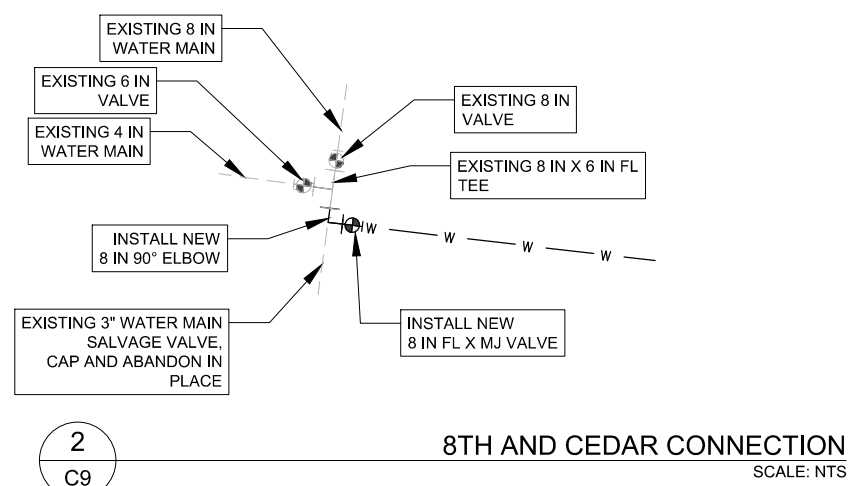
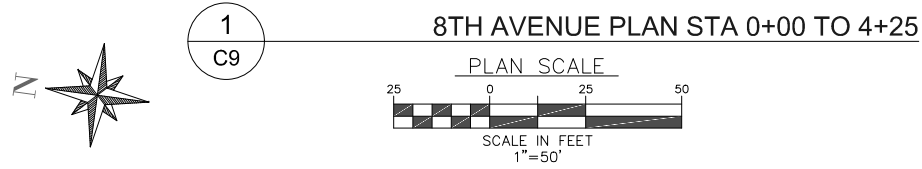
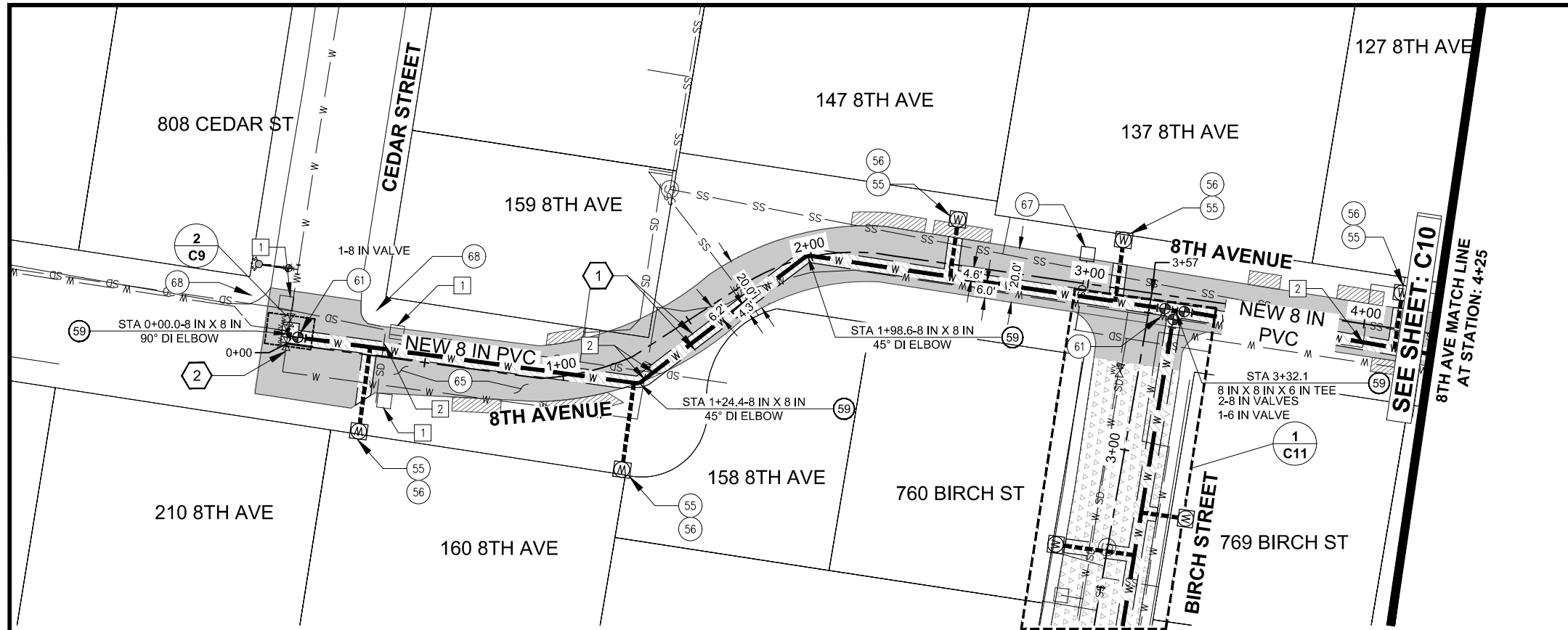
2022 WATERMAIN REPLACEMENT PROGRAM

8TH + ALDER IMPROVEMENTS
OVERVIEW



APRIL 20

DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05 DESIGN ALDER.dwg



DEMOLITION NOTES:

- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

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- 68 REMOVE EXISTING PEDESTRIAN RAMP. REPLACE WITH ADA COMPLIANT PEDESTRIAN RAMP

KEYED NOTES:

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				FT
				2817-05

CITY OF SWEET HOME
LINN COUNTY, OR

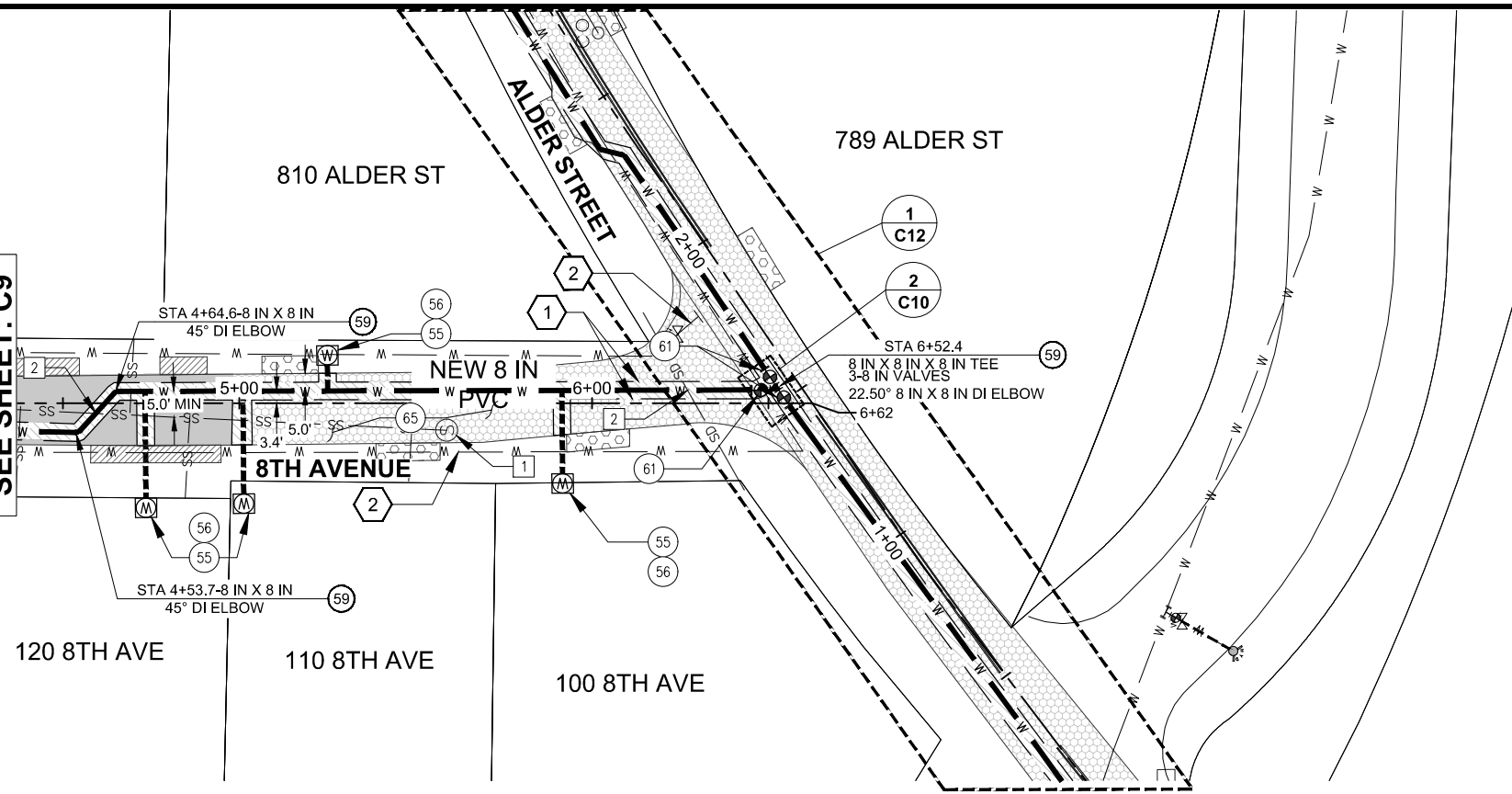
2022 WATERMAIN REPLACEMENT PROGRAM

8TH ST PLAN STA 0+00 TO 4+25

DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 8th Ave Water Distribution System Improvements Ph2\204 Final Design\Drawings\2817-05 DESIGN ALDER.dwg

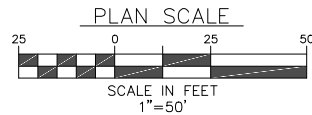
8TH AVE MATCH LINE
AT STATION: 4+25

SEE SHEET: C9

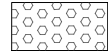


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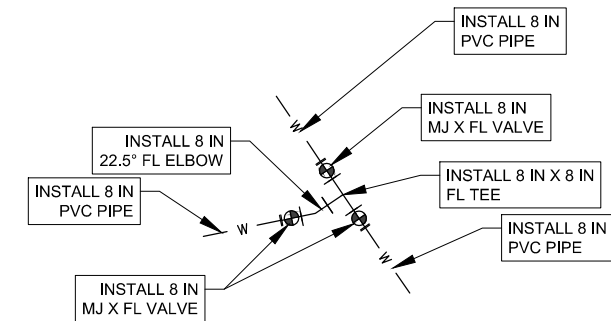
8TH AVENUE PLAN STA 4+25 TO 6+62



ADDITIVE ALTERNATE AC OVERLAY



ADDITIVE ALTERNATE DRIVEWAY



2
C10

8TH AND ALDER CONNECTION

SCALE: NTS

DEMOLITION NOTES:

- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

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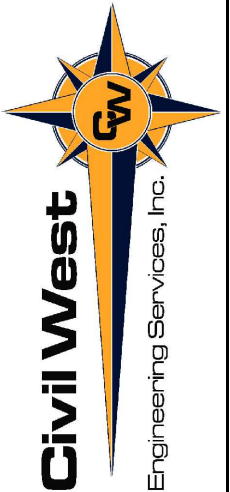
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ALBANY, OR 97321

REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM
DRAWN BY: FT
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PROJECT NO: 2817-05

CITY OF SWEET HOME
LINN COUNTY, OR

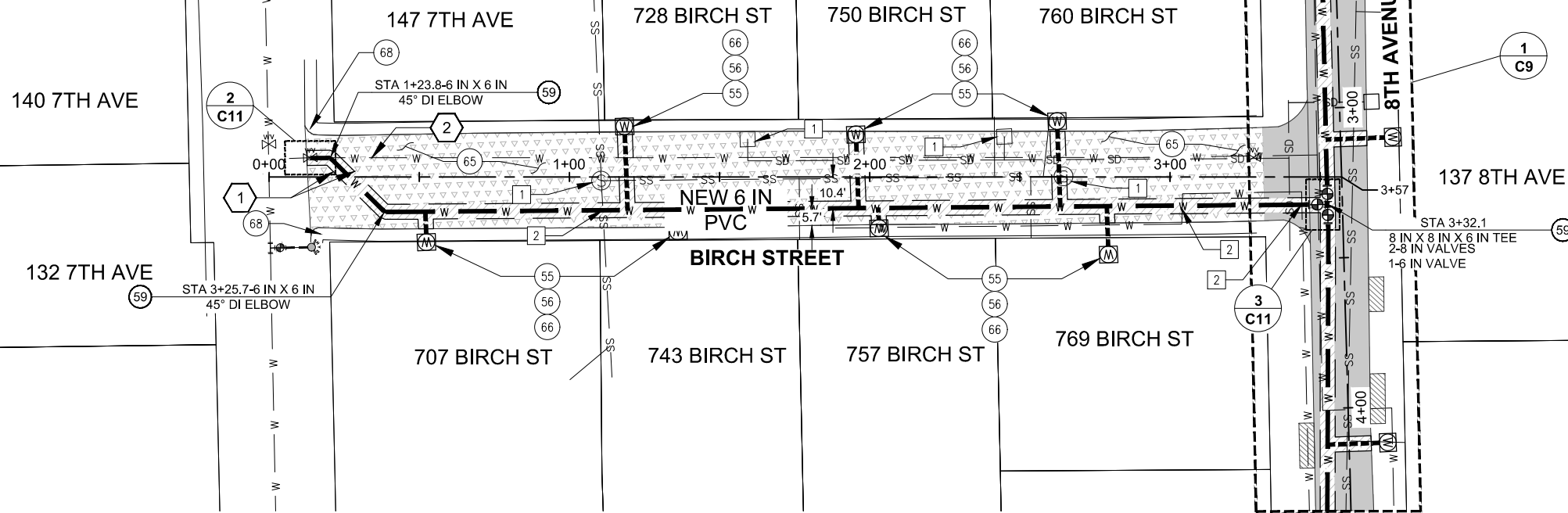
2022 WATERMAIN REPLACEMENT PROGRAM

8TH ST PLAN STA 4+25 TO 6+62

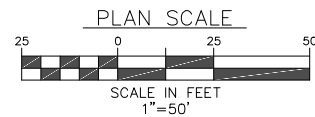
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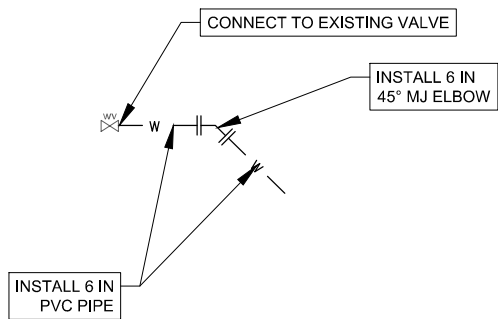
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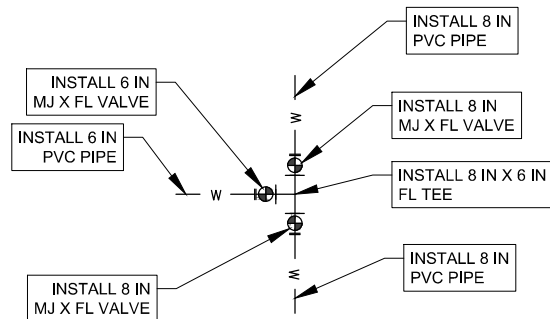


FULL ROAD WIDTH GRIND AND INLAY



2
C11

BIRCH AND 7TH CONNECTION
SCALE: NTS



3
C11

BIRCH AND 8TH CONNECTION
SCALE: NTS

DEMOLITION NOTES:

- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

- 54 INSTALL NEW PVC WATER PIPE (C-900) INCLUDING FITTINGS AND FIXTURES WITH 36 IN COVER MINIMUM. SEE DETAIL, 1 D1
- 55 INSTALL NEW WATER SERVICE LATERAL. SEE DETAILS, 1 D2
- 56 INSTALL NEW WATER METER. CITY SHALL PROVIDE METER AND VAULT. SEE DETAILS, 1 D2
- 59 INSTALL THRUST BLOCKS AND MEGALUGS AT EACH TRANSITIONAL JOINT. SEE DETAIL, 1 D3
- 61 INSTALL NEW WATER VALVE PER PROJECT SPECIFICATIONS. SEE DETAIL, 1 D4
- 63 INSTALL NEW FIRE HYDRANT ASSEMBLY AND SERVICE LINE. ALL BEDDING, THRUST BLOCKS, AND FIXTURES SHALL CONFORM TO PROJECT PLANS AND SPECIFICATIONS. SEE DETAIL, 1 D5, 1 D3
- 64 INSTALL BLOW OFF VALVE. SEE DETAIL, 1 D6
- 65 OVERLAY ASPHALT, MATCH EXISTING. SEE DETAILS, 1 D7, 2 D7
- 66 REPLACE SIDEWALK, CURB AND GUTTER, MATCH EXISTING. SEE DETAIL, 1 D8, 1 D9
- 67 INSTALL CATCH BASIN AND ~25 FT OF 12 IN PVC PIPE, TIE INTO DITCH. SEE DETAIL, 1 D10
- 68 REMOVE EXISTING PEDESTRIAN RAMP. REPLACE WITH ADA COMPLIANT PEDESTRIAN RAMP

KEYED NOTES:

- 1 PROTECT IN PLACE. RAISE AS NEEDED.
- 2 POTHOLE EXISTING PRIOR TO WATERLINE INSTALLATION.

SHEET NOTES:

1. CONTRACTOR SHALL CONTACT "ONE CALL" FOR UTILITY LOCATES PRIOR TO THE START OF ANY EXCAVATION.
2. CONTRACTOR SHALL POT HOLE EXISTING WATERLINE PRIOR TO NEW WATERLINE CONSTRUCTION TO CONFIRM EXISTING WATERLINE DEPTH LOCATION, AND FITTING REQUIREMENTS FOR CONNECTION OF NEW WATERLINE TO EXISTING.
3. TYPICAL BURY FOR NEW WATERLINE SHALL BE 36 IN TO TOP OF PIPE. ADJUST DEPTH OF BURY AS REQUIRED TO MAINTAIN CONSTANT GRADE
4. AFTER COMPLETION OF NEW WATERLINE AND ALL TESTING AND CONNECTIONS HAVE BEEN MADE, DESIGNATED PORTIONS OF EXISTING WATERLINE ARE TO BE ABANDONED IN PLACE. EXISTING VALVES AND BOXES SHALL BE REMOVED IN THEIR ENTIRETY ALONG WITH ANY TEMPORARY SPOOLS AND CONNECTIONS. PROVIDE END CAPS, BLIND FLANGES OR PLUGS AS REQUIRED FOR COMPLETE ABANDONMENT OF DESIGNATED PORTIONS OF EXISTING WATERLINES.

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				MDW

DESIGNED BY: ERM
DRAWN BY: FT
PROJECT NO: 2817-05

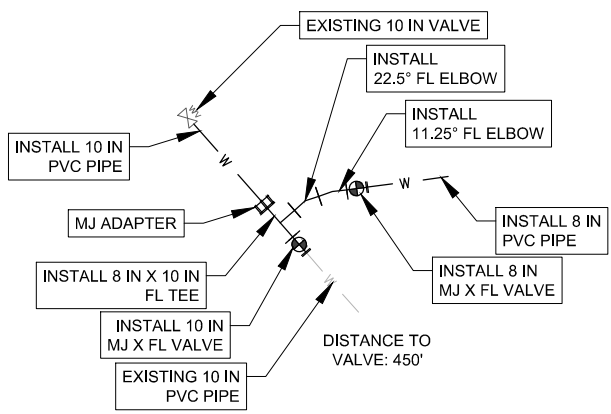
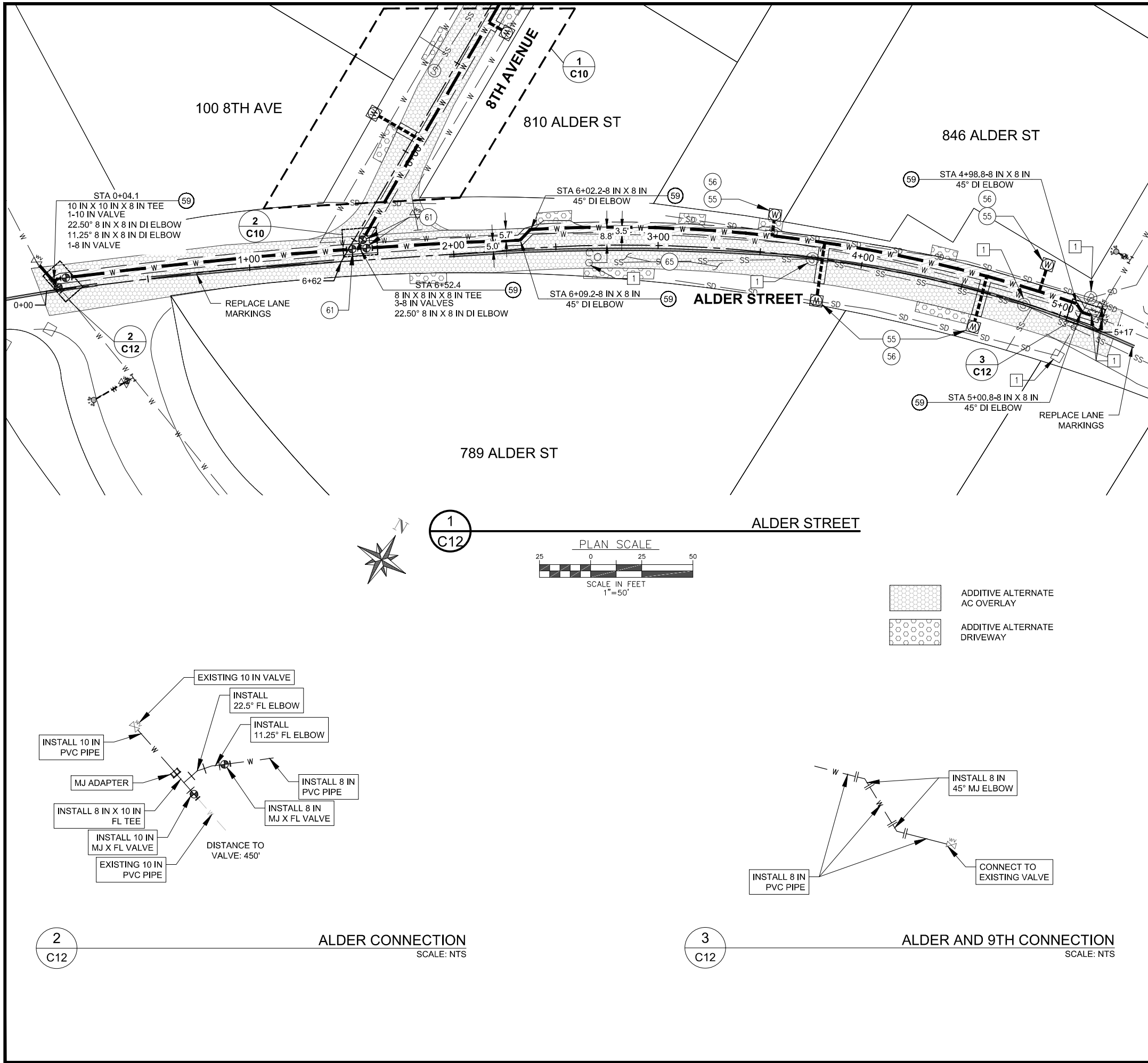
CITY OF SWEET HOME
LINN COUNTY, OR
2022 WATERMAIN REPLACEMENT PROGRAM

BIRCH STREET

C11

APRIL 20

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- 1 SAWCUT AND REMOVE.
- 2 CAP EXISTING AND ABANDON IN PLACE.

IMPROVEMENT NOTES:

- 54 INSTALL NEW PVC WATER PIPE (C-900) INCLUDING FITTINGS AND FIXTURES WITH 36 IN COVER MINIMUM. SEE DETAIL, 1 D1
- 55 INSTALL NEW WATER SERVICE LATERAL. SEE DETAILS, 1 D2
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- 64 INSTALL BLOW OFF VALVE. SEE DETAIL, 1 D6
- 65 OVERLAY ASPHALT, MATCH EXISTING. SEE DETAILS, 1 D7, 2 D7
- 66 REPLACE SIDEWALK, CURB AND GUTTER, MATCH EXISTING. SEE DETAIL, 1 D8, 1 D9
- 67 INSTALL CATCH BASIN AND ~25 FT OF 12 IN PVC PIPE, TIE INTO DITCH. SEE DETAIL, 1 D10
- 68 REMOVE EXISTING PEDESTRIAN RAMP. REPLACE WITH ADA COMPLIANT PEDESTRIAN RAMP

KEYED NOTES:

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- 2 POT HOLE EXISTING PRIOR TO WATERLINE INSTALLATION.

SHEET NOTES:

- CONTRACTOR SHALL CONTACT "ONE CALL" FOR UTILITY LOCATES PRIOR TO THE START OF ANY EXCAVATION.
- CONTRACTOR SHALL POT HOLE EXISTING WATERLINE PRIOR TO NEW WATERLINE CONSTRUCTION TO CONFIRM EXISTING WATERLINE DEPTH LOCATION, AND FITTING REQUIREMENTS FOR CONNECTION OF NEW WATERLINE TO EXISTING.
- TYPICAL BURY FOR NEW WATERLINE SHALL BE 36 IN TO TOP OF PIPE. ADJUST DEPTH OF BURY AS REQUIRED TO MAINTAIN CONSTANT GRADE
- AFTER COMPLETION OF NEW WATERLINE AND ALL TESTING AND CONNECTIONS HAVE BEEN MADE, DESIGNATED PORTIONS OF EXISTING WATERLINE ARE TO BE ABANDONED IN PLACE. EXISTING VALVES AND BOXES SHALL BE REMOVED IN THEIR ENTIRETY ALONG WITH ANY TEMPORARY SPOOLS AND CONNECTIONS. PROVIDE END CAPS, BLIND FLANGES OR PLUGS AS REQUIRED FOR COMPLETE ABANDONMENT OF DESIGNATED PORTIONS OF EXISTING WATERLINES.

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CITY OF SWEET HOME
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2022 WATERMAIN REPLACEMENT PROGRAM
ALDER STREET

Sheet No: **C12**
Date: **APRIL 20**

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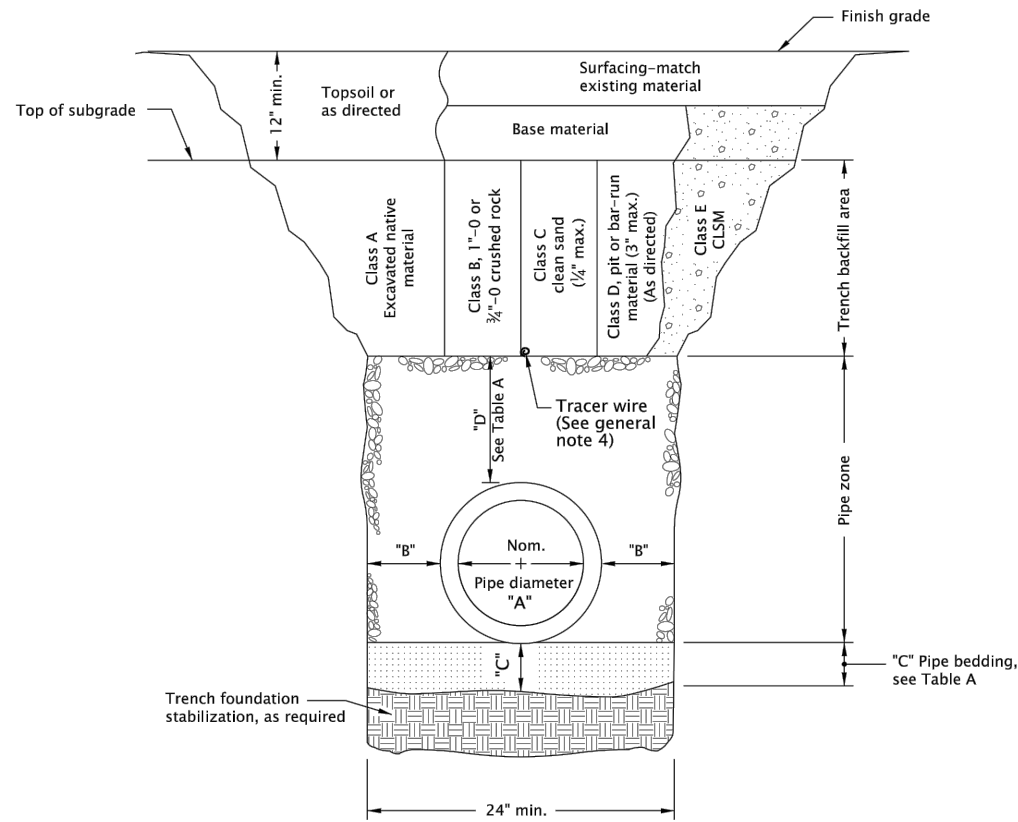
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RD300

TABLE A

"A" (in)	"B" (in)	"C" (in)	"D" (in)
4	10	4	8
6	10	4	8
8	10	6	10
10	10	6	10
12	12	6	10
15	12	6	10
18	16	6	12
21	16	6	12
24	18	6	12
30	18	6	12
36	24	6	14
42	24	6	14
48	24	6	14
54	24	6	14
60	24	6	14
66	24	6	14
72	24	6	14

For pipes over 72" diameter, see general note 3.



MULTIPLE INSTALLATIONS	
DIAMETER	MIN. SPACE BETWEEN PIPES
Up to 48"	24"
48" to 72"	One half (1/2) dia. of pipe

GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

- Surfacing of paved areas shall comply with street cut Std. Dwg. RD302.
- For pipe installation in embankment areas where the trench method will not be used and the pipe is $\geq 36"$ diameter, increase dimension "B" to nominal pipe diameter.
- Pipes over 72" diameter are structures, and are not applicable to this drawing.
- See Std. Dwg. RD336 for tracer wire details (When required).

CALC. BOOK NO. N/A SDR DATE 14-JUL-2014

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

**OREGON STANDARD DRAWINGS
TRENCH BACKFILL, BEDDING,
PIPE ZONE AND MULTIPLE
INSTALLATIONS**

2021

DATE	REVISION	DESCRIPTION

Effective Date: June 1, 2021 - November 30, 2021

RD300

1
D1

WATER MAIN TRENCH AND BACKFILL DETAIL
NOT TO SCALE

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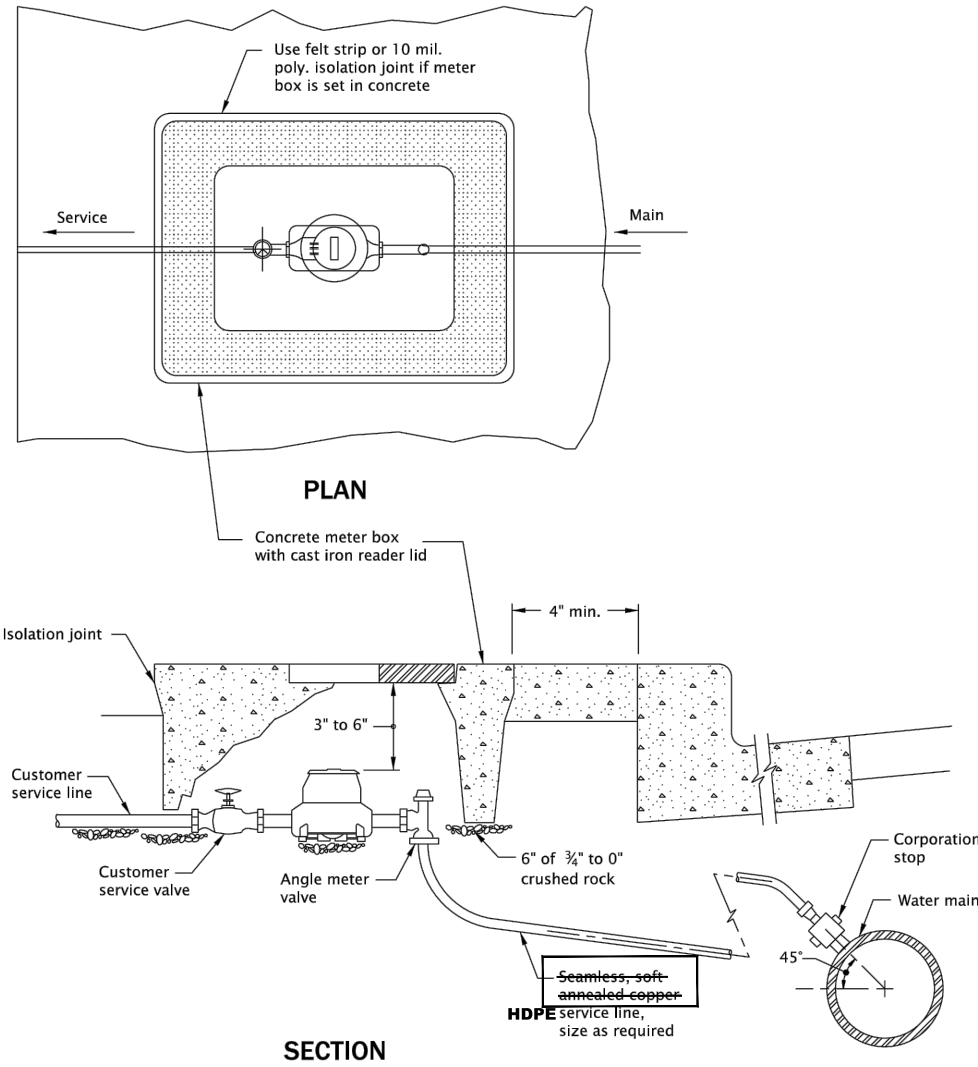
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WATER MAIN TRENCH AND BACKFILL
DETAIL

Sheet No. **D1**
Date **APRIL 20**

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-Details.dwg

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RD274



NOTES:

1. ONLY NEW METER BOX WILL BE INSTALLED AS PART OF CONSTRUCTION. METER TO BE INSTALLED BY THE CITY OF SWEET HOME.
2. METER BOX PART NO. DFW486WBC4-12-BODY. LID PART NO. DFW486C-4M-NHK-LID

GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

1. Meter to be centered and set plumb inside meter box.
2. Manufactured meter setter may be used for 3/4" to 2" services.
3. Set meter box 4" minimum behind curb or sidewalk.
4. Meter boxes set in driveways shall have traffic lids.
5. See project plans for meter box size.
6. See project plans for details not shown.

CALC. BOOK NO. <u>N/A</u>	SDR DATE <u>25-JUL-2017</u>
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications	
OREGON STANDARD DRAWINGS	
3/4" TO 2"	
WATER SERVICE CONNECTION	
2021	
DATE	REVISION DESCRIPTION

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

Effective Date: June 1, 2021 - November 30, 2021

RD274

1
D2

WATER SERVICE CONNECTION
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CITY OF SWEET HOME
LINN COUNTY, OR

2022 WATERMAIN REPLACEMENT PROGRAM

WATER SERVICE CONNECTION DETAIL

Sheet No. **D2**
Date **APRIL 20**

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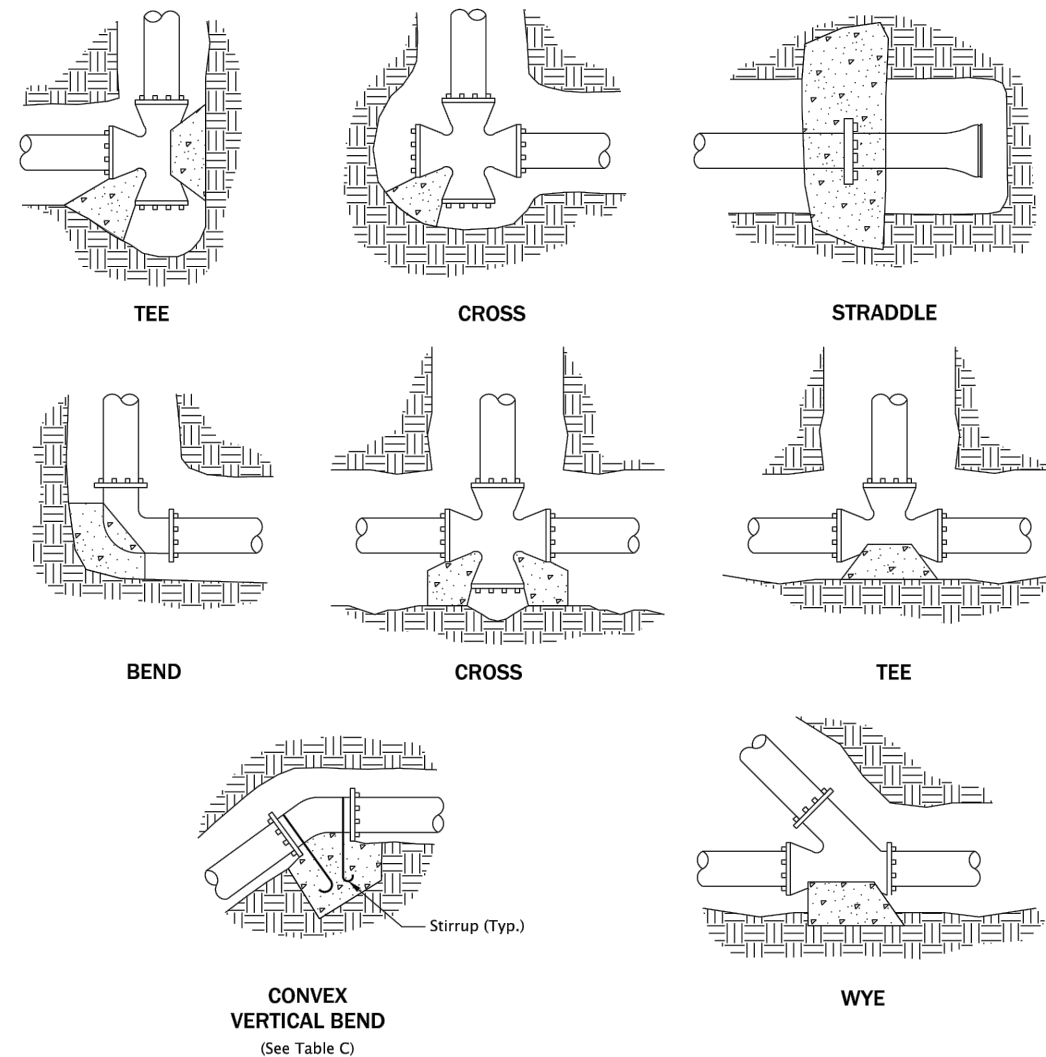
RD250

THRUST BLOCKING

TABLE A CONCRETE THRUST BLOCKING (HORIZONTAL)						
PIPE DIA.	Table Pressure PSI	Thrust (T) at fittings in Pounds				
		Tee & Dead Ends	90 deg Bend	45 deg Bend	22.5 deg Bend	11.25 deg Bend
4"	250	3035	4320	2315	1215	610
6"	250	6860	9735	5215	2720	1375
8"	250	12185	17310	9265	4835	2430
10"	250	19045	27045	14480	7560	3800
12"	250	27405	38940	20840	10880	5465
14"	250	37320	53010	28370	14815	7445
16"	250	48740	69245	37050	19360	9735

TABLE B	
Soil Type	Soil Bearing Capacity (B) in PSF
Muck, peat, etc.	0
Soft Clay	1000
Sand	2000
Sand and gravel	3000
Sand and gravel cemented with clay	4000
Hard shale	10,000

TABLE C CONCRETE BLOCKING FOR CONVEX VERTICAL BENDS							
DIMENSION TABLE							
PIPE DIA. in.	Table Pressure PSI	Bend Angle (deg)	Concrete Volume (cy)	Cube Size (ft)	Stirrup Dia. (in)	Stirrup Embmt. (in)	Stirrup Bar #
4"	250	11.25	0.21	1.8	5/8	17	5
		22.5	0.43	2.3			
		45	0.77	2.8			
6"	250	11.25	0.48	2.4	5/8	17	5
		22.5	0.95	3.0			
		45	1.79	3.6			
8"	250	11.25	0.86	2.9	5/8	17	5
		22.5	1.65	3.5			
		45	3.22	4.4			
10"	250	11.25	1.39	3.3	5/8	17	5
		22.5	2.62	4.1			
		45	4.97	4.1			
12"	250	11.25	1.94	3.7	5/8	17	5
		22.5	3.91	4.7			
		45	6.89	5.7			
14"	250	11.25	2.62	4.1	5/8	17	5
		22.5	5.26	5.2			
		45	9.70	6.4			
16"	250	11.25	3.44	4.5	5/8	17	5
		22.5	6.89	5.7			
		45	12.63	7.0			



THRUST BLOCK BEARING AREA EQUATION

NOTE: WHEN THRUST BLOCK BEARING AREA IS NOT SPECIFIED ON THE PLANS OR DETERMINED BY THE ENGINEER, USE THE FOLLOWING PROCEDURE TO DETERMINE REQUIRED BEARING AREA.

- Determine thrust (T) for type of fitting or joint and size of pipe from Table A.
- Determine Design (Test) Pressure from Standard Specifications or Special Provisions.
- Determine Table Pressure from Table A.
- Determine Soil Bearing Capacity (B) of soil from Table B.
- Determine required bearing area (A) in sq. ft. as follows:

$$\text{Thrust Block Bearing Area} = A = \left(\frac{T}{B} \right) \left(\frac{\text{Design (Test) Pressure}}{\text{Table Pressure}} \right)$$

Example: Design (Test) Pressure = 150 PSI From Table A, T = 37320
 Pipe = 14" From Table B, B = 2000
 Fitting = Tee
 Soil = Sand $A = \left(\frac{37320}{2000} \right) \left(\frac{150}{250} \right) = 11.2 \text{ sq.ft.}$

GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

- Contractor to provide blocking adequate to withstand full test pressure.
- Pour concrete blocking against undisturbed earth.
- All concrete shall be commercial grade concrete.
- Wrap pipe and/or fittings with 2 layers of polyethylene film where in contact with concrete.
- Keep concrete clear of all joints and accessories.
- Stirrups shall be deformed galvanized cold rolled steel AASHTO M31 (ASTM A615), Grade 60. Coat with coal tar epoxy after installation.
- See project plans for details not shown.

CALC. BOOK NO. N/A

SDR DATE 25-JUL-2017

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS

THRUST BLOCKING

2021

DATE	REVISION DESCRIPTION

Effective Date: June 1, 2021 – November 30, 2021

RD250

1
D3

THRUST BLOCK DETAIL
NOT TO SCALE

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PROJECT NO: 2817-405		

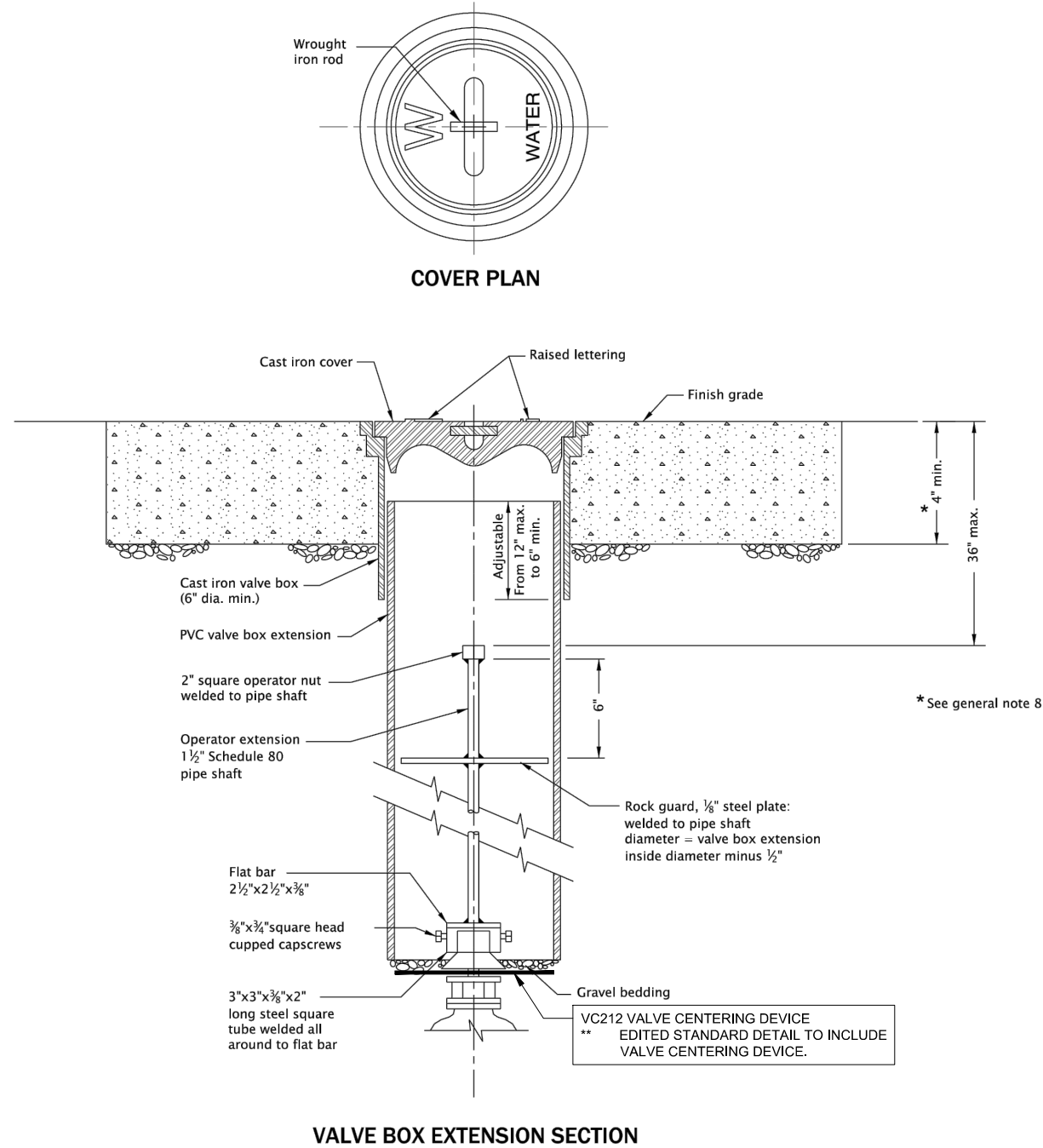
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2022 WATERMAIN REPLACEMENT PROGRAM
THRUST BLOCK DETAIL

Sheet No. **D3**
Date **APRIL 20**

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RD258



- GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:
1. Valve box not to rest on operating assembly.
 2. Operator extension required when valve nut is deeper than 4' from finish grade.
 3. Center valve box on axis of operator nut.
 4. Valves 12" and smaller shall be provided with compacted aggr. base on undisturbed ground. Valves greater than 12" shall be installed on precast concrete block, (4" thick).
 5. Welds shall be minimum 1/4" all around.
 6. Hot dip galvanize operator extension after fabrication.
 7. Casting shall meet H20 load requirement.
 8. Provide concrete or asphalt pad (24" square, 4" thick), when required.
 9. See project plans for details not shown.

CALC. BOOK NO. <u> N/A </u>	SDR DATE <u> 25-JUL-2017 </u>
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications	
OREGON STANDARD DRAWINGS	
VALVE BOX AND OPERATOR EXTENSION ASSEMBLY	
2021	
DATE	REVISION DESCRIPTION

Effective Date: June 1, 2021 – November 30, 2021 RD258

1
D4

VALVE BOX DETAIL
NOT TO SCALE

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2022 WATERMAIN REPLACEMENT PROGRAM

VALVE BOX DETAIL

Sheet No. **D4**
Date **APRIL 20**

PRELIMINARY

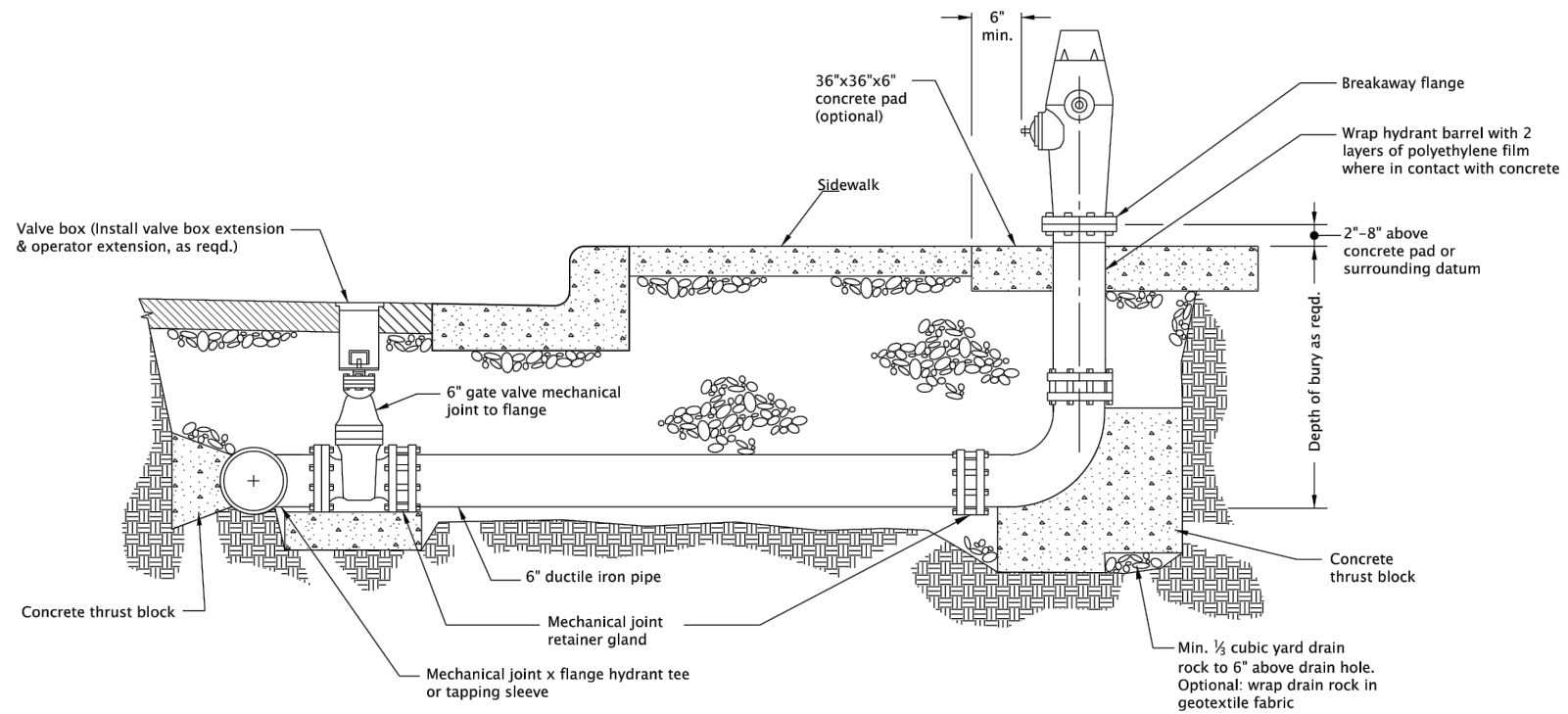


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RD254



HYDRANT ASSEMBLY

- GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:
- When pipe is shorter than 18', no joints allowed. Use mechanical joint retainers. Two 3/4" galvanized tie rods may be used in lieu of thrust blocks for installations less than 18' long. Coat tie rods with two coats of coal tar epoxy.
 - When pipe is longer than 18' retainers not required.
 - There shall be a minimum of 18" horizontal clearance around hydrant.
 - When placed adjacent to curb, hydrant port shall be 24" from face of curb.
 - Concrete thrust blocks shall be constructed as per thrust blocking Std. Dwg. RD250. Do not block drain holes.
 - Extensions required for hydrant systems shall be installed to the manufacturer's specifications.
 - Hydrants shall be placed to provide a minimum of 5' clearance from driveways, poles, and other obstructions.
 - Hydrant pumper port shall face direction of access.
 - Set hydrant plumb in all directions.
 - See project plans for details not shown.

CALC. BOOK NO. <u> N/A </u>	SDR DATE <u> 25-JUL-2017 </u>
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications	
OREGON STANDARD DRAWINGS	
HYDRANT INSTALLATION	
2021	
DATE	REVISION DESCRIPTION

Effective Date: June 1, 2021 - November 30, 2021 RD254

1
D5

FIRE HYDRANT ASSEMBLY DETAIL
NOT TO SCALE

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2022 WATERMAIN REPLACEMENT PROGRAM
FIRE HYDRANT ASSEMBLY DETAIL

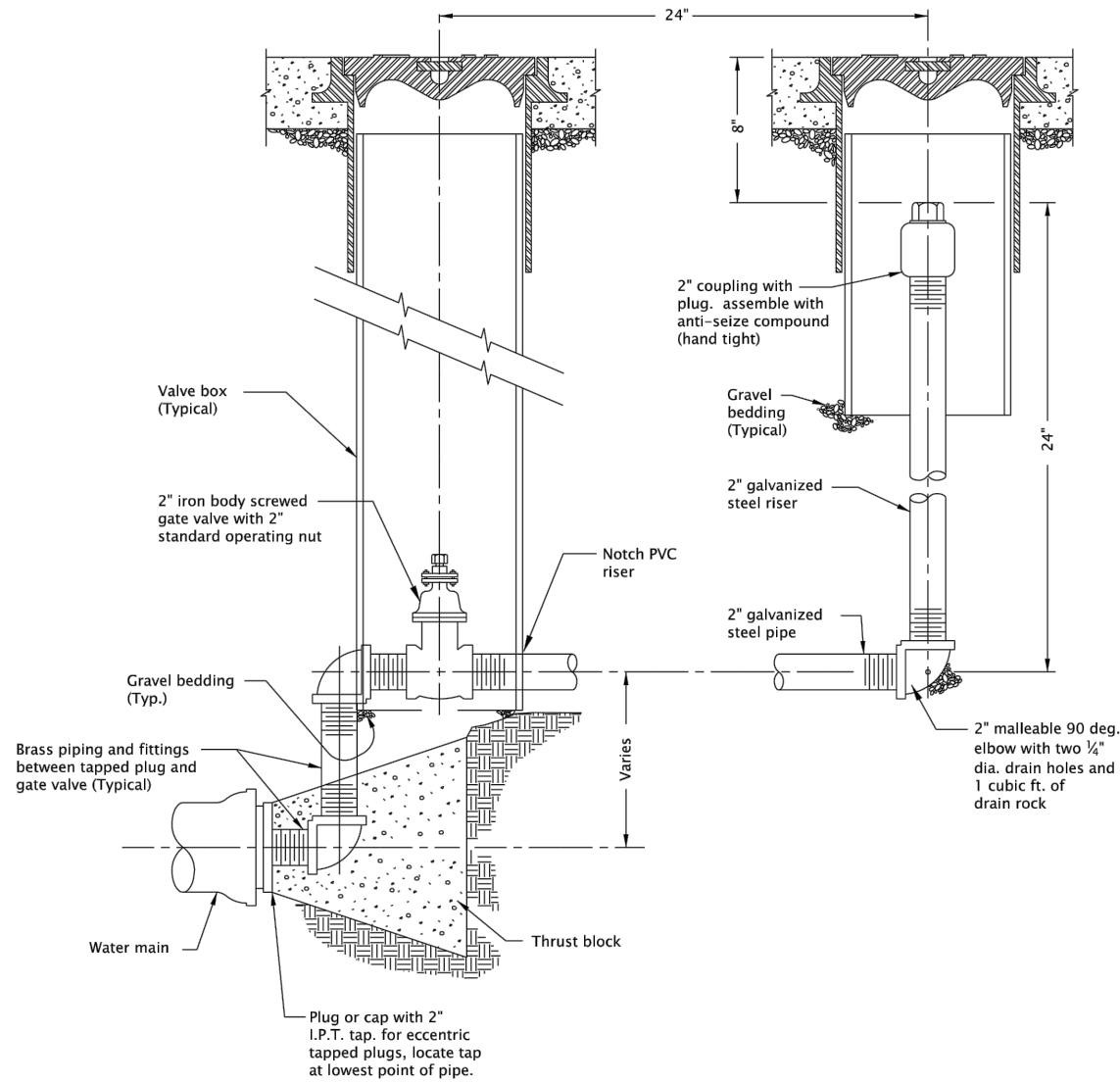
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RD262



GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

1. Wrap main and fittings in thrust block zone with two layers of polyethylene film to facilitate future removal.
2. In lieu of concrete thrust block, restrain pipe or pour concrete straddle block.
3. See project plans for details not shown.

CALC. BOOK NO. N/A SDR DATE 25-JUL-2017

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS

TYPICAL MAIN DEAD-END BLOWOFF ASSEMBLY

2021

DATE	REVISION DESCRIPTION

Effective Date: June 1, 2021 - November 30, 2021

RD262

1
D6

BLOW-OFF ASSEMBLY DETAIL
NOT TO SCALE

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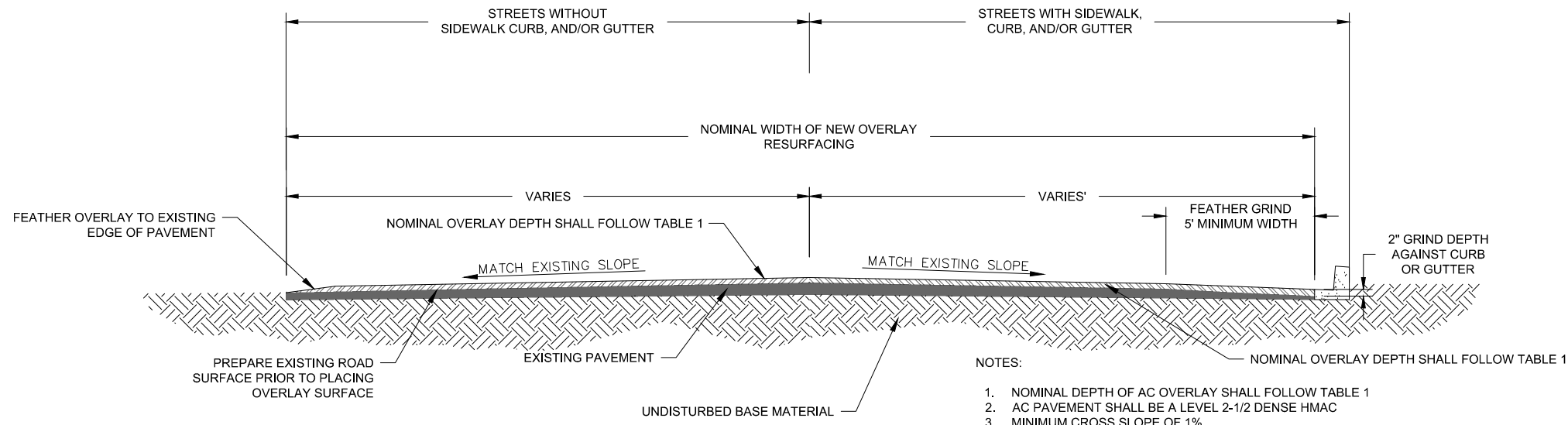
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2022 WATERMAIN REPLACEMENT PROGRAM

BLOW-OFF ASSEMBLY DETAIL

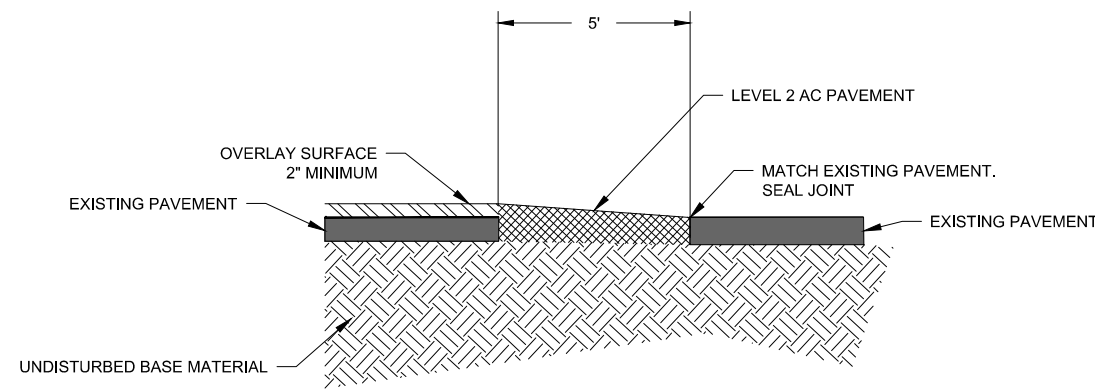
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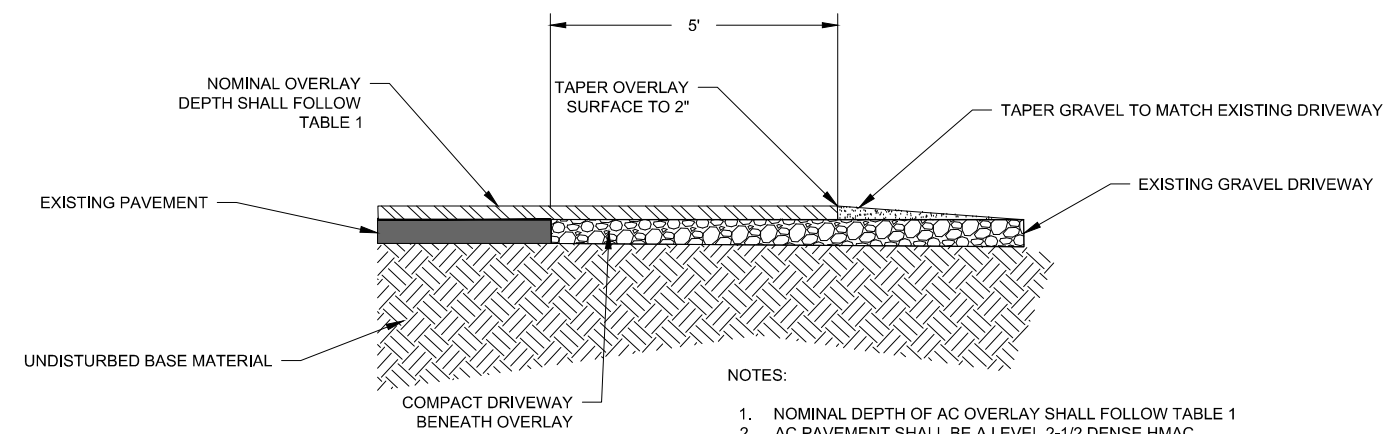


STREET NAME	AC OVERLAY DEPTH
9TH AVENUE	2 IN
GRAPE STREET	4 IN
CATALPA STREET	2 IN
8TH AVENUE	2 IN
BIRCH STREET	2 IN
ALDER STREET	2 IN

1
D7
ASPHALT CONCRETE PAVEMENT DETAIL
NOT TO SCALE



2
D7
OVERLAY TRANSITION DETAIL
NOT TO SCALE



3
D7
GRAVEL DRIVEWAY TRANSITION DETAIL
NOT TO SCALE

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2022 WATERMAIN REPLACEMENT PROGRAM

ASPHALT CONCRETE PAVEMENT
DETAILS

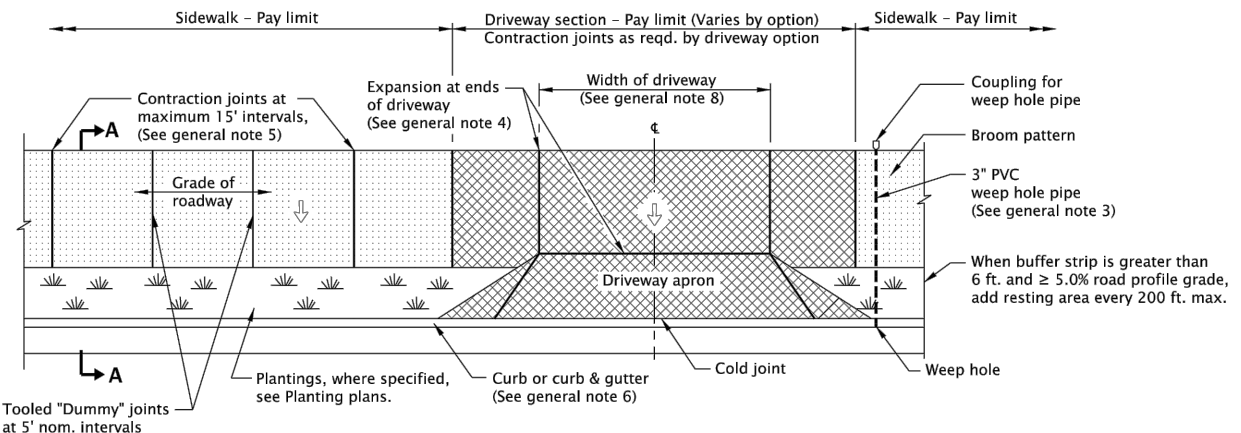
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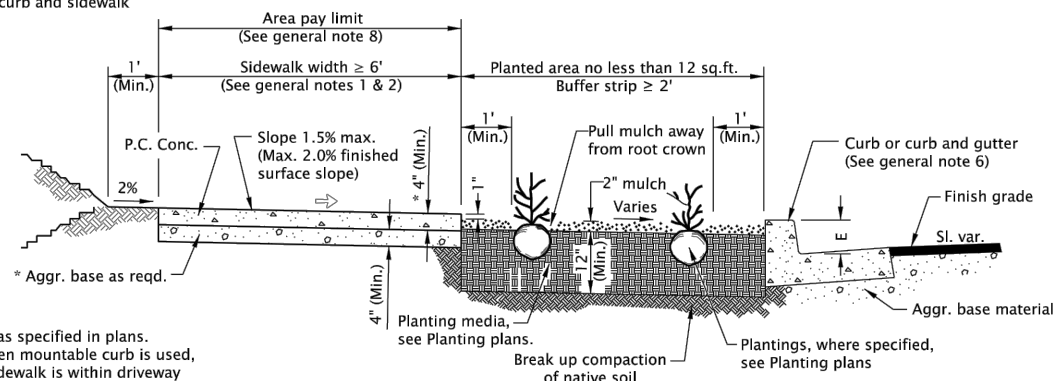
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TYPICAL PLAN VIEW - SEPARATED SIDEWALK

Provide compacted backfill adjacent to curb and sidewalk

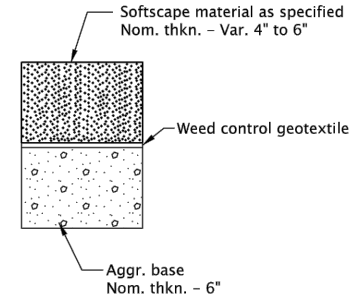


SECTION A-A TYPICAL SETBACK SIDEWALK CROSS SECTION

E = curb exposure, see general note 6

- GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:
1. Include additional paved or unpaved 2' shy distance to vertical faces higher than 5' such as retaining walls, sound walls, fences and buildings.
 2. Curb type and sidewalk width as shown on plans or as directed. On sidewalks 8' and wider, provide a longitudinal joint at the midpoint.
 3. Install 3" pvc weep hole pipes in sidewalks where shown on plans, and allowed by jurisdiction. Place contraction joint over top of pipe. See Std. Dwg. RD700 for weep hole details.
 4. Provide expansion joints around poles, posts, boxes, at ends of each driveway, and other fixtures which protrude through or against the structures. For sidewalk, monolithic curb & sidewalk, const. expansion joints at 45' maximum spacing. See Std. Dwg. RD722 for expansion joint details.

5. Const. contraction joints at 15' maximum spacing, and at ends of each curb ramp. See Std. Dwg. RD722 for contraction joint details.
6. Curb and gutter shown; see project plans for the curb design specified. For curb details, see Std. Dwgs. RD700 & RD701. ODOT standard E=7".
7. Sidewalk details are based on ODOT applicable standards.
8. Driveway encroaches into sidewalk shown; see project plans for the driveway design specified. For driveway details not shown, see Std. Dwgs. RD725, RD730, RD735, RD740, RD745 & RD750.
9. See project plans for details not shown.
10. Provide plantings in areas 12 SF or greater, as shown or directed. Treat areas less than 12 SF with mulch surfacing.



NON-PLANTED SOFTSCAPE CROSS SECTION

- NOTES:
- 1 Use softscape materials allowed by jurisdiction.
 2. Approved softscape materials:
 - a) Loose, durable round rock 2"-4" in diameter
 - b) Lava rock 2"-4" diameter
 - c) Wood chips/bark mulch
 - d) Sand
 3. No crushed aggregate or pea gravel allowed.
 4. Install softscape material flush with the top of sidewalk.

- LEGEND
- [Dotted pattern] Sidewalk pay limit.
 - [Cross-hatched pattern] Driveway pay limit, varies by option, (See general note 8).
 - [Arrow symbol] Cross slope 1.5% max. (Max. 2.0% finished surface slope) (Normal sidewalk cross slope)

CALC. BOOK NO. N/A SDR DATE 20-JUL-2020

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS
SEPARATED SIDEWALKS

DATE	REVISION DESCRIPTION
2021	

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

Effective Date: June 1, 2021 - November 30, 2021

RD721

RD721

1
D8

SIDEWALK WITH LANDSCAPE STRIP
NOT TO SCALE

CITY OF SWEET HOME
LINN COUNTY, OR

2022 WATERMAIN REPLACEMENT PROGRAM

SIDEWALK WITH LANDSCAPE STRIP
DETAIL

D8

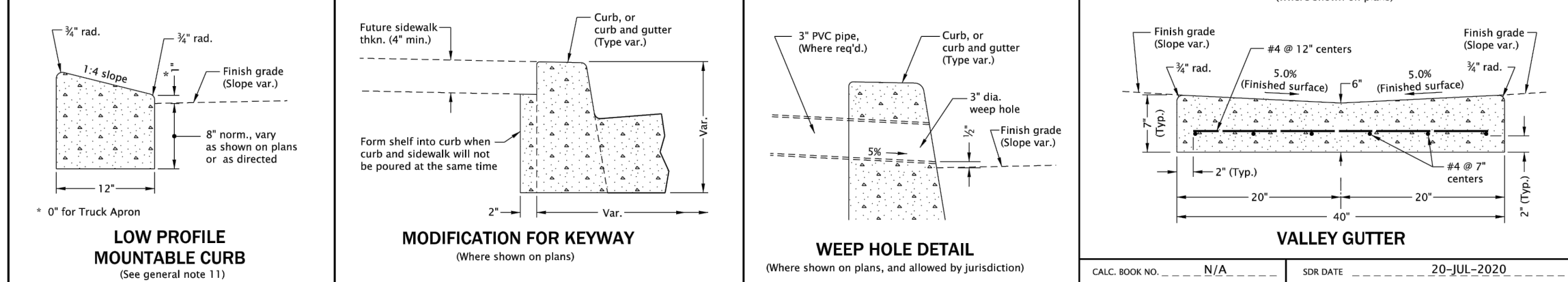
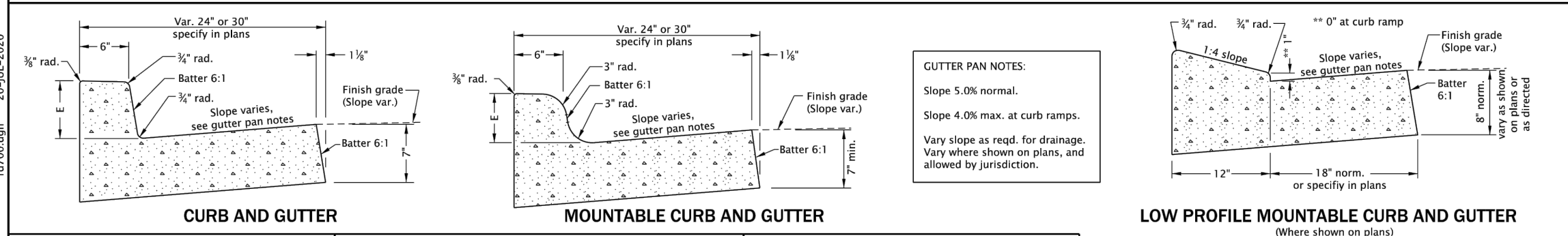
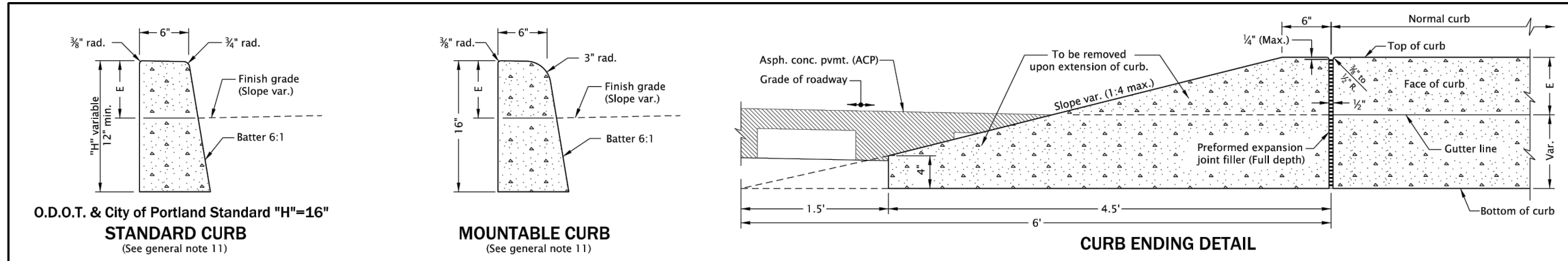
APRIL 20

DATE: 4/26/22 FILE: C:\CW_Projects\2817_Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-Details.dwg

PRELIMINARY



541-223-5130
www.civilwest.com
200 FERRY ST SW
ALBANY, OR 97321



GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:

- Curb exposure "E" = 6" to 9", as measured vertically from flowline to highest point on curb. Vary as shown on plans or as directed. O.D.O.T standard "E"=7".
- Const. curb expansion joints at 200' maximum spacing, and at points of tangency, and at ends of each driveways.
- Const. curb contraction joints at 15' maximum spacing, and at ends of each inlet and curb ramp.
- Transitions shall be used to connect curbs of different exposures "E". ("E" is the total vertical dimension of those curb surfaces having a slope of 1:1 or steeper). Minimum desirable transition length shall be 20' for each 1" difference in "E".
- Tops of all curbs shall slope toward the roadway at 1.5% max. (Max. 2.0% finished surface slope), unless otherwise shown, or as directed.
- Dimensions are nominal, vary to conform with curb machine approved by the engineer.
- Dimensions adjacent to radii are measured to the point of intersection of curb surfaces.
- For sidewalk details, and monolithic curb & sidewalk, see Std. Dwg. RD720 & RD721.
- For drainage curbs, see Std. Dwg. RD701.
- For curb ramp details, see Std. Dwg. RD900 series.
- On or along state highways, curb and gutter is required at curb ramp.

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS

CURBS

2021

DATE	REVISION DESCRIPTION

rd700.dgm 20-JUL-2020

RD700

Effective Date: June 1, 2021 - November 30, 2021

RD700

1
D9

CURB AND GUTTER DETAIL
NOT TO SCALE

REV.	DATE	DESCRIPTION	BY

DESIGNED BY: ERM	DRAWN BY: MDW	CHECKED BY: MDW
PROJECT NO: 2817-405		

CITY OF SWEET HOME
LINN COUNTY, OR

2022 WATERMAIN REPLACEMENT PROGRAM

CURB AND GUTTER DETAIL

Date: APRIL 20

Sheet No: D9

DATE: 4/28/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\204 Final Design\Drawings\Dwg\2817-05-Details.dwg

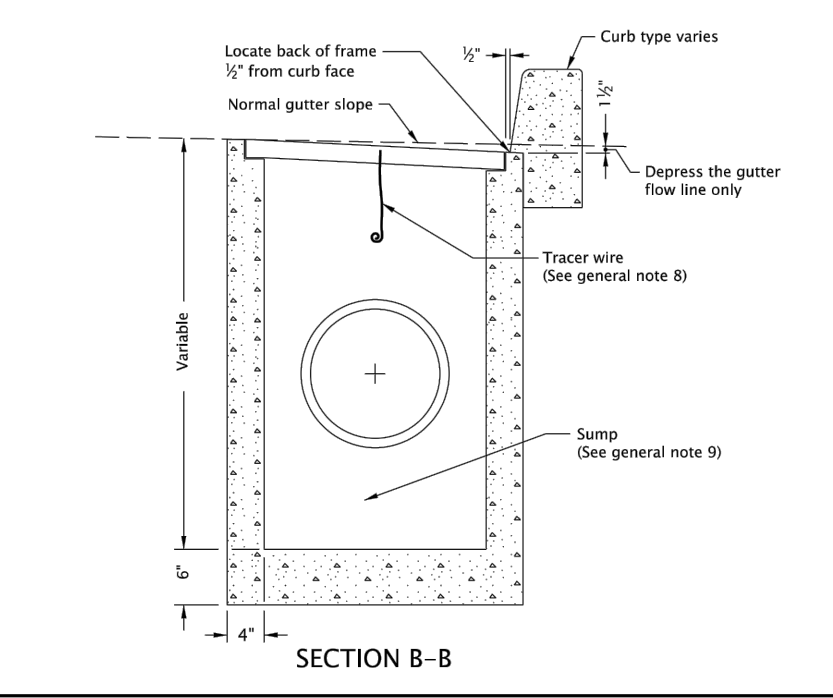
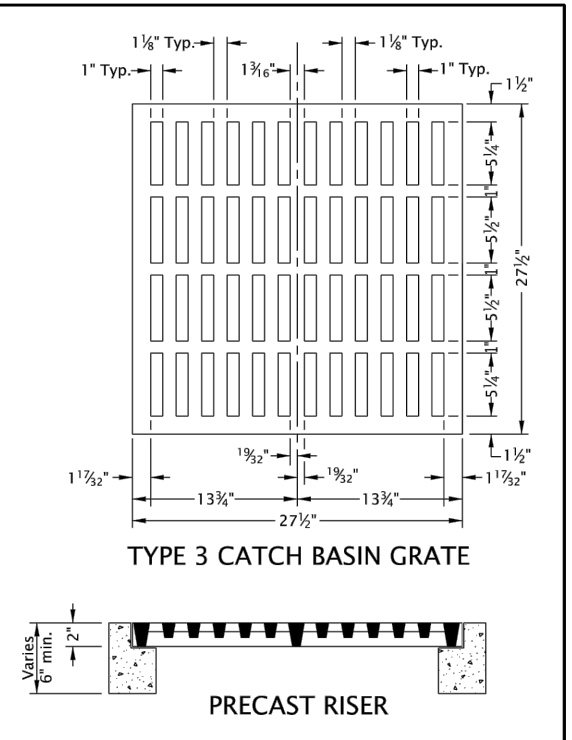
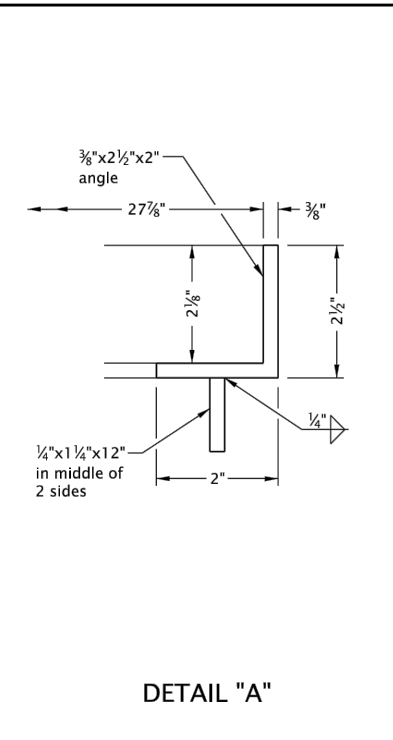
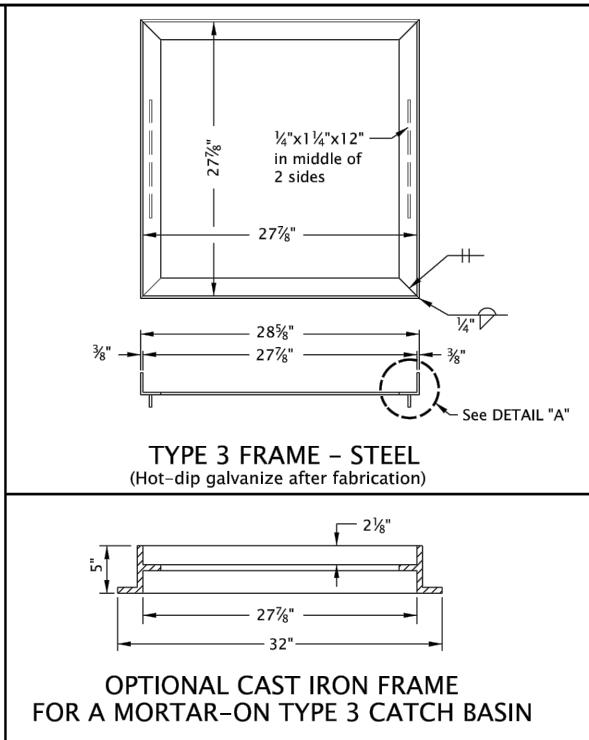
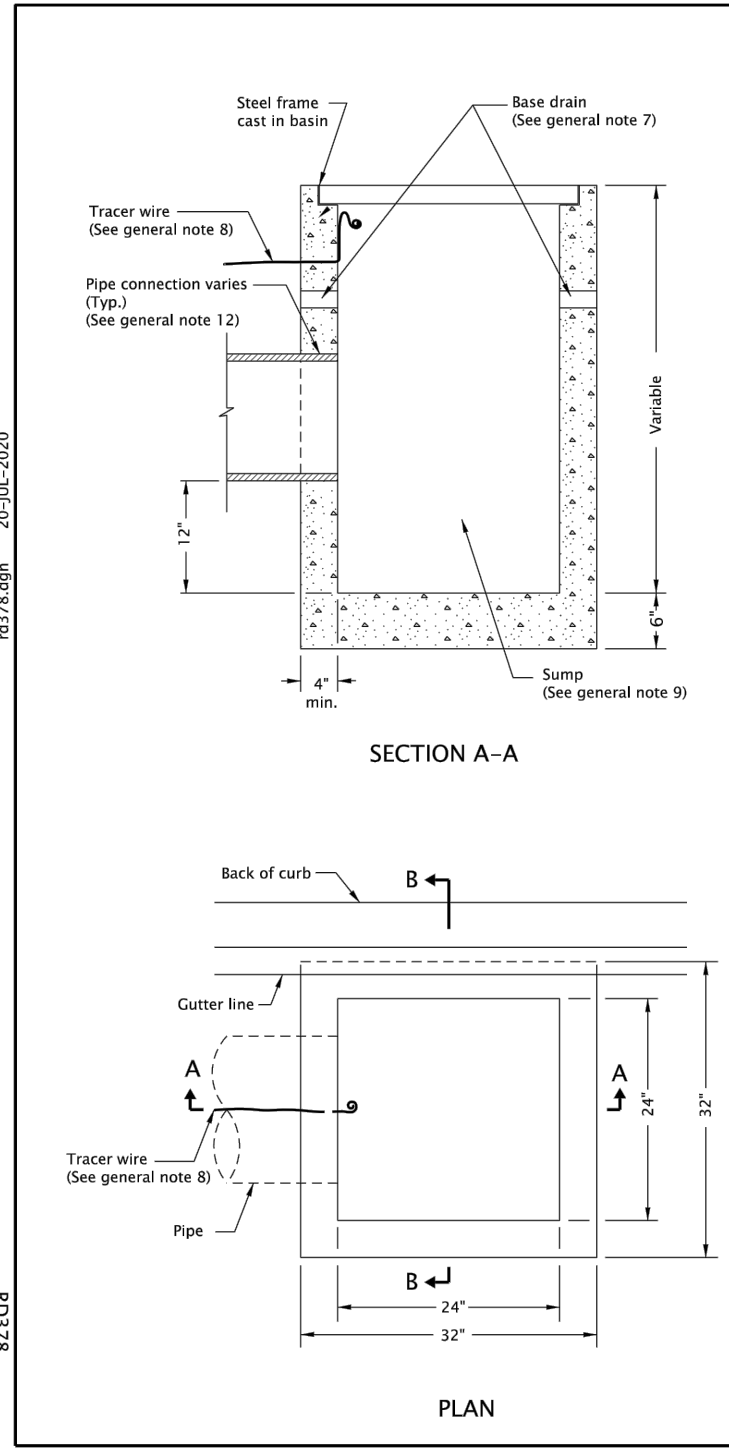
PRELIMINARY



541-223-5130
www.civilwest.com
200 FERRY ST SW
ALBANY, OR 97321

rd378.dgn 20-JUL-2020

RD378



- GENERAL NOTES FOR ALL DETAILS ON THIS SHEET:
- Catch basin & grate shall meet H20 loading.
 - All concrete shall be commercial grade concrete.
 - Precast walls shall be a minimum of 4" thick.
 - For use by local agencies on low volume residential facilities as directed.
 - Depress gutter flowline and transition gutter as shown in Std. Dwg. RD366 perspective view.
 - Knockouts allowed for precast option.
 - If directed, install 3" dia. base drain with field installed mesh screen for subgrade drainage.
 - See Std. Dwg. RD336 for tracer wire details, or approved alternate.
 - Provide sump only where shown on plans, and allowed by jurisdiction. For sump details, see Std. Dwg. RD364.
 - Max. pipe diameter varies with pipe material.
 - All precast inlets shall conform to requirements of ASTM C913.
 - See Std. Dwg. RD339 for pipe to structure connections.
 - See project plans for details not shown.

CALC. BOOK NO.	N/A	SDR DATE	21-JUL-2015
NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications			
OREGON STANDARD DRAWINGS			
TYPE "3" CATCH BASIN, FRAME AND GRATE			
2021			
DATE	REVISION	DESCRIPTION	

Effective Date: June 1, 2021 - November 30, 2021

RD378

1
D10

CATCH BASIN DETAIL
NOT TO SCALE

REV.	DATE	DESCRIPTION	BY
DESIGNED BY:	ERM	DRAWN BY:	MDW
CHECKED BY:	FT	PROJECT NO.:	2817-405

CITY OF SWEET HOME
LINN COUNTY, OR
2022 WATERMAIN REPLACEMENT PROGRAM
CATCH BASIN DETAIL

Sheet No. **D10**
Date **APRIL 20**

DATE: 4/26/22 FILE: C:\CW_Projects\2817 Sweet Home\2817-005 9th Ave Water Distribution System Improvements Ph2\04 Final Design\Drawings\DWG\2817-05-Details.dwg

FOR CONSTRUCTION OF

CITY OF SWEET HOME
9th Avenue Waterline Replacement Project

Department of Public Works, Engineering Division
1400 24th Avenue
Phone 541.367.6359

May 11, 2022

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INSTRUCTIONS TO BIDDERS

A mandatory pre-bid meeting will be held at **2:00 PM** local time on **Wednesday May 25, 2022**.

Sealed bids for the **9th Avenue Waterline Replacement Project** will be received on behalf of the City of Sweet Home by Greg Springman at **1400 24th Ave, Sweet Home, OR 97386** until bid closing time of **2:00 PM local time on Wednesday, June 08, 2022**. Bids will be opened and publicly read immediately following bid closing time. The outside of the Bid envelopes shall be clearly marked **9th Avenue Waterline Replacement Project** and show (1) the Bidder's name, (2) the Bid Opening time and date and (3) the Bidder's CCB license number, and shall be delivered to the City of Sweet Home by or before the above listed bid closing time.

The City will require that for projects greater than \$100,000, the "First-Tier Subcontractor Disclosure Form" as contained in the bidding documents, be submitted with the bid documents in a separate sealed envelope by the Bid Closing or within two working hours of the Bid Closing, not later than **4:00 PM local time Wednesday, June 08, 2022**. The envelope shall be clearly marked "**Disclosure Form for 9th Avenue Waterline Replacement Project**", and shall include (1) Bidder's name, and (2) the submittal time and date deadline. Bidders who fail to submit the required disclosure will be considered non-responsive.

Submittals by Facsimile or Electronic Data Interchange (EDI) will not be accepted.

Contract specifications, and plan sets – in PDF file format –, may be obtained from the Bids and RFPs menu off the Government on the City of Sweet Home website at <https://www.sweethomeor.gov/rfps>. Questions about the project elements may be directed to Trish Rice, Engineering Technician II, Sweet Home Public Works, 1400 24th Avenue, Sweet Home, Oregon, 97386, contact by phone at 541-818-8037, or email price@sweethomeor.gov. **Questions must be submitted in writing prior to 4:00 PM local time on Wednesday, June 1, 2022 to allow for timely issuance of any addenda.**

Each bidder must possess or have access to the 2021 Oregon Standard Specifications for Construction. These are available online at: https://www.oregon.gov/ODOT/Business/Pages/Standard_Specifications.aspx

No bid shall be received or considered unless the bidder is registered with the Construction Contractors Board for construction projects or licensed with the Landscape Contractors Board for landscaping projects.

Bidders Checklist: All prospective bidders must include the following:

- Each bid must contain a statement as to whether the Bidder is a resident Bidder, as defined in ORS 279C.365. In determining the lowest responsible bidder, the City of Sweet Home will, for the purpose of awarding the Contract, add a percentage increase on the bid of a nonresident bidder equal to the percentage, if any, of the preference given to that bidder in the state in which the bidder resides.
- All bids shall contain a statement declaring that the Bidder agrees to comply with the provisions of ORS 279C.800 to 279C.870 regarding payment of prevailing wages and the Bureau of Labor and industries fee.
- The project bid document set, with names and corporate information of the bidder, schedule of prices completely filled out, additional addendum items if any; however, project drawings do not need to be included.
- The First-Tier Subcontractor Disclosure Form as noted above.
- Each bid must contain Surety and Bond information.
- A 10% bid bond, certified check, or cashier's check shall accompany each bid on all projects and shall be forfeited if the bidder fails to enter into a Contract with the City of Sweet Home within ten (10) days after the date of the Notice of Award.

The City may reject any bid not in compliance with all prescribed public procedures and requirements, and may reject for good cause any and all submittals upon a finding of the City that it is in the best interest to do so, as determined solely by the City.

BID

To the Honorable Mayor and City Council
City of Sweet Home, Oregon 97386

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned Bidder declares that the Contract Documents for the construction of the proposed improvement have been carefully examined; that the site has been personally inspected; that the Bidder is satisfied as to the quantities of materials, items of equipment and conditions or work involved including the fact that the description of the quantities of work and materials as included herein is brief and is intended only to indicate the general nature of such items and to identify the said quantities with the detailed requirements of the Contract Documents; and that the bid is made according to the provisions and under the terms of the Contract Documents, which documents are hereby made a part of this bid. The bidder has received and considered the following Addenda to specifications, if any, of revisions and/or additions to the plans;

No. _____ to No. _____, inclusive; Plan Revision Sht. No. _____; Plan Addition Sht. No. _____.

The minimum bid submittal requirement for this project shall include this Bid form and schedule(s) of prices, bid bond as required, first-tier subcontractor form and all other required attachments. All Contract Documents are included in this Bid by reference, whether attached or not.

The Bidder further declares that the only persons or parties interested in this bid are those named herein: that this bid is in all respects fair and without fraud: that it is made without collusion with any official of the City of Sweet Home, and that the bid is made without any connection or collusion with any person making another bid on this Contract.

The Bidder further declares that the provisions required by the Oregon Revised Statutes ORS 279C.800 relating to Prevailing Wage Rates shall be included in and made a part of the Contract. The Bidder further declares that all applicable sections relating to Public Contracts as set forth in ORS 279A to 279C have been complied with in making this bid, and, as required, shall be made a part of the Contract Documents as completely as if the same were fully set forth herein.

The Bidder further declares that they are registered, or shall become registered if awarded a contract, with the Construction Contractor's Board, and possess such additional licenses and certifications as required by law for the performance of the Work proposed herein as required by OAR 812.

The Bidder further agrees that its own judgment has been exercised regarding the interpretation of subsurface information and all data, which it believes pertinent from the Engineer, Owner, and other sources in arriving at these conclusions, have been utilized.

CONTRACT EXECUTION, BONDS AND CERTIFICATES OF INSURANCE

The Bidder agrees that if this bid is accepted, a Contract with the City of Sweet Home, Oregon, will be executed within ten (10) days after the date of the Notice of Award, in the form of Contract annexed hereto, and will at that time, deliver to the City of Sweet Home the Performance and Payment Bond required by Subsection 00130.4 of the Oregon Standard Specifications for Construction (as revised), the certificates of insurance as specified in these documents, and will, to the extent of this bid, furnish all machinery, tools, apparatus, and other means of construction and do the work and furnish all of the materials necessary to complete the work in the manner, in the time, and according to the methods as specified or shown in the Contract Documents.

It is the intent of the City of Sweet Home to award the Contract to the lowest responsible Bidder, provided the Bid has been submitted in accordance with the requirements of the Contract Documents and does not exceed the funds available. The City of Sweet Home shall have the right to waive informalities or irregularities in a Bid received and to accept the Bid which, in the City of Sweet Home's judgment, is in the City of Sweet Home's own best interest. In submitting this Bid, it is understood that the City of Sweet Home reserves the right to accept or reject in part or in whole, any and all bids received, to adjust the scope of the work within reasonable limits, to postpone award for a reasonable time, or award to the selected firm or contractor any subsequent engineering design and construction services contract, part or in whole, for recommended capital projects as allowed by law. The RFB does not commit the City of Sweet Home to pay any costs incurred to prepare a bid.

BIDDING, CONSTRUCTION, AND COMPLETION DATES

Mandatory pre-bid meeting will be held at the City of Sweet Home Public Works Department at 1400 24th Ave
2:00pm on Wednesday, May 25, 2022 (Time & Date)

Deadline for submitting written questions for inclusion in addenda:
4:00pm on Wednesday, June 01, 2022 (Time & Date)

Sealed bids will be received at the City of Sweet Home Public Works Department at 1400 24th Ave until
2:00pm on Wednesday, June 08, 2022 (Time & Date)

with 1st Tier Subcontractor Disclosure Forms until
4:00pm on Wednesday, June 08, 2022 (Time & Date)

The Bidder agrees to begin work within 10 calendar days after the date of the Notice to Proceed issued on or near;
June 27, 2022 (Date)

and, to complete the construction, in all respects by;
June 30, 2023 (Date)

Completion schedule – if not defined to certain date above – shall be set per #s of days as follows:
180 (Days)

Calendar days that inclement weather or adverse site conditions preclude normal construction activities shall be considered exempt.

RETAINAGE

To ensure the proper performance of the Contract, the City shall retain five (5%) of the amount of each progress payment until final completion and acceptance of all work covered by this contract.

LIQUIDATED DAMAGES

In the event the Bidder is awarded the Contract and shall fail to complete the work within the time stated above or extended time agreed upon, as more particularly set forth in the Contract Documents, liquidated damages, if required as specified in the Special Provisions I portion of this contract documents, shall be paid to the City of Sweet Home, Oregon, as provided under Subsection 00180.85 of the Oregon Standard Specifications.

BID BOND

Accompanying this bid is a certified check, cashier's check or Bidder's Bond in the sum of

_____ Dollars & Cents (\$ _____), (10% of total contract price)
according to the General Requirements of the Contract Documents which is to be forfeited as liquidated damages, if, in the event that this bid is accepted, and the Bidder shall fail to execute the Contract and furnish satisfactory Performance and Payment Bond under the conditions and within the time specified in the Contract Documents; otherwise said check or bond is to be returned to the Bidder.

SURETY

If the Bidder is awarded a construction Contract on this bid, the Surety which will provide the Performance and Payment Bond will be:

_____ (Name)

_____ (Address)

_____ (City, State)

LUMP SUM OR UNIT PRICE WORK, MANNER of PAYMENT

The Bidder further proposes to accept as full payment for the work proposed herein the amounts computed under the provisions of the Contract Documents and based on the following lump sum or unit price amounts, it being expressly understood that the unit prices are independent of the exact quantities involved. The Bidder agrees that the lump sum prices and the unit prices represent a true measure of the labor and materials required to perform the work, including all allowances for overhead and profit for each type and unit of work called for in these Contract Documents. The amounts shall be shown in both words and figures. In the case of a discrepancy, the amount shown in words shall govern.

BIDDER

The name of the Bidder submitting this bid is:

_____ (Name)

_____ (Address)

_____ (City, State, Zip)

_____ (Telephone)

_____ (Email)

_____ (Federal Tax ID No)

_____ (Construction Contractor Board No)

_____ (Workers' Comp Ins. Co.)

_____ (Workers' Comp Policy/Binder No)

The above Bidder's name and address is the address to which all communications concerned with this bid and with the Contract shall be sent.

In accordance with ORS 279C.365, Bidder hereby declares that it (circle correct designation) **is / is not** a resident Bidder. If the bidder is non-resident, indicate _____ % preference of your state resident bidders.

In accordance with ORS 279C.800 to 279C.870, Bidder hereby declares that it complies with provisions for labor, materials, Industrial Accident Fund, liens, withholding taxes, and employee drug testing.

The names of the principal officers of the corporation submitting this bid, or of the partnership, or of all persons interested in this bid as principals, are as follows:

If Sole Proprietor of Partnership: IN WITNESS hereto the undersigned has set his/her hand this _____ day of _____, 20____.

(Signature of Bidder)

(Title)

If Corporation: IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this _____ day of _____, 20____.

(Name of Corporation)

(By)

(Title)

(Attest)

Secretary *(Mandatory Signature)*



(SEAL)

CONTRACT

THIS CONTRACT, made between the CITY OF SWEET HOME, a municipal corporation, hereinafter called "Owner" and _____, hereinafter called "Contractor".

WITNESSETH:

The Contractor, in consideration of the sums to be paid and other covenants herein contained, agrees to perform and complete the work herein described and to furnish all necessary machinery, tools, apparatus, equipment, supplies, materials, and labor and perform all work in accordance with the 2021 Oregon Standard Specifications for Construction, the Special Specifications bound herewith, and in accordance with such alterations or modifications of the same as may be made by the City, and according to such directions as may from time to time be made or given by the Engineer under the authority and within the meaning and purpose of this Contract. This agreement shall be binding upon the heirs, executors, administrators, successors, and assigns of the Contractor.

The applicable Drawings, the Oregon Standard Specifications for Construction, the Special Specifications, and the Schedule of Contract Prices bound herewith are hereby specifically referred to and by reference made a part hereof, and shall by such reference have the same force and effect as though all of the same were fully inserted herein.

The Contractor shall faithfully complete and perform all of the obligations of this Contract, and in particular, shall promptly, as due, make payment of all just debts and obligations incurred in the performance of said Contract and shall not permit any lien or claim to be filed or prosecuted against the City.

The Contractor, its subcontractors, if any, and all employers working under this Contract are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

The Contractor agrees to protect, indemnify, and hold harmless the Owner, its officers, agents, and employees harmless against any and all loss, claims, or suits (including costs and attorney's fees) for or on account of injury to or death of persons, damage to, or destruction of property belonging to either the Owner or others occurring by reason of the act or neglect of the Contractor, Contractor's employees, or agents (including subcontractors) in connection with the performance of this Contract.

It is expressly understood that this Contract shall be governed by the laws of the State of Oregon. The statutes of the State of Oregon for public works contracts, specifically but not exclusively ORS 279C, as amended or superseded, including the latest additions and revisions, are incorporated by reference as part of the contract documents, and the party contracting with the Owner hereby covenants and agrees to comply with all of the obligations and conditions applicable to public contracts pursuant to ORS 279C as though each obligation or condition were set forth fully herein. In addition, if the contract identified above calls for a public improvement as that term is defined by ORS 279A.010, the party contracting with the Owner further agrees to comply with all obligations and conditions applicable to public contracts for public improvements pursuant to ORS 279C as though each obligation or condition were set forth fully herein.

The Contractor further declares by the signing of this Contract that all the provisions required by ORS 279A to 279C relating to Public Contracts, Purchasing, and Prevailing Wage Rates for work performed under the Contract with the Owner are made part of this Contract as completely as if the same were fully set forth herein.

In consideration of the faithful performance of all of the obligations herein set out and in consideration of the faithful performance of this Contract, the Owner agrees to pay to the Contractor the amount earned, as determined from the actual quantities of work performed and prices and other basis of payment specified, taking into consideration any amounts that may be deductible, under the terms of the Contract.

The Contractor agrees to complete the work within the time specified herein and to accept as full payment hereunder the amounts computed as determined by the Contract Documents and based on the said bid.

Said improvements shall be completed by the date specified in said Contract Documents and if not so completed, unless said time for completion is extended, as provided in the Contract Documents, or if extended, if the same is not completed within the time extended, the City will be caused to incur liquidated damages as specified in the 9th Avenue Waterline Replacement Project

Contract Documents. Liquidated damages shall be retained out of any monies due or to become due under this agreement.

Payments shall be made as provided in the Contract Documents.

Should suit or action be undertaken to enforce any of the terms of this agreement or to seek damages for its breach, the prevailing party shall be entitled to an award of its reasonable attorney fees, including those incurred on appeal.

IN WITNESS WHEREOF the parties hereto have executed or caused to be executed by their duly authorized officials, the Contract and affixed their respective official seals.

CONTRACTOR:

**OWNER:
CITY OF SWEET HOME, OREGON:**

APPROVED AS TO FORM:

City Attorney

DATE: _____

DATE: _____

By: _____

By: _____
Public Works Director

Title: _____

By: _____
City Manager

By: _____

Title: _____
(Note: Signatures of two officers are required for a corporation.)

Corporation Tax No. (if incorporated)

Social Security No. (if individual)

BID BOND

DATE. _____

BOND NO. _____.

AMOUNT OF BID: _____ (\$).

KNOW ALL MEN BY THESE PRESENTS, that we

(Name of Contractor)

as Principal, hereinafter called the PRINCIPAL, and

(Name of Surety)

a corporation duly organized under the laws of the State of _____ having its principal place of business at _____, in the State of _____, and authorized to do business in the State of Oregon, as SURETY, hereinafter called the Surety, are held firmly and bound unto the City of Sweet Home, Oregon, as Obligee, hereinafter called the OBLIGEE, in the sum of

_____ Dollars & Cents (\$ _____), *(10% of total contract price)*

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS BOND IS SUCH THAT:

WHEREAS, the PRINCIPAL is herewith submitting his or its Bid for _____, said Bid, by reference thereto, being hereby made a part hereof.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contracts Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or on the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

A certified copy of the agent's power-of-attorney must be attached hereto.

Signed and sealed this _____ day of _____, 20____

PRINCIPAL

SURETY

By: _____

By: _____

Title: _____

Title: _____

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

PAYMENT BOND

DATE. _____

BOND NO. _____

TOTAL BID AMOUNT: _____

KNOW ALL MEN BY THESE PRESENTS, that we

(Name of Contractor)

as CONTRACTOR (Principal), and

(Name of Surety)

a corporation, duly organized to do a general surety business in the State of Oregon as SURETY, jointly and severally, bind ourselves, our heirs, executors, administrators, successors, and assigns firmly in the sum of

_____ Dollars & Cents (\$ _____), *(total contract price)*

to the Owner for the payment of labor, materials, and equipment furnished for the use in the performance of the Contract, which is incorporated herein by reference. The Contractor and Surety, jointly and severally, agree that this Bond shall be deemed amended automatically and immediately, without formal and separate amendments, hereto, upon amendment to the Contract not increasing the Contract Price more than twenty five percent (25%). The term "amendment wherever used in this Bond, and whether referring to this Bond, the Contract, or the loan documents, shall include any alteration, extension, or modification of any character whatsoever.

With respect to the Owner, this obligation shall be null and void if the Contractor: 1) promptly makes payment, directly or indirectly, for all sums due Claimants, and 2) defends, indemnifies and holds harmless the Owner from claims, demands, liens or suits by any person or entity whose claim, demand, lien or suit is for the payment of labor, materials, or equipment furnished for use in the performance of the Contract.

With respect to Claimants, this obligation shall be null and void if the contractor promptly makes payment, directly or indirectly, for all sums due.

A Claimant is defined as persons claiming to have supplied labor or materials, for the prosecution of the work provided for in the Construction Contract, including any person having a direct contractual relationship with the Contractor furnishing the Bond or direct contractual relationship with any subcontractor, or an assignee of such person, or a person claiming monies due to the State Accident Insurance Fund Corporation, State Department of Unemployment Trust Fund, or the Department of Revenue, in connection with the performance of the Construction contract, has a right of action on the Contractor's Board as provided in ORS 279C.380 only if: 1) the person or the assignee of the person has not been paid in full; and 2) the person gives written notice of claim, as prescribed in ORS 279C.605, to the Contractor and the Secretary of State, in the Construction Contract with a state agency, or the clerk or auditor if the public body is other than a state agency.

The intent of this Bond shall be to include without limitation, the terms 'labor, materials or equipment, that part of water, gas, power, light, heat, oil. Gasoline, telephone service or rental equipment used in the Contract, architectural and engineering services required for performance of the work of the Contractor, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

The Contractor and Surety hereby jointly and severally agree with the Owner that every Claimant, who has not paid in full before the expiration of a period of one hundred twenty (120) days after the date on which the last of such Claimant's work or labor was done or performed, or materials were furnished by such Claimant, for which claim is made, may have a right of action on this Bond. The Owner shall not be liable for the payment of any costs or

expenses including attorneys' fees which the Owner may incur in connection with its defense of any such right of action.

No suit or action shall be commence on this Bond by any Claimant: 1) Unless claimant shall have given written notice to the Contractor and the Secretary of State, if the Contractor with a state agency, or the clerk or auditor of the public body which let the Contract if the public body is other than a state agency, within one hundred twenty (120) days after such Claimant did or performed the last of the work or labor, or furnished the last of the materials for which said claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the work or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail, postage prepaid, or hand delivered in an envelope addressed to the Contractor, and such other entity who is to receive notice, at any place where that party maintains an office, conducts business, or at its residence, or delivered to that location. 2) After the expiration of two (2) years from the date on which the Claimant last performed labor, materials or equipment. Any limitation embodied in this Bond, which is prohibited by any law controlling the project, shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by law.

When the Claimant has satisfied the conditions of the above, the Surety shall promptly and at the Surety's expense take the following actions: 1) Send an answer to the Claimant, with a copy to the Owner, within forty-five (45) days after receipt of the claim, stating the amount that are undisputed and the basis for challenging any amount that are disputed. 2) pay or arrange for payment of any undisputed amounts.

The Surety's total obligation shall not exceed the amount of the bond and any amendment thereto as outlined above, and the amount of this Bond shall be credited for any payments made in good faith by Surety.

Amounts owed by the Owner to the Contractor under the Contract shall be used for the performance of the Contract and to satisfy claims, if any, under any Construction Performance Bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Contract are dedicated to satisfy obligations of the Contractor and Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.

The Surety shall not be liable to the Owner, Claimants or others for obligation of the contractor that are unrelated to the Contract. The Owner shall not be liable for payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligations to make payments to, give notices on behalf of, otherwise have obligations to Claimants under this Bond.

The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and to other obligations.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirements shall be deemed incorporated herein. The intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor shall promptly furnish a copy of this Bond or shall permit a copy to be made.

Definitions: 1) Construction Contract; The agreement between the Owner and the Contractor identified on the signature page, including all contract Documents and changes thereto.

IN WITNESS THEREOF, the parties hereto have caused this bond to be executed this _____ day of _____, 20_____.

(Corporate Seal)

Principal

Title:

Street/City Address

(Corporate Seal)

Surety

Title:

Street/City Address

(Corporate Seal)

Surety Witness:

Title:

Street/City Address

City of Sweet Home, 1400 24th Ave, Sweet Home OR 97386 *(Owner)*

9th Avenue Waterline Replacement Project *(Project)*

None *(Bond Modifications)*

PERFORMANCE BOND

DATE. _____

BOND NO. _____

TOTAL BID AMOUNT: _____

KNOW ALL MEN BY THESE PRESENTS, that we

(Name of Contractor)

as CONTRACTOR (Principal), and

(Name of Surety)

a corporation, duly organized to do a general surety business in the State of Oregon as SURETY, jointly and severally, bind ourselves, our heirs, executors, administrators, successors, and assigns firmly in the sum of

_____ Dollars & Cents (\$ _____), *(total contract price)*

to the Owner for the performance of the Construction Contract and any extension thereof, and during the twelve (12) month guaranty period which contract, extension and guaranty are incorporated herein by reference.

If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except to participate in conferences as provided in the following paragraph.

If there is no Owner Default, the Surety's obligation under this Bond shall arise after: 1) The Owner has notified the Contractor and the Surety at its address described on the signature page herein, that the Owner is considering declaring the contractor Default and has requested and attempted to arrange a conference with the Contractor and the Surety to be held no later than fifteen (15) days after receipt of such notice to discuss methods of performing the Construction Contract. If the Owner, the Contractor and Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any subsequently to declare a Contractor Default; and 2) The Owner has declared a Contractor Default and formally terminated the Contractor's right to complete the contract. Such Contractor Default shall not be declared earlier than twenty (20) days after the Contractor and the Surety have received notice as provided in the above paragraph; and 3) The Owner has agreed to pay the Balance of the Contract Price to the Surety in accordance with the terms of the Construction Contract or to a contractor selected to perform the construction contract in accordance with the terms of the contract with the Owner.

When the Owner has satisfied the conditions of the above paragraph, the Surety shall promptly and at the Surety's expense take one of the following actions: 1) Arrange for the Contractor with consent of the Owner, to perform and complete the Construction Contract; or 2) Undertake to perform and complete the Construction Contract itself, through its agents or through independent contractors, which agents or independent contractors shall be acceptable to the Owner; or obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and the contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in the following paragraph in excess of the Balance of the Contract Price incurred by the Owner resulting from the Contractor's default; or 4) Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances: 4a) After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, tender payment therefore to the Owner; or 4b) Deny liability in whole or in part and notify the Owner citing reasons therefore.

If the Surety does not proceed as provided in the above paragraph with reasonable promptness, the Surety shall be deemed to be in default on this Bond fifteen (15) days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to

enforce any remedy available to the Owner. If the Surety proceeds as provided in the above paragraph, and the Owner refuses the payment tendered or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.

After the Owner has terminated the Contractor's right to complete the Construction Contract, and if the Surety elects to act under the second above paragraph, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. To the limit of the amount of this Bond, but subject to commitment by the Owner of the Balance of the Contract Price to mitigation of costs and damages on the Construction Contract, the Surety is obligated without duplication for: 1) The responsibilities of the Contractor for correction of defective work and completion of the Construction Contract; 2) Additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under the second above paragraph; and 3) Liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.

Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted with two (2) years after Contractor Default or within two (2) years after the Contractor ceased working or within two (2) years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

The Surety shall not be liable to the Owner or others for obligation of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators or successors.

The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and to other obligations.

Notice to the Surety, the Owner or the Contractor shall be mailed by certified or registered mail or delivered to the address shown on the signature page.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirements shall be deemed incorporated herein. The intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Definitions: 1) Balance of the Contract Price; The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made, including allowance to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.

2) Construction Contract; The agreement between the Owner and the Contractor identified on the signature page, including all contract Documents and changes thereto.

3) Contractor Default; Failure of the contractor, which has neither been remedied nor waived, to perform or otherwise to comply with the terms of the Construction contract.

4) Owner Default; Failure of the Owner, which has neither been remedied nor waived, to pay the Contractor as required by the Construction contract or to perform and complete or comply with the other terms thereof.

IN WITNESS THEREOF, the parties hereto have caused this bond to be executed this _____ day of _____, 20_____.

(Corporate Seal)

Principal

Title:

Street/City Address

(Corporate Seal)

Surety

Title:

Street/City Address

(Corporate Seal)

Surety Witness:

Title:

Street/City Address

City of Sweet Home, 1400 24th Ave, Sweet Home OR 97386 *(Owner)*

9th Avenue Waterline Replacement Project *(Project)*

None *(Bond Modifications)*

FIRST-TIER SUBCONTRACTOR DISCLOSURE FORM

Project Name: **9th Avenue Waterline Replacement Project**

Bid Closing Date & Time: Wednesday, June 08, 2022, 2:00 PM.

Bid Open Time: Wednesday, June 08, 2022, 2:00 PM.

Disclosure Due Date & Time: Wednesday, June 08, 2022, 4:00 PM.

Bid total greater than \$100,000? _____ (Yes / No, if No, subcontractor information is not required).

If the bidder will not be using any subcontractors that are subject to the above disclosure requirements, the Bidder is required to indicate “NONE” on this form.

Bidders are required to disclose information about certain first-tier subcontractors when the contract value for a Public Improvement is greater than \$100,000, see ORS 279C.370. Specifically, when the contract amount of a first-tier subcontractor furnishing labor or labor and materials would be greater than or equal to: (i) 5% of the project Bid, but at least \$15,000 whichever is greater; or (ii) \$350,000 regardless of the percentage of the total project bid, the Bidder must disclose the following information about that subcontractor either in its Bid submission, or within two hours after Bid Closing:

- The name of each subcontractor, and
- The category of work to be performed, and
- The dollar value of the subcontract.

Compliance with the disclosure and submittal requirements outlined herein and in ORS 279C.370 and its amendments is a matter of Responsiveness. Bids that are submitted by the Bid Closing Time, but for which the disclosure submittal has not been made by the specified deadline, are not Responsive and shall not be considered for Contract award.

Subcontractor’s Name	Category of Work	Dollar Value of Subcontract

Use additional sheets of this page if necessary.

Submitted by: _____ (Bidder & Contact Name), _____ (Phone #).

BID FORM

ITEM DESCRIPTION WITH BID UNIT PRICE	UNIT	APPROX. QTY	UNIT PRICE	TOTAL AMOUNT
1 Mobilization, Cleanup, Traffic & Erosion Control	LS	1		
Bid Schedule A. 9th Avenue, Grape Street, Catalpa Street				
2 4" AWWA C900 PVC	LF	640		
3 4" Fittings, Valves, and Appurtenances	LS	1		
4 6" Fittings, Valves, and Appurtenances	LS	1		
5 8" AWWA C900 PVC	LF	1460		
6 8" Fittings, Valves, and Appurtenances	LS	1		
7 1" AWWA C904 PEX Meter Service - Short Side	EA	22		
8 1" AWWA C904 PEX Meter Service - Long Side	EA	27		
9 Fire Hydrant Assembly (inc. Tee to hydrant)	EA	2		
10 Connect to Existing	EA	4		
11 Manhole Raise	EA	13		
12 Valve Can Raise	EA	4		
13 ADA Ramp Replace	EA	6		
14 Sidewalk and Curb Replacement	LF	160		
15 Trench - Level 2, 1/2" ACP Mixture	TON	410		
16 Overlay - Level 2, 1/2" ACP Mixture	TON	855		
17 Driveways - Level 2, 1/2" ACP Mixture	TON	15		
18 Pavement Markings	LS	1		
			Sch A Subtotal	
Bid Schedule B. 8th Avenue, Birch Street, Alder Street				
19 6" AWWA C900 PVC	LF	380		
20 6" Fittings, Valves, and Appurtenances	LS	1		
21 8" AWWA C900 PVC	LF	1285		
22 8" Fittings, Valves, and Appurtenances	LS	1		
23 10" AWWA C900 PVC	LF	15		
24 10" Fitting, Valves, and Appurtenances	LS	1		
25 1" AWWA C904 PEX Meter Service - Short Side	EA	7		
26 1" AWWA C904 PEX Meter Service - Long Side	EA	13		
27 Connect to Existing	EA	4		
28 Manhole Raise	EA	3		
29 Valve Can Raise	EA	2		
30 Catchbasin Installation	LS	1		
31 ADA Ramp Replace	EA	3		
32 Sidewalk and Curb Replacement	LF	40		
33 Trench - Level 2, 1/2" ACP Mixture	TON	235		
34 Overlay - Level 2, 1/2" ACP Mixture	TON	325		
35 Driveways - Level 2, 1/2" ACP Mixture	TON	20		
36 Birch Street Grind	LS	1		
			Sch B Subtotal	
Bid Schedule B. 8th Avenue Alder Street Paving Overlay Additive Alternate				
37 Overlay - Level 2, 1/2" ACP Mixture	TON	225		
38 Driveways - Level 2, 1/2" ACP Mixture	TON	20		
39 Pavement Markings	LS	1		
40 Manhole Raise	EA	2		
41 Valve Can Raise	EA	3		
			Sch B Additive Alternate Subtotal	
			Total Bid	

PREVAILING WAGE for PUBLIC WORKS CONTRACTS
OREGON BOLI SPECIFICATIONS

All the provisions required by ORS 279C.800 through ORS 279C.870 relating to the payment of prevailing wage rates for work performed under the Contract with the City of Sweet Home shall be complied with.

Each worker in each trade or occupation employed in the performance of this contract either by the contractor, subcontractor, or other person doing or contracting to do, or contracting for the whole or any part of the work on this contract, must be paid not less than the applicable state prevailing rate of wage in accordance with ORS 279C.838 and 279C.840.

Each year the Oregon Bureau of Labor and Industries (BOLI) publishes two rates publications (and amendments to both) that are available by calling 971-673-0839 or online at the BOLI website at:
<https://www.oregon.gov/boli/employers/Pages/prevailing-wage-rates.aspx>

Prevailing wage rates that apply to this contract are the **January 1, 2022, Prevailing Wage Rates for Public Works Contracts** as amended by April 1, 2022 Prevailing Wage Rate Amendments in Oregon and the **January 1, 2022, PWR Apprenticeship Rates**.

Oregon law requires that the higher of the state prevailing wage rates (PWR) or federal Davis-Bacon rates be paid to workers on projects subject to both the state PWR law and federal Davis-Bacon Act. **9th Avenue Waterline Replacement Project** does not require Davis-Bacon rates. Only Oregon BOLI Prevailing Wage Rates apply to this project.

If the contractor fails to pay for any labor or services, the City can pay for this labor or services and withhold these amounts from payments due the contractor. ORS 279C.520; OAR 839-025-0020(2)(b).

The contractor shall pay daily, weekly, weekend and holiday overtime as required in ORS 279C.540.

The contractor shall give written notice to the workers of the number of hours per day and days per week they may be required to work. ORS 279C.520(2); OAR 839-025-0020(2)(c)

Contractors and subcontractors are required to prepare weekly certified payroll reports and statements and submit them to the City by the fifth business day of each month (ORS 279C.845; OAR 839-025-0010). Contractor payment will be withheld until the City is in receipt of these certified weekly payroll reports. Information submitted on certified statements may be used only to ensure compliance with the provisions of ORS 279C.800 through ORS 279C.870.

Contractors and subcontractors which are on BOLI's List of PWR Contractors Ineligible to Receive Public Works Contracts, as well as any firm, corporation, partnership or association in which the contractor or subcontractor has a financial interest, are ineligible to receive public works contracts until removed from the list. The current version of the list is available on the BOLI website at:
<https://www.oregon.gov/boli/employers/Pages/pwr-ineligible-contractors.aspx>

PAYMENT OF MEDICAL CARE AND PROVIDING WORKERS' COMPENSATION

Oregon BOLI Law ORS 279C.530

The contractor shall make prompt payment for all medical services for which the contractor has agreed to pay, and for all amounts for which the contractor collects or deducts from the worker's wages. ORS 279C.530; OAR 839-025-0020(2)(d)

All subject employers working under this Contract shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Contractor shall ensure that each of its subcontractors complies with these requirements.

PUBLIC WORKS BOND

Oregon Public Contracting Law

In addition to the required payment bond and performance bond, unless exempt under ORS 279C.836 (7), (8), or (9), the contractor and every subcontractor is required to file a \$30,000 Public Works Bond with the Construction Contractor's Board before starting work on the project, to be used exclusively for unpaid wages determined to be due by BOLI.

The contractor shall include in every subcontract a provision requiring the subcontractor to have said Public Works Bond filed with the Construction Contractor's Board before starting work on the project, unless the subcontractor is exempt. The contractor is required to verify that subcontractors, unless exempt, have filed a public works bond before permitting a subcontractor to start work on a project.

The Statutory Public Works Bond form is available from BOLI upon request or may be downloaded from <https://www.oregon.gov/boli/employers/Documents/public-works-bond.pdf>.

RECIPROCAL PREFERENCE LAW

Oregon's Reciprocal Preference Law

Oregon's reciprocal preference law, ORS 279A.120, requires public contracting agencies, in determining the lowest responsible bidder, to add a percent increase to each out-of-state bidder's bid price which is equal to the percent of preference given to local bidders in the bidder's home state. For example, if the low bidder is from a state that grants a 10 percent preference to its own in-state bidders, the Oregon agency must add 10 percent to that bidder's price when evaluating the bid.

OAR 125-246-0310: Reciprocal Preferences.

- (1) When evaluating offers according to OAR 125-247-0255 through 125-247-0260, 125-249-0390 or 125-249-0640 through 125-249-0660, Authorized Agencies must add a percentage increase to the Offer of a Nonresident Offeror equal to the percentage, if any, of the preference that would be given to that Offeror in the state in which the Offeror resides. An Authorized Agency may rely on the list maintained by the Department according to ORS 279A.120(4) to determine:
 - (a) Whether the Nonresident Offeror's state gives preference to in-state Offerors; and if so,
 - (b) The amount of such preference (Percentage).
- (2) Authorized Agencies must add a percentage to the Offer that matches the Percentage described in Section (1) before determining Tie-Offerors in accordance with OAR 125-246-0300.

The National Association of Procurement Officials (NASPO) has gathered information on preference laws of all states. See <https://www.naspo.org/research-innovation/state/OR> for more details. This list is for your use in making contract awards under Oregon's reciprocal preference law. If you are in need of any assistance in the application of this law, please call or contact the State Procurement Office:

State of Oregon
Department of Administrative Services
State Procurement Office
1225 Ferry Street SE, U-140,
Salem, OR 97301-4285.
Tel: 503-378-4642.

PROJECT DRAWINGS (SEPARATE ATTACHMENT)
CONSTRUCTION DETAILS

See Attached.

SPECIAL PROVISIONS I

GENERAL REQUIREMENTS AND INFORMATION

The Oregon Standard Specifications for Construction (as revised), American Public Works Association (APWA) and American Water Works Association (AWWA) Standard Specifications, and ADA Accessibility Guidelines for Buildings and Facilities (ADAAG), etc. as applicable, are the Construction Specifications for this project. Other sections of the Oregon Standard Specifications may also apply and their omission as a direct reference herein does not relieve the Contractor from those standards. The cost of other items not specifically called for in the bid will be considered incidental to the Project and no additional payments will be made.

The General Requirements and Information references, as provided in the Special Provisions I are general in nature, those descriptions and references in the Technical Specification portion of the Special Provision II section are related more specifically to the particulars of the Project.

NOTE: All codes, standards, workmanship, material testing, general items, products, execution, special provisions, measurement and payments etc., are well documented in the Specifications noted above, and are NOT repeated here, but are included herein in whole or in part as reference and shall be applicable.

DESCRIPTION NARRATIVE OF WORK

The Work consists of improvements to the water system and pavement overlay in two areas of the City. Schedule A will be improvements along 9th Avenue between Oak Terrace and Cedar Street, including Grape and Catalpa Streets. Schedule B will be work along 8th Avenue between Cedar Street and Alder Street, Birch Street between 7th and 8th Avenue, and Alder Street between 9th Avenue and Elkhorn Street.

Schedule A is the construction of 8" PVC waterline on 9th Avenue, 4" PVC waterline on Grape Street, 4" PVC waterline on Catalpa Street, replacing existing 2" and smaller waterline in the area. All PVC waterline shall be C900 pipe. Improvements will tie into the existing water grid at the north end of 9th Avenue, the intersection of 9th Avenue and Elm Street, the intersection of 9th Avenue and Dogwood Street and at the intersection of 9th Avenue and Cedar Street. Water service laterals for 49 residences will be replaced as part of the work. Water service meter vaults will be replaced as part of the work, the meters will be replaced separately by the City. Two fire hydrant assemblies will be installed as part of the project, one at the intersection of 9th Avenue and Grape Street and one at the intersection of 9th Avenue and Catalpa Street. The fire hydrant assembly will include all ductile iron pipe, valves, fittings, and hydrants required. The existing road surface will then have a nominal 2" asphalt overlay. Due to the existing road surface construction, Grape Street will require a 4" asphalt overlay. Existing manholes and valve cans will be raised to match the new asphalt surface. Curb and sidewalk that is removed as part of the work will be replaced, and several sidewalk ramps will be replaced with ADA compliant ramps.

Schedule B is the construction of 8" PVC waterline on 8th Avenue between Cedar Street and Alder Street, 6" PVC waterline on Birch Street between 7th Avenue and 8th Avenue, and 8" PVC waterline on Alder Street between 9th Avenue and Elkhorn Street. All PVC waterline shall be C900 pipe. Improvements will tie into the existing improvements at Cedar Street and 8th Avenue, 7th Avenue and Birch Street, Alder Street and Elkhorn Street, and Alder and 8th Street. Water service laterals for 20 residences will be replaced as part of the work. Water service meter vaults will be replaced, the water meters have been previously replaced by the City. A catch basin will be installed on the east side of 8th Avenue and will connect to the existing ditch along the west side of 8th Avenue. The existing road surface will then have a 2" asphalt overlay. Existing manholes and valve cans will be raised to match the new asphalt surface. Curb and sidewalk that is removed as a part of the project will be replaced, and several sidewalk ramps will be replaced with ADA compliant ramps.

Schedule B includes the additive alternate of paving the section of 8th Avenue and Alder Street that is outside of the current City limits.

TIME AND PLACE OF RECEIVING BIDS

Sealed bids will be received at the City of Sweet Home Public Works Department at 1400 24th Ave , Sweet Home, Oregon, at which time as noted in the bid documents, the sealed bids will be publicly opened and read. Bids submitted after the specified time will not be received or opened.

The City of Sweet Home reserves the right to accept the bids and award a contract to the lowest responsible bidder; to postpone the acceptance of the Bid and the award of the contract for a period not to exceed thirty (30) calendar day; or to reject any and all bids received and further advertise the project for bids. The City of Sweet Home may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the City that it is in the public interest to do so.

The City of Sweet Home reserves the right to accept all, or any component in part, any Bid Schedule (e.g. A, B,...) grouped bid items, or individual bid items as noted in the specifications.

CONSTRUCTION SCHEDULE

The work, as described in these Plans and Specifications, is to begin no earlier than that approved by City Council and noted in the Notice to Proceed. Following the Award of Contract, and prior to issuance of the Notice to Proceed, a Pre-Construction meeting will be held, at which the Contractor shall submit a written Work Schedule, Traffic Control Schedule, Erosion Control Plan, or other documents to the Engineer. The Work Schedule shall specify the project work days to be utilized within the allowable completion time. Failure to complete the work within the completion time prescribed shall be considered cause for assessing liquidated damages, as set forth in Paragraph "LIQUIDATED DAMAGES" of these Special Provisions.

The construction schedule, as approved by the Engineer, will be an integral part of the Contract and will establish interim contract completion dates for the various activities. "Day" used throughout the Contract, unless otherwise stated, means "calendar day". Should any activity not be completed within five (5) days after the stated scheduled date, the Engineer shall have the right to order the Contractor to expedite completion of the activity by whatever means the Engineer deems appropriate and necessary without additional compensation to the Contractor.

It is expressly understood, and agreed, that failure by the Engineer to exercise the option to either order the Contractor to expedite an activity, or to expedite the activity by other means, shall not be considered precedent setting for any other activities.

TYPE OF BID

The Bid for the work is to be submitted on a unit price basis as called for in the Bid. The estimate of quantities of work to be done as tabulated in the Bid, and although stated with as much accuracy as possible, is approximate only, and is assumed solely for the convenience of the Contractor while assembling the Bid.

BASIS OF AWARD

Award, if made, will be to a lowest responsible bidder (as defined by O.R.S.) for any combination of schedules as stated above which is determined by the City to be in the City's best interest to award.

PERMITS

The contractor shall be responsible for acquiring any permits necessary for the completion of the work, i.e. fill & grade, water & wastewater plumbing, stormwater, or building construction on private property.

INCIDENTAL ITEMS

It is the intent of these documents that the bid items listed in the Bid shall provide full and complete payment for this project, as described in the Plan and Specifications. Payment for any incidental items, whether noted on the Plans and Specifications or not, which are necessary for the completion of the project as designed, but not listed explicitly as or with a bid item, shall be considered to have been included with the Bid.

PREQUALIFICATION

Prequalification is not required for this project.

When they occur if stated in the Instructions to Bidders, prequalification statements on standard ODOT or AGC Form 40 forms must be received by the City of Sweet Home on the date stated. Prequalification shall state the bidder's experience in handling work of this type and magnitude, availability of equipment and supervisory

personnel, giving references on previous similar projects, etc. Bids that are submitted by Contractors that have not prequalified will be considered non-responsive, and the bid will not be opened. Faxed Prequalification statements will not be accepted.

UTILITIES

The utilities shown on the Plans are located to the best degree possible from the information available, but are not guaranteed to be either accurate or complete. The existence of existing utility conflicts, not indicated on the Plans, shall not be the basis of extra work claims except that the cost of extra materials actually required to perform the work, and incorporated into the work, may be submitted for reimbursement in accordance with the General Conditions. The decision of the Engineer, as to the validity of such claims, shall be final. IN ACCORDANCE WITH ORS 757.542 TO 757.562 inclusive, it shall be the responsibility of the Contractor to notify all utility companies and organizations of his intention to begin construction. The Contractor alone shall be responsible for protecting all utilities and replacing utilities damaged by the Contractor during construction.

LIMITATION / SUBMISSION REQUIREMENTS

The City of Sweet Home reserves the right to:

- Accept or reject any or all bids received as a result of the RFB,
- Negotiate with qualified Bidders, as allowed by law.
- Cancel any RFB, in part or in whole, if it is determined to be in the best interest of the City to do so,
- Award to the selected firm or contractor any subsequent engineering design and construction services contract, part or in whole, for recommended capital projects,
- The RFB does not commit the City of Sweet Home to pay any costs incurred to prepare a bid.

SAFETY REQUIREMENTS

The Contractor shall have the sole responsibility for complying with the requirements of the Oregon Occupational Safety and Health Code, particularly Division 3, OAR 437-003, "Construction". Failure of the Contractor to comply with specific requirements shall be the Contractor's liability. No liability for safety violations will be assumed by the Engineer, City, or other involved parties. The Contractor shall comply with all Federal, State, County and City regulations.

PROTECTION OF FACILITIES

The Contractor shall make provisions for protection of all work during the period of construction, and shall repair or replace any facilities damaged by flood, fire, vandalism, neglect, or other means prior to acceptance of the completed facility by the Owner.

INSPECTION/ENGINEER

The term Inspector, Engineer, or the authorized representative of the Owner, for the purposes of approving materials and workmanship, shall be the City of Sweet Home.

SPECIFICATIONS

The Contractor shall perform all work in conformance with the construction drawings, special provisions and in compliance with the Oregon Standard Specifications for Construction (as revised) as if said specifications were bound herewith, or as they may be modified by the Special Provisions herein.

PROJECT WARRANTY

In addition to other specific warranties required by these Specifications, all work, including material and workmanship supplied by the Contractor shall be warranted to be free of defect for one (1) year from the date the written Final Acceptance by the City of Sweet Home. The Contractor also agrees to hold the City harmless from claims of any kind arising from damage due to said defects. The Contractor shall make all repairs, and replacements promptly upon receipt of written orders for same from the Owner. If the Contractor fails to make the repairs and

replacements promptly, the Owner may do the Work, and the Contractor and his surety shall be liable for the cost thereof.

TEMPORARY PROTECTION AND DIRECTION OF TRAFFIC

This shall include all temporary protection and direction of traffic per Oregon Standard Specifications for Construction, ODOT specifications, and as shown on the drawings or as stated herein. Traffic Control shall be per current edition of the Manual on Uniform Traffic Control Devices (MUTCD).

Traffic control devices which are expected to be in place for the duration of the project may be shown on the drawings. The Contractor shall provide such other traffic control devices as may be required at locations where construction is of short duration (i.e., street intersections and access to private property).

Adequate warning protection will be required for pedestrians, residents, and any material stored in a staging area in the right-of-way, or roadway. Night time protection with lighted barricades may be required. Emergency vehicles must have access or have access provided when needed.

A traffic control plan shall be submitted to the Engineer for review and approval. Following approval, the plan SHALL BE ADHERED TO AT ALL TIMES. The Contractor may find it necessary to consider various traffic control options for different stages of construction. Limited street closure to through traffic will not be allowed on this project. The Contractor must submit and receive approval from the Engineer **prior** to any modifications to the approved plan. If, in the opinion of the Engineer, the Contractor fails to comply with the drawings or the approved traffic control plan, or fails to protect the public safety, in addition to other penalties as described in the Standard Construction Specification, payment for this item shall be reduced at the discretion of the Engineer

The Contractor shall furnish the Engineer with the name and phone number of a responsible person with authority to ensure that the provisions of the plan are complied with, particularly with regard to 24 hour availability to provide a one (1) hour response to problems. The Contractor shall, at all times, protect access to private property.

Access for all residents must be maintained at all times, provide 48 hour written notice to the residents when specific driveways may be out of use. Maintaining access at all times to adjoining properties shall be incidental to the Contract and no extra payment shall be made for work relating to maintaining access, including temporary rock or asphalt necessary for the convenience and safety of the public.

EROSION CONTROL

As required per DSL, COE, DEQ, and any other National permits. All construction activities shall conform to City NPDES permit and Stormwater Control Best Management Practices.

Erosion control measures shall protect excessive sediment runoff into catchbasins or ditch channels located at or near the work areas. Material deposits in excess must be removed by the contractor. The City of Sweet Home will not provide removal. This will include control of runoff from any areas used for staging when or if the staging area is in a portion of the street right-of-way.

FINAL CLEANUP

Final cleanup of all work sites or staging areas shall remove construction materials, equipment, debris, and dirt or gravel from all surfaces, as well as from catch basins and storm drains, that may have been impacted by construction activities. This may also include periodic street sweeping regularly since there are local residents within the work zone.

LIQUIDATED DAMAGES

Liquidated damages shall be assessed as described in Section 00180.85 of the Oregon Standard Specifications for Construction. Liquidated damages shall apply against the Contractor and accrue to the Owner at the rate of Two Hundred Dollars (\$200) per day per Schedule for each and every day that the project remains uncompleted beyond the time period outlined in the Construction Schedule.

BONDING REQUIREMENTS

9th Avenue Waterline Replacement Project

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A performance bond and payment bond in the amount of 100% of the contract price shall be furnished to the City of Sweet Home upon executing the contract.

A warranty bond for one year is required from the date of the acceptance by the City. The City of Sweet Home shall be named on the bond as the project Owner.

QUALITY CONTROL TESTING

The Owner reserves the right to perform any testing as may be required to determine compliance with the specifications. Costs for such testing shall be the Owner's responsibility unless testing indicates noncompliance. Costs for such testing indicating noncompliance shall be borne by the Contractor. Noncomplying Work shall be corrected and testing will be repeated until the Work complies with the specifications. Contractor shall pay any costs for retesting non-complying Work.

The Contractor shall cooperate in every respect with the activities of the testing agency.

PROPERTY PIN AND SURVEY/GPS MONUMENT PROTECTION

All property pins adjacent to and within the work area shall be protected from disturbance. If property corners are disturbed during the course of the work, and are not specifically referenced in the Bid Tabulations as requiring setting or resetting, they shall be replaced by a licensed surveyor at the Contractor's expense.

The care and protection, and replacement of damaged or dislodged property monumentation shall also apply to all City and Linn County Survey Markers, GPS Monuments, DLC Corner Monuments, and other position control points.

PRE-BID MEETING

A mandatory pre-bid meeting will be held at **2:00 PM** local time on **Wednesday May 25, 2022**. The meeting location is **1400 24th Ave, Sweet Home, OR 97386**. The meeting will begin in the office and then proceed to the project site(s).

PRE-CONSTRUCTION MEETING

A Pre-Construction meeting will be required on this project after the bidder award. When it occurs as noted in the Instructions to Bidders, the meeting will be located at City Hall, and scheduled to take place anytime within ten (10) working days following the Notice of Award. Weather and or other construction scheduling issues may modify this time frame. The Construction Contract and the Notice to Proceed will generally be issued at the meeting.

RETAINAGE

To ensure the proper performance of the Contract, the Owner shall retain five (5%) of the amount of each progress payment until final completion and acceptance of all work covered by this contract.

WAGES AND SALARIES

Attention of Contractors is particularly called to the requirements concerning wages to be paid to certain categories and classifications of employees.

DISPOSAL OF EXCESS MATERIAL

All excess trench excavation, existing sidewalk or curb, and other materials designated to be removed under the contract shall be disposed of off site at the Contractor's expense and in a legal manner. Fill permits, stating Contractor provided quantity, transportation carrier, and fill destination, if within the City Limits, shall be acquired by the City as needed.

PAYMENT

The contractor shall accept the compensation as full payment for furnishing all materials, labor, tools, and equipment necessary to complete the work. Compensation shall include loss or damage arising from the nature of the work or action of the elements, or any unforeseen difficulties, which may be encountered during the prosecution of the work.

The quantities listed in the bid schedule do not govern final payment. Payments to the contractor will be made only for the actual quantities of the work performed and for the quantities of work performed as extra work or under supplemental agreement. When items of work are not listed in the bid schedule, the work shall be considered incidental and no separate payment shall be paid.

If the contract cost is determined wholly or in part, on a lump-sum basis, Engineer may use unit prices bid by Contractor in making progress estimates on the work. In case said unit prices do not, in the opinion of the Engineer, truly represent actual relative costs of different parts of work, a percentage of the unit price may be used in making progress estimates.

END OF GENERAL REQUIREMENTS AND INFORMATION

SPECIAL PROVISIONS II

TECHNICAL SPECIFICATIONS

The Oregon Standard Specifications for Construction (as revised), American Public Works Association (APWA) and American Water Works Association (AWWA) Standard Specifications, and ADA Accessibility Guidelines for Buildings and Facilities (ADAAG), etc. as applicable, are the Construction Specifications for this project. Other sections of the Oregon Standard Specifications may also apply and their omission as a direct reference herein does not relieve the Contractor from those standards. The cost of other items not specifically called for in the bid will be considered incidental to the Project and no additional payments will be made.

The General Requirements and Information references, as provided in the Special Provisions I are general in nature, those descriptions and references in the Technical Specification portion of the Special Provision II section are related more specifically to the particulars of the Project. The cost of other items not specifically called for in the Bidder's Bid will be considered incidental to the Project and no additional payments will be made.

NOTE: All codes, standards, workmanship, material type, material testing, general items, products, execution, special provisions, measurement and payments etc. related to the items noted below, are well documented in the Standard Specifications 00100 through 03010 and are NOT repeated here, but are included herein by reference.

All bid items include excavation, earthwork, and aggregate base and finish concrete work. All concrete shall be class 3600psi per Oregon Standard Specifications except as noted for Porous Concrete. All concrete segments shall be minimum of 4" in thickness, with exception of driveway and sidewalk apron areas which shall be 6" or 8" in thickness. Use compacted ¾"- or 1"- base fill under all sidewalk portions. Fill back edges of concrete walks smooth with native material to grade of adjacent yards.

Notification to immediately adjacent corner residents shall be made in writing by the contractor 48 hours in advance of the work. Notification shall state Project Name, Contractor Company Name, contact and phone, City Contact and Phone, the date of the work scheduled and a request to keep parked vehicles out of the corner area. Adequate warning protection will be required for pedestrians, residents, and any material stored in a staging area in the right-of-way, or roadway. Access for all residents must be maintained at all times, provide 48 hour written notice to the residents when specific driveways may be impacted.

All named material brands shall be "or equal." Requests for alternate or substitution shall be submitted to City for review and approval prior to ordering materials.

Following this section is a map(s) showing the project work site location in Sweet Home.

Bid Items.

BID ITEM NO. 1 – Mobilization, Cleanup, Staking, Traffic & Erosion Control.

This item shall include all mobilization and final cleanup within the project area. This will also include periodic street sweeping and to provide final cleanup of all work sites or staging areas to remove construction materials, equipment, debris, and dirt or gravel from all surfaces, as well as from catch basins and storm drains, that may have been impacted by construction activities, since there are local residents within the work zone. This includes any staging area required.

This item shall include all Work Zone Traffic Control required by the City of Sweet Home, OSHA MUTCD, and Oregon Department of Transportation Standards. This bid item shall be considered full pay for all labor, materials, and equipment required to plan for, coordinate, sign, flag, detour, or direct traffic impacted by this project in accordance with Section 00225 of the ODOT Standard Specifications. A general traffic control plan shall be submitted – and approved – to the City prior to the beginning of work.

Adequate warning protection will be required for any material stored in a staging area in the right-of-way, or along the longitudinal cut drop off running lengthwise on the roadway. Night time protection of stored materials with lighted barricades may be required. This will include control of runoff from any areas used for staging when or if the staging area is a portion of the street right-of-way. Material deposits in excess must be removed by the contractor. The City of Sweet Home will not provide removal.

Access for all residents must be maintained at all times, provide written notice to the resident when specific driveways may be out of use. Emergency vehicles must have access or have access provided when needed.

This item shall include erosion control measures to protect runoff into catchbasins or drainage ditches located on the local streets where the work will be performed. Bio-Filter bags or other forms of sediment barriers may be used.

BID ITEM NO. 2 – 4” AWWA C900 PVC.

This per linear foot bid item includes all labor, materials, and equipment to install 4” AWWA C900 PVC pipe and waterline per AWWA and Oregon Specifications for Construction. This item shall include all warning wire and tape.

This bid item shall include all testing procedures for pipeline pressure and disinfection per AWWA standards.

This bid item shall include 12 gauge blue color tracer wire and warning tape on all plastic pipelines. Tracer wire material from Copperhead Ind. is detailed in Bid Item No. 4 and No. 5, for the meter services. Connection to service lines, adjacent tee configurations and existing tracer wires shall be with locking waterproof and corrosion proof wire connectors Copperhead Ind. Blue SnakeBite locking connectors LSC 1230B or 3WB-01. Tracer wire shall be secured to the PVC pipeline at 10 foot intervals per 01140.45, and be coiled into valve boxes with 12 inches available from the surface. Tracer wire shall be securely and firmly attached to any existing Ductile or Cast Iron piping, with similar connectors and stainless steel strapping as necessary. Place Underground Marking Tape 12 inches over the pipeline during the backfill, taking care not to damage the tape.

A continuity check on the tracer wire is required prior to final paving. Contractor shall contact city personnel within 48-hours after installation of the last meter service. City Maintenance shall perform a Locate Test on all main and services.

Care needs to be taken around existing water services, stormwater, and gas service lines. The depth of each service should be verified prior to major excavation, and repair options should be made available.

This bid item shall include all roadway sawcutting, excavation of roadway pavement, base material and along with existing curb, driveway apron and wings, and sidewalk sections. Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This bid item shall include all Class B Granular pipe zone and trench backfill consisting of compacted crushed rock of 1”-0” or ¾”-0” as approved. Compaction tests on the compacted backfill per standard spacing.

BID ITEM NO. 3 – 4” Fittings, Valves, and Appurtenances

This lump sum bid item includes all labor, materials, testing, and equipment required to install all nominal 4” fittings, valves, and appurtenances as shown on the plans and/or required for the completion of the project. All water pipe fittings, valves, and appurtenances, including all gaskets, shall be NSF 61 compliant. All fittings, valves, and appurtenances shall be of ductile iron construction, unless approved in writing by the City.

This bid item includes cast iron valve boxes with PVC extensions shall be furnished and installed with all buried valves, see standard detail drawing. Box and cover shall be H20 rated. Valves shall include a VC212 valve centering device.

Install all fittings, valves, and appurtenances per manufacturer instructions. Comply with AWWA C600.

This bid item includes all thrust blocks. Furnish and place thrust blocks, sized as shown on the Plans. Concrete shall conform to Oregon Standard Specifications Section 00440, Commercial Grade Concrete. Compressive field strength shall not be less than 3,000 psi at 28 days. Maximum aggregate size shall be 1½-inches. Slump shall be between 2 and 4 inches. Thrust blocking shall be placed between undisturbed earth and the waterline fitting to be anchored in such a manner that the fitting is accessible for repair and nuts and bolts are not encased. 6 mil thick plastic sheeting shall be placed between fittings and poured concrete. Thrust blocks shall be neatly formed with plywood. Contractor shall install as required to prevent lateral movement and uplift. Concrete shall cure for a minimum of five (5) days prior to hydrostatic testing.

BID ITEM NO. 19 – 6” AWWA C900 PVC.

This per linear foot bid item includes all labor, materials, and equipment to install 6” AWWA C900 PVC pipe and waterline per AWWA and Oregon Specifications for Construction. This item shall include all warning wire and tape.

This bid item shall include all testing procedures for pipeline pressure and disinfection per AWWA standards.

This bid item shall include 12 gauge blue color tracer wire and warning tape on all plastic pipelines. Tracer wire shall be from Copperhead Ind. Connection to service lines, adjacent tee configurations and existing tracer wires shall be with locking waterproof and corrosion proof wire connectors Copperhead Ind. Blue SnakeBite locking connectors LSC 1230B or 3WB-01. Tracer wire shall be secured to the PVC pipeline at 10 foot intervals per 01140.45 and be coiled into valve boxes with 12 inches available from the surface. Tracer wire shall be securely and firmly attached to any existing Ductile or Cast Iron piping, with similar connectors and stainless steel strapping as necessary. Place Underground Marking Tape 12 inches over the pipeline during the backfill, taking care not to damage the tape.

A continuity check on the tracer wire is required prior to final paving. Contractor shall contact city personnel within 48-hours after installation of the last meter service. City Maintenance shall perform a Locate Test on all main and services.

Care needs to be taken around existing water services, stormwater, and gas service lines. The depth of each service should be verified prior to major excavation, and repair options should be made available.

This bid item shall include all roadway sawcutting, excavation of roadway pavement, and base material. Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This bid item shall include all Class B Granular pipe zone and trench backfill consisting of compacted crushed rock of 1”-0” or ¾”-0” as approved. Compaction tests on the compacted backfill per standard spacing.

BID ITEM NO. 4, 20 – 6” Fittings, Valves, and Appurtenances

This lump sum bid item includes all labor, materials, testing, and equipment required to install all nominal 6” fittings, valves, and appurtenances as shown on the plans and/or required for the completion of the project. All water pipe fittings, valves, and appurtenances, including all gaskets, shall be NSF 61 compliant. All fittings, valves, and appurtenances shall be of ductile iron construction, unless approved in writing by the City.

This bid item includes cast iron valve boxes with PVC extensions shall be furnished and installed with all buried valves, see standard detail drawing. Box and cover shall be H20 rated. Valves shall include a VC212 valve centering device.

Install all fittings, valves, and appurtenances per manufacturer instructions. Comply with AWWA C600.

This bid item includes all thrust blocks. Furnish and place thrust blocks, sized as shown on the Plans. Concrete shall conform to Oregon Standard Specifications Section 00440, Commercial Grade Concrete. Compressive field strength shall not be less than 3,000 psi at 28 days. Maximum aggregate size shall be 1½-inches. Slump shall be between 2 and 4 inches. Thrust blocking shall be placed between undisturbed earth and the waterline fitting to be anchored in such a manner that the fitting is accessible for repair and nuts and bolts are not encased. 6 mil thick plastic sheeting shall be placed between fittings and poured concrete. Thrust blocks shall be neatly formed with plywood. Contractor shall install as required to prevent lateral movement and uplift. Concrete shall cure for a minimum of five (5) days prior to hydrostatic testing.

BID ITEM NO. 5, 21 – 8” AWWA C900, PVC Water.

This per linear foot bid item includes all labor, materials, and equipment to install 8” AWWA C900 PVC pipe and waterline per AWWA and Oregon Specifications for Construction. This item shall include all warning wire and tape.

This bid item shall include all testing procedures for pipeline pressure and disinfection per AWWA standards.

This bid item shall include 12 gauge blue color tracer wire and warning tape on all plastic pipelines. Tracer wire shall be from Copperhead Ind. Connection to service lines, adjacent tee configurations and existing tracer wires shall be with locking waterproof and corrosion proof wire connectors Copperhead Ind. Blue SnakeBite locking connectors LSC 1230B or 3WB-01. Tracer wire shall be secured to the PVC pipeline at 10 foot intervals per 01140.45 and be coiled into valve boxes with 12 inches available from the surface. Tracer wire shall be securely and firmly attached to any existing Ductile or Cast Iron piping, with similar connectors and stainless steel strapping as necessary. Place Underground Marking Tape 12 inches over the pipeline during the backfill, taking care not to damage the tape.

A continuity check on the tracer wire is required prior to final paving. Contractor shall contact city personnel within 48-hours after installation of the last meter service. City Maintenance shall perform a Locate Test on all main and services.

Care needs to be taken around existing water services, stormwater, and gas service lines. The depth of each service should be verified prior to major excavation, and repair options should be made available.

This bid item shall include all roadway sawcutting, excavation of roadway pavement, and base material. Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This bid item shall include all Class B Granular pipe zone and trench backfill consisting of compacted crushed rock of 1"-0" or 3/4"-0" as approved. Compaction tests on the compacted backfill per standard spacing.

BID ITEM NO. 6, 22 – 8" Fittings, Valves, and Appurtenances

This lump sum bid item includes all labor, materials, testing, and equipment required to install all nominal 8" fittings, valves, and appurtenances as shown on the plans and/or required for the completion of the project. All water pipe fittings, valves, and appurtenances, including all gaskets, shall be NSF 61 compliant. All fittings, valves, and appurtenances shall be of ductile iron construction, unless approved in writing by the City.

This bid item includes cast iron valve boxes with PVC extensions shall be furnished and installed with all buried valves, see standard detail drawing. Box and cover shall be H20 rated. Valves shall include a VC212 valve centering device.

Install all fittings, valves, and appurtenances per manufacturer instructions. Comply with AWWA C600.

This bid item includes all thrust blocks. Furnish and place thrust blocks, sized as shown on the Plans. Concrete shall conform to Oregon Standard Specifications Section 00440, Commercial Grade Concrete. Compressive field strength shall not be less than 3,000 psi at 28 days. Maximum aggregate size shall be 1½-inches. Slump shall be between 2 and 4 inches. Thrust blocking shall be placed between undisturbed earth and the waterline fitting to be anchored in such a manner that the fitting is accessible for repair and nuts and bolts are not encased. 6 mil thick plastic sheeting shall be placed between fittings and poured concrete. Thrust blocks shall be neatly formed with plywood. Contractor shall install as required to prevent lateral movement and uplift. Concrete shall cure for a minimum of five (5) days prior to hydrostatic testing.

BID ITEM NO. 23 – 10" AWWA C900, PVC Water.

This per linear foot bid item includes all labor, materials, and equipment to install 10" AWWA C900 PVC pipe and waterline per AWWA and Oregon Specifications for Construction. This item shall include all warning wire and tape.

This bid item shall include all testing procedures for pipeline pressure and disinfection per AWWA standards.

This bid item shall include 12 gauge blue color tracer wire and warning tape on all plastic pipelines. Tracer wire shall be from Copperhead Ind. Connection to service lines, adjacent tee configurations and existing tracer wires shall be with locking waterproof and corrosion proof wire connectors Copperhead Ind. Blue SnakeBite locking connectors LSC 1230B or 3WB-01. Tracer wire shall be secured to the PVC pipeline at 10 foot intervals per 01140.45 and be coiled into valve boxes with 12 inches available from the surface. Tracer wire shall be securely and firmly attached to any existing Ductile or Cast Iron piping, with similar connectors and stainless steel strapping

as necessary. Place Underground Marking Tape 12 inches over the pipeline during the backfill, taking care not to damage the tape.

A continuity check on the tracer wire is required prior to final paving. Contractor shall contact city personnel within 48-hours after installation of the last meter service. City Maintenance shall perform a Locate Test on all main and services.

Care needs to be taken around existing water services, stormwater, and gas service lines. The depth of each service should be verified prior to major excavation, and repair options should be made available.

This bid item shall include all roadway sawcutting, excavation of roadway pavement, and base material. Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This bid item shall include all Class B Granular pipe zone and trench backfill consisting of compacted crushed rock of 1"-0" or ¾"-0" as approved. Compaction tests on the compacted backfill per standard spacing.

BID ITEM NO. 7, 25 – 1" AWWA C904 PEX Meter Service – Short Side.

This per each bid item includes all labor, materials, and equipment to install meter service assemblies of 1" AWWA C904-06 Cross-linked Polyethylene (PEX) blue water service line, 12 awg tracer wire and warning tape, ball valve FB1100-4-Q-NL corporation stop, tapping saddle Romac 202NS or equal, locking wing 1"x3/4" Ford BA63-332W-Q-NL meter curb stop with meter swivel nut, Ford 3/4" L31-13-NL Angle Meter Coupling with meter swivel nut, all other required appurtenances, and DFW Meter Box with Lid, part numbers DFW486WBC4-12-BODY and DFW 486C-4M-NHK-LID. All fittings in contact with potable water shall be NSF 61 compliant.

PEX 1" service piping shall be SDR 9, CTS MuniPEX (PEXa) by REHAU or equal. Installation shall have all compression joint fittings, with stainless steel insert-stiffeners Ford Insert 53-72-Q or equal, installed 24" depth below grade level, with a slight serpentine trench lay for expansion/contraction. Due to meter depth, lay pipe segments horizontally and vertically straight with a 1" Quarter Bend Ell using Mueller, Ford, McDonald or equal compression fittings transitioning to the meter curb stop, without curvature of the pipeline. If curvature anywhere is necessary, with City approval, use a recommended curvature radius of 30 pipe diameters (no less than 20 diameters (10 per manuf.)), and under no circumstances reversing the coil direction.

Tracer wire shall be Copperhead Ind. 12 awg SuperFlex Tracer Wire attached to the PEX service line with zip-ties, not duct tape, at 10 foot intervals, and be routed into the meter box with a minimum of 12" extended and coiled. Tracer wire connection junctions shall be Copperhead Ind. Blue SnakeBite locking connectors.

The meter box shall be a 11"x18"x12" DFW meter box, part number DFQ486WBC4-12-BODY. The box cover shall be DFW486C-4M-NHK-LID. The base support of the meter box shall be Class B crushed rock, and be a minimum thickness of 2" below the base of the water meter box.

This bid item shall also include the roadway sawcutting, excavation and backfill quantities for the trenching of the service line.

This item includes erosion control measures to protect excessive sediment runoff into catch basins or ditch channels located at or near the work areas.

This item shall include all incidental grass seed and finish top soil material used for minor backfilling and grading behind or adjacent to new sidewalk panels, back curbs, or ramp assemblies to match to existing adjacent surface grade.

BID ITEM NO. 8, 26 – 1" AWWA C904 PEX Meter Service – Long Side.

This per each bid item includes all labor, materials, and equipment to install meter service assemblies of 1" AWWA C904-06 Cross-linked Polyethylene (PEX) blue water service line, 12 awg tracer wire and warning tape, ball valve FB1100-4-Q-NL corporation stop, tapping saddle Romac 202NS or equal, locking wing 1"x3/4" Ford BA63-332W-Q-NL meter curb stop with meter swivel nut, Ford 3/4" L31-13-NL Angle Meter Coupling with meter swivel nut, all other required appurtenances, and DFW Meter Box with Lid, part numbers DFW486WBC4-12-BODY and DFW 486C-4M-NHK-LID. All fittings in contact with potable water shall be NSF 61 compliant.

PEX 1" service piping shall be SDR 9, CTS MunicipeX (PEXa) by REHAU or equal. Installation shall have all compression joint fittings, with stainless steel insert-stiffeners Ford Insert 53-72-Q or equal, installed 24" depth below grade level, with a slight serpentine trench lay for expansion/contraction. Due to meter depth, lay pipe segments horizontally and vertically straight with a 1" Quarter Bend Ell using Mueller, Ford, McDonald or equal compression fittings transitioning to the meter curb stop, without curvature of the pipeline. If curvature anywhere is necessary, with City approval, use a recommended curvature radius of 30 pipe diameters (no less than 20 diameters (10 per manuf.)), and under no circumstances reversing the coil direction.

Tracer wire shall be Copperhead Ind. 12 awg SuperFlex Tracer Wire attached to the PEX service line with zip-ties, not duct tape, at 10 foot intervals, and be routed into the meter box with a minimum of 12" extended and coiled. Tracer wire connection junctions shall be Copperhead Ind. Blue SnakeBite locking connectors.

The meter box shall be a 11"x18"x12" DFW meter box, part number DFQ486WBC4-12-BODY. The box cover shall be DFW486C-4M-NHK-LID. The base support of the meter box shall be Class B crushed rock, and be a minimum thickness of 2" below the base of the water meter box.

This bid item shall also include the roadway sawcutting, excavation and backfill quantities for the trenching of the service line.

This item includes erosion control measures to protect excessive sediment runoff into catchbasins or ditch channels located at or near the work areas.

This item shall include all incidental grass seed and finish top soil material used for minor backfilling and grading behind or adjacent to new sidewalk panels, back curbs, or ramp assemblies to match to existing adjacent surface grade.

BID ITEM NO. 10, 27 – Connect to Existing

This per each bid item includes all labor, materials, testing, and equipment to connect improvements to the existing water system.

Excavation, backfill and paving quantities are not included in this bid item.

BID ITEM NO. 9 – Fire Hydrant Assembly.

This per each bid item includes all labor, materials, and equipment to install fire hydrants (Mueller Super Centurion 250 Model A423) per the project plans, including the water main hydrant tee, valves and boxes, hydrant leg, hydrant, main port Storz adapter, thrust restraints, blue reflective pavement marker, backfill, testing and painting, and any incidental items. The hydrant shall be painted a metallic silver for the barrel section, and the bonnet a color based on post construction flow tests per National Standard Color Codes.

This bid item includes all labor, materials, and equipment required to install AWWA C151 6" Class 52 Ductile Iron waterline to connect the fire hydrant assembly to the new watermain per standard AWWA and Oregon Specifications for Construction.

This bid item shall include all testing procedures for pipeline pressure and disinfection per AWWA standards.

Care needs to be taken around existing water services, stormwater and gas service lines. The depth of each service should be verified prior to major excavation, and repair options should be made available.

This bid item shall include all roadway sawcutting, excavation of roadway pavement, and base material. Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This bid item shall include all Class B Granular pipe zone and trench backfill consisting of compacted crushed rock of 1"-0" or ¾"-0" as approved. Compaction tests on the compacted backfill per standard spacing.

BID ITEM NO. 11, 28, 40 – Manhole Rim Adjustment.

This per unit bid item shall include all manholes that fall within the overlay. Adjust all manhole rims to match new road surface elevation or as directed by City. Adjustments of nominal 2” or less shall use cast iron or steel risers. Adjustments of nominal 3” or greater shall use concrete risers. Work shall be conducted per OSSC Section 00490. Payment shall include, but not be limited to, all materials, labor, equipment, and permitting required to complete the Work. No separate measurement for these items shall occur.

BID ITEM NO. 12, 29, 41 – Valve Can Adjustment.

This per unit bid item shall include all valve cans that fall within the overlay. Adjustment all cans to match new road surface elevation or as directed by City. Work shall be conducted per OSSC Section 00490. Payment shall include, but not be limited to, all materials, labor, equipment, and permitting required to complete the Work. No separate measurement for these items shall occur. Blowoff assemblies shall be counted as two valve cans.

BID ITEM NO. 30 – Catchbasin Installation.

This lump sum item includes all materials, labor, and equipment required to install a catchbasin at the intersection 8th Avenue at the intersection of Birch Street as shown on the plans. Catchbasin shall be of precast construction and shall conform to all ODOT requirements as shown on standard detail RD378.

This line item shall include all materials, labor, and equipment required to also install a 12” PVC that shall connect the existing storm drainage system on the other side of the road. 12” PVC pipe installed shall include tracer wire. Tracer wire shall be Copperhead Ind. 12 awg SuperFlex Tracer Wire attached to the PVC pipe with zip-ties, not duct tape, at 10 foot intervals, and be routed into the catchbasin with a minimum of 12” coiled and secured with a zip tie. Tracer wire connection junctions shall be Copperhead Ind. Blue SnakeBite locking connectors.

BID ITEM NO. 13, 31 – ADA Ramp Replace.

This per unit bid item shall include all materials and labor required to construct an American Disability Act (ADA) compliant pedestrian ramp. This item includes the demolition of the existing ramp and all form work required to construct the ramp. Ramp design, form work, and construction shall conform to all ADA and ODOT requirements. Non-compliant ramps will not be accepted and shall be replaced at the Contractors expense. Payment shall include, but not be limited to, all materials, labor, equipment, and permitting required to complete the Work. No separate measurement for these items shall occur.

BID ITEM NO. 14, 32 – Sidewalk and Curb Replacement.

This per linear foot bid item shall include the removal and replacement of all curb, gutter, and sidewalk as a part of this project. Dimensions shall match existing. Joints shall be formed by tooling into fresh concrete. The joint shall be perpendicular to the concrete surface and ¼ of the thickness of the slab. Zip strips not allowed. Joint pattern shall match removed concrete.

This bid item includes all sawcutting, excavation, and backfill required to complete the work. All defective or rejected work shall be replaced at the contractors expense.

Mix Design Requirements:

1. Cement: Portland Cement, Type I or II, ASTM C150
2. Water / Cementitious Materials Ratio: 0.45-0.50 by weight
3. Strength: 3500 psi minimum, ASTM C39
4. Air Content: 2.5-5% by volume, ASTM C231
5. Water Reducer: Mid or High-Range
6. Maximum slump at time of placement: 5-inches or less

Excavated material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

This item does not include any costs, materials, or labor associated with ADA Ramp Replacement.

BID ITEM NO. 15, 33 – Level 2, 1/2” ACP Mixture – Trench.

This per Ton bid item includes all labor, materials, and equipment required to install a 3” thick base course lift of Level 2 Asphalt Concrete Pavement per Oregon Standard Section 00744. It shall be used for all waterline trench areas. City and Contractor to verify locations.

Contractor must notify City 48 hours prior to placement of asphalt pavement for inspection. When, in the judgment of the City, the weather is such that satisfactory results cannot be achieved asphalt concrete paving operations shall be suspended. Owner shall not be liable for damages or claims of any kind or description due to the suspension of operations by the Engineer. HMAc shall not be placed when the ambient temperature is below 40° F, or surface is wet or frozen.

Adhere to all applicable State and/or OSHA regulations pertaining to road closure, traffic control, and other related safety precautions.

To provide for the convenience and safety of the traveling public, pavement replacement shall be performed immediately following the completion of backfilling operations. In the event that pavement replacement cannot be performed as such, the Contractor shall maintain the trench backfill on a daily basis, as directed, until pavement replacement has been completed.

BID ITEM NO. 16, 34, 37 – Level 2, 1/2” ACP Mixture – Overlay.

This per Ton bid item shall include the wearing course lift of 2” thick, Level 2 Asphalt Concrete Pavement per Oregon Standard Section 00744. It shall be used for all roadway areas, and work area shoulder excavations and infills. This bid item includes edge widening lifts and pre-level applications necessary for the primary overlay lift. City and Contractor to verify locations.

This bid item includes all sawcutting, excavation, road surface preparation, tack coat application, and road edge grinding as shown on plans or as directed by City. City and Contractor to verify locations.

Contractor must notify City 48 hours prior to placement of asphalt pavement for inspection. When, in the judgment of the City, the weather is such that satisfactory results cannot be achieved asphalt concrete paving operations shall be suspended. Owner shall not be liable for damages or claims of any kind or description due to the suspension of operations by the Engineer. HMAc shall not be placed when the ambient temperature is below 40° F, or surface is wet or frozen.

Adhere to all applicable City, County, State and Federal regulations pertaining to road closure, traffic control, and other related safety precautions.

BID ITEM NO. 17, 35, 38 – Level 2, 1/2" ACP Mixture – Driveway.

This per Ton bid item shall include the wearing course lift of 2” thick, Level 2 Asphalt Concrete Pavement, per Oregon Standard Section 00744. It shall be used for all driveway apron areas. Pave only to the property line or position noted by city staff. Existing driveways of asphalt or concrete that extend to the roadway do not need to be overlaid. This bid item includes any pre-level applications necessary for the primary overlay lift. City and Contractor to verify locations.

This bid item includes all sawcutting, excavation, road surface preparation, tack coat application, and road edge grinding as shown on plans or as directed by City. City and Contractor to verify locations.

Contractor must notify City 48 hours prior to placement of asphalt pavement for inspection. When, in the judgment of the City, the weather is such that satisfactory results cannot be achieved asphalt concrete paving operations shall be suspended. Owner shall not be liable for damages or claims of any kind or description due to the suspension of operations by the Engineer. HMAc shall not be placed when the ambient temperature is below 40° F, or surface is wet or frozen.

Adhere to all applicable City, County, State and Federal regulations pertaining to road closure, traffic control, and other related safety precautions.

BID ITEM NO. 18, 39 – Pavement Markings.

This lump sum bid item shall include the replacement and/or installation of all crosswalks, stop bars, and lane painting as shown on the plans. All pavement markings shall conform to all ODOT requirements.

Construction and material used shall be per Oregon Standard Section 00850, 00860 and 00867.

BID ITEM NO. 36 – Birch Street Grind.

This lump sum bid item shall include the curb to curb cold plane removal of 2” of asphalt on Birch Street. Contractor to coordinate precise limits with City. Cold plane removal shall be conducted in accordance with OSS Section 00620.

This bid item shall include all roadway sawcutting and removal of roadway pavement. Removed material hauled offsite and deposited at another property location within the City of Sweet Home will need a Fill & Grade Permit from the City Building Program Office, located in City Hall at 3225 Main St, 541-367-7993, for information.

END OF GENERAL TECHNICAL REQUIREMENTS

The City of Sweet Home is an Equal Opportunity/Affirmative Action Employer.
Women, Minorities and Disabled Persons are encouraged to apply.

This ITB is issued in accordance with the provisions of the laws including statutes, ordinances, resolutions, and rules, of the State of Oregon and the City of Sweet Home. Authorized & approved for posting by the City Council and the City Manager. Staff can amend the ITB and contract form to meet the best interests of the City with the approval of the City Manager.

THIS SOLICITATION IS NOT AN IMPLIED CONTRACT AND MAY BE MODIFIED OR REVOKED
WITHOUT NOTICE.



REQUEST FOR COUNCIL ACTION

Title: Sportsman’s Holiday Parade Special Events Application
Resolution No. 14 for 2022

Preferred Agenda: May 10, 2022

Submitted By: Angela Clegg, Associate Planner

Reviewed By: B. Larsen, CEDD Director
C. Wurster, City Manager Pro Tem

Type of Action: Resolution X Motion Roll Call Other

Relevant Code/Policy: SHMC 2.04.030 Powers of the City Council

Towards Council Goal: Vision Statement, Aspiration I: Desirable Community, Mission Statement

Attachments: Resolution No. 14 for 2022

Purpose of this RCA:

The Sweet Home Chamber of Commerce requests the temporary closure of certain streets for the Sportsman’s Holiday Parade. This requires adoption of Resolution No. 14 for 2022.

Background/Context:

To accommodate the parade, the applicant is proposing to close and block off vehicular traffic, from 7:00 AM to approximately 12:00 PM on July 9, 2022, at 22nd Avenue from Long Street, north to Main Street; 10th Avenue from Long Street, north to Main Street; Long Street from 10th Avenue to 22nd Avenue. Parking Restrictions: No parking at the above locations and times. No parking on the west side of 22nd Avenue from Long Street to Mountain View Road.

The Challenge/Problem:

Should the streets be closed to allow for parade traffic along Long Street and Main Street?

Stakeholders:

- The Applicant will not be able to hold their event unless the roads are closed as proposed.
- Sweet Home residents and businesses benefit from the walking traffic and safe pedestrian crossings through the parade route but will be inconvenienced by the temporary road closure.
- The City Council are responsible for ensuring that special events can be safely held, while still providing sufficient public roadways for the safe flow of traffic, and access to homes and businesses.

Issues and Financial Impacts:

There are no issues or financial impacts currently identified.

Elements of a Stable Solution:

A stable solution is one in which a decision on the application is made that conforms with City Code and State Law.

Options:

1. Deny the Sportsman's Holiday Parade Application. Staff would prepare an Order of Denial for the Sportsman's Holiday Parade Application.
2. Approve Resolution No. 14 for 2022 as presented.
3. Approve Resolution No. 14 for 2022 with changes. Council could review these proposed changes and recommend different routes.
4. Direct Staff to Research Other Options.

Recommendation: Staff Recommends Option 2: Approve Resolution No. 14 for 2022 as presented.

RESOLUTION NO. 14 FOR 2022

A RESOLUTION CONCERNING STREET CLOSURES AND RESTRICTIONS.

WHEREAS, traffic patterns and parking issues need to be addressed to safely accommodate the Sportsman’s Holiday Parade event; and

WHEREAS, Sweet Home Municipal Code 10.04.030 provides that the City Council may, by resolution, establish or alter traffic and parking control;

NOW, THEREFORE, the City of Sweet Home does resolve as follows:

Traffic regulations shall be kept in effect as follows:

- A. From 7:00 AM to approximately 12:00 PM on July 9, 2022, at 22nd Avenue from Long Street, north to Main Street; 10th Avenue from Long Street, north to Main Street; and Long Street from 10th Avenue to 22nd Avenue parking restrictions: No parking at the above locations and times. No parking on the west side of 22nd Avenue from Long Street to Mountain View Road. The roads shall be closed and blocked off to vehicular traffic.
- B. Residential access will be allowed.
- C. Appropriate signed, signaled or other markings shall be installed by the Public Works Department to carry safely out the provisions of this resolution and shall become effective immediately upon the installation of such signed, signals or other markings.

PASSED by the Council and approved by the Mayor this 10th day of May, 2022.

Mayor

ATTEST:

City Manager Pro Tem – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

Title: Future of Dilapidated Railroad Depot

Preferred Agenda: May 10, 2022

Submitted By: Greg Springman, Public Works Director

Reviewed By: Christy Wurster, City Manager Pro Tem

Type of Action: Resolution ____ Motion ____ Roll Call X Other ____

Relevant Code/Policy: N/A

Towards Council Goal: Goal 1.2: Infrastructure Needs

Attachments: Railroad Depot Ownership Transfer
Pictures documenting Railroad Depot condition

Purpose of this RCA:

The purpose of this RCA is to seek Council directive regarding the future of the dilapidated Railroad Depot stored at the Public Works Facility.

Background/Context:

The Railroad Depot was originally located at the site of the current McDonald’s restaurant. When that restaurant was constructed, the depot was moved to a point adjacent to Bi-Mart’s current location in the 2000 block of Main Street. Approximately 10 years ago, when Bi-Mart was being developed, several community members were granted approval by the City Council and the property owners to relocate the Railroad Depot onto the current Public Works Facility at 1400 24th Avenue.

In 2013, volunteers placed the Railroad Depot on large timbers to be utilized as “skids”, then using heavy equipment, pulled the Depot on the skids along the railroad right-of-way to the northern end of the Public Works Facility.

There is an immediate need for Public Works’ staff to relocate the Railroad Depot from its current location. The Railroad Depot currently sits on the access road which will service Linn County’s proposed RV Fill/Dump station and FAC’s proposed outreach and service center adjacent to the Public Works Facility. Public Works has been tasked with constructing an access road, pedestrian paths and underground utilities.

The Railroad Depot structure is currently exposed to wet conditions and is in a significantly dilapidated state. On May 2, 2022, Public Works Staff attempted to pull the structure on its skids off of the access easement area but were unsuccessful. Due to severe rot of the timbers and sub structure of the Railroad Depot, Staff determined that significant damage would occur if they continued.

To relocate the Railroad Depot, the structure would need to be lifted and secured so that new timber skids could be placed underneath, then set onto the new timbers and dragged out of the way. Building relocation services would be a significant cost to the City—there are currently no funds allocated to this work.

The Challenge/Problem:

Due to its dilapidated condition, Public Works staff cannot relocate the Railroad Depot from its current location without risking damage to the structure. Staff must relocate the Railroad Depot prior to constructing the proposed access road for Linn County RV Dump Station and FAC's Outreach and Service Center.

Stakeholders:

- Sweet Home City Council – The Council is responsible for will determining the future of public property, including the Railroad Depot.
- Sweet Home Residents – Residents have a historic connection to the Railroad Depot.
- Sweet Home Staff – Staff need clear direction from the City Council on how to proceed.
- Linn County – Linn County has a right to access its property, the proposed RV Dump Station, via an easement on which the Railroad Depot sits.
- FAC – FAC has a right to access its property via the same easement.

Issues and Financial Impacts:

The Railroad Depot structure would need to be lifted and secured so that new timber skids could be placed underneath, then set onto the new timbers and dragged out of the way. Building relocation services would be a significant cost to the City with no funds currently allocated to this project.

Elements of a Stable Solution:

FAC's Community Outreach and Service Center has been an ongoing concern to the Sweet Home Community and City Council. Relocating the Railroad Depot from its current location would allow for timely constructure on the access road servicing Linn County's RV Dump Station and FAC's Center.

Options:

1. Option 1 – Do Nothing. Not recommended. This would impede development of both FAC's site and Linn County's proposed facility.
2. Option 2 – Construct new "Skids" underneath the Railroad Depot at a significant cost. There may be a viable usage for the Railroad Depot.
3. Option 3 – Seek more information before deciding. Determine if there are community members who would take possession of the Railroad Depot and relocate it.
4. Option 4 - Demolition. With approval from the City Council, Public Works staff would demolish the Railroad Depot structure.

Recommendation:

1. Staff recommends Options 2, 3 or 4.

April 29, 2013

We the undersigned relinquish ownership of the Old Sweet Home Railroad Depoe to the Public Works Department of the City of Sweet Home.

Owner: Ben
Dahlenburg

Bernie D. Dahlenburg

Date: 4-29-13

Owner: Bob
Waibel

Bob H. Waibel

Date: 4-29-13

Public Works

Director:

Michael J. Adams

Date 4-29-13

























REQUEST FOR COUNCIL ACTION

Title: Public Hearing for Zone Map Amendment Application ZMA22-01

Preferred Agenda: May 10, 2022

Submitted By: Angela Clegg, Associate Planner

Reviewed By: B. Larsen, CEDD Director
C. Wurster, City Manager

Type of Action: Resolution ____ Motion X Roll Call ____ Other X

Relevant Code/Policy: SHMC 2.04.030 Powers of the City Council

Towards Council Goal: Vision Statement, Aspiration I: Desirable Community, Mission Statement

Attachments: Original Application
Ordinance No. 3 for 2022, with Exhibit A

Purpose of this RCA:

The Sweet Home Planning Commission held a public hearing on May 5, 2022 to review application ZMA22-01 and receive testimony. At that meeting, the Planning Commission approved the application and recommended that the City Council approve it.

On May 10, 2022 the City Council will hold a Public Hearing regarding the application and may complete the 1st reading of the ordinance for Zone Map Amendment Application ZMA22-01.

Background/Context:

The applicant is proposing to change the Zoning Map in an area consisting of approximately 114,690 square feet (2.62 acres) located in Sweet Home, OR 97386 (13S01E32AB Tax Lot 500). The Sweet Home Zoning Map is proposed to change from the Commercial Highway (C-2) Zone to the Industrial (M) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission held a public hearing and recommended the City Council approve the application. The Sweet Home Municipal Code requires the City Council to hold a public hearing and make the final decision on this application.

Application ZMA22-01 is being filed simultaneously with Application CU22-08. Application CU22-08 is pending the approval of Application ZMA22-01.

The applicant is requesting a conditional use permit to allow for self-storage, enclosed RV/boat storage, canopy parking for RV/boat, and light industrial space in an Industrial (M) Zone. SHMC 17.44.030(L) conditionally allows uses that are compatible with the purpose and intent of the zone, and that would have off-site impacts that would not significantly exceed those that are typical of the other conditionally permitted uses listed in that section.

The applicant will be applying for a property line adjustment to combine Tax Lots 100, 101, and 500. The adjustment will allow the applicant to develop the property as they have proposed in the conditional use application. The property line adjustments will be pending the approval of the zone map amendment and the conditional use permit.

The Challenge/Problem:

Should the zoning map be changed to allow Industrial activity on the property in question, rather than the current Commercial Highway (C-2) designation?

Should the Comprehensive Plan designations be followed if the proposed amendment is consistent with the goals and policies of the comprehensive plan?

Stakeholders:

- The Owner/Developer would be able to develop the property as they have proposed.
- The residents and businesses in the surrounding area would benefit from the future site improvement of the property.
- The City of Sweet Home would benefit from the future site improvement of the property that could come from the changed zoning

Issues and Financial Impacts:

There are no issues or financial impacts currently identified.

Elements of a Stable Solution:

A stable solution is one in which a decision on the application is made that conforms with City Code and State Law.

The Sweet Home Comprehensive Plan guides official policy decisions about development within the area. The Plan aims to organize and coordinate complex interrelationships between people, land, resources, and facilities to meet the future needs of the citizens and to protect the livability of the community. The Plan also reflects the public’s goals and aspirations for Sweet Home about the best way to handle development and conservation in the City. The officially acknowledged Comprehensive Plan gives policy direction for land use decisions and coordinates private and public development. [Chapter 1, Page 1 of the Comprehensive Plan].

The Sweet Home Municipal Code provides criteria for map amendments such as this:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and
- D. The proposed amendment to the comprehensive plan map is consistent with Oregon’s statewide planning goals

Options:

1. Deny Application ZMA22-01. Staff would prepare an Order of Denial for Application ZMA22-01.
2. Approve Application ZMA22-01 as presented and conduct the first reading of Ordinance No. 3 for 2022.

3. Recommend a different zone amendment. Council could review these proposed changes and recommend different zone amendments. Staff would take these recommendations and revise the proposed application for review at a future Planning Commission and Council meeting.

Recommendation: Staff Recommends Option 2: Approve Application ZMA22-01 as presented and conduct the first reading of Ordinance No. 3 for 2022.

ORDINANCE BILL NO. 3 FOR 2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP

WHEREAS, the applicant, Eric Lund, submitted Zone Change Application ZMA22-01 and requested a zone map change for an area consisting of approximately 114,690 square feet (2.62 acres) located in Sweet Home, OR 97386 (13S01E32AB Tax Lot 500). The Sweet Home Zoning Map is proposed to change from the Commercial Highway (C-2) Zone to the Industrial (M) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on May 5, 2022 with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The Planning Commission deliberated at their May 5, 2022, meeting, and recommended that the City Council approve this application; and

WHEREAS, the City Council held a public hearing on this matter on May 10, 2022, with due notice of such public hearing, to provide opportunity for public comment and testimony. The City Council approved this application by motion at their May 10, 2022, meeting; and

WHEREAS, the proposed Industrial (M) zoning is needed to facilitate development of the subject property;

Now, Therefore,

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1: The City of Sweet Home adopts the findings of fact in support of zone change application ZMA22-01 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.20.020 as the City Zoning Map including all subsequent amendments, for the area consisting of approximately 114,690 square feet (2.62 acres) located in Sweet Home, OR 97386 (13S01E32AB Tax Lot 500). The Sweet Home Zoning Map is proposed to change from the Commercial Highway (C-2) Zone to the Industrial (M) Zone.

Passed by the Council and approved by the Mayor this _____ day of _____ 2022.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder



**OFFICIAL NOTICE OF A PLANNING COMMISSION RECOMMENDATION
ON A LAND USE APPLICATION**

PLANNING COMMISSION ORDER OF APPROVAL

REQUEST: The applicant is proposing to change the Zoning Map in an area consisting of approximately 114,690 square feet (2.62 acres) located in Sweet Home, OR 97386 (13S01E32AB Tax Lot 500). The Sweet Home Zoning Map is proposed to change from the Commercial Highway (C-2) Zone to the Industrial (M) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

Application ZMA22-01 is being filed simultaneously with Application CU22-08. Application CU22-08 is pending the approval of Application ZMA22-01.

APPLICANT: Eric Lund
PROPERTY OWNER: Eric Lund
FILE NUMBER: ZMA22-01
PROPERTY LOCATION: Sweet Home, OR 97386, Identified on the Linn County Assessor's Map as 13S01E32AB Tax Lot 500.
REVIEW AND DECISION CRITERIA: Sweet Home Municipal Code Section(s) 17.12, 17.44, OAR 660-012-0060
STAFF CONTACT: Angela Clegg, Associate Planner
Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

- I. **PUBLIC HEARING:** The Sweet Home Planning Commission held a public hearing on May 5, 2022. At the hearing the Planning Commission reviewed application ZMA22-01. The Planning Commission received testimony and deliberated on this matter at their May 5, 2022 meeting and passed a motion to recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.
- II. **FINDINGS OF FACT:** The Planning Commission provided an opportunity for testimony at the May 5, 2022 public hearing. The Planning Commission considered the information in the record, testimony at the public hearing, and the Findings of Fact listed in the Staff Report presented to the Planning Commission prior to the May 5, 2022 public hearing. The Planning Commission adopted the Findings of Fact listed in Section III of the Staff Report. The applicant is requesting to change the zoning to Medium Density Residential bringing it into conformity with the property's

existing Comprehensive Plan Map designation. Section III of the Staff Report is included as Exhibit A to this Order

- III. **DECISION: Approved** the motion to recommend the application to City Council on May 5, 2022. Based on the findings referenced in Exhibit A of this order, the Planning Commission found that the proposal described in ZMA22-01 complies with the applicable sections of the Sweet Home Municipal Code. The Sweet Home Planning Commission hereby approves application ZMA22-01 and recommends approval by the City Council.

PLANNING COMMISSION DECISION: May 5, 2022

APPEAL DEADLINE: May 17, 2022 at 5:00 PM

CITY COUNCIL MEETING: May 10, 2022 at 6:30 PM



Jeffrey Parker, Planning Commission Chair

5/5/2022

Date



Blair Larsen, Community and Economic Development Director

5/5/2022

Date

APPEAL: This decision can be appealed. The decision made by the Planning Commission is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than the appeal deadline listed above (12 days from the mailing of this decision). All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386.

The City Council will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the Staff Report and all documentation included in the record for the file are available for inspection at no cost and a copy will be provided at reasonable cost at the City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386; (541) 367-8113.

Exhibit A to Order of Approval for ZMA22-01

II. REVIEW AND DESIGN CRITERIA

The review and decision criteria for a zone change are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

A. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]

- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
 - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
 - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
 - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and**
- Enact land use regulations to implement their comprehensive plan.**

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond. [Sweet Home

Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. **Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
 - i. **To accurately reflect changes in the community.**
 - ii. **To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. **Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. **Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. **Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
 - i. **There is a need for the proposed change;**
 - ii. **The identified need can best be served by granting the change requested;**
 - iii. **The proposed change complies with the Statewide Planning Goals; and,**
 - iv. **The proposed change complies with all other elements of the City's Comprehensive Plan.**
- h. **Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]
- i. **High Density Residential: To provide areas suitable and desirable for higher density residential development, and particularly for apartments, manufactured home parks, other residential uses, and appropriate community facilities.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 114,690 square feet (2.62 acres) property identified on the Linn County Assessor's Map as 13S01E32AB Tax Lot 500 (see Attachment A). The applicant has proposed a change in zoning from Commercial Highway (C-2) to Industrial (M).

Based on the Linn County 2021 aerial photograph, the area has Industrial lots to the north, west and east, and Commercial Highway to the south. There is no development planned with the Zone Map Amendment application.

The proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

Based on the above findings, the application complies with this criterion.

- 2. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment; [SHMC 17.12.025(B)]**

Staff Findings: Staff finds that the proposed zoning map amendment would be orderly and timely, be consistent with the pattern of development in the area, and based on the 2021 Linn County aerial photograph, staff finds that the subject property has industrial lots to the north, west and east, and Commercial Highway to the south.

Based on the above findings, the application complies with this criterion.

- 3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and [SHMC 17.12.025(C)]**

Staff Findings: The subject property has frontage along 24th Avenue. Water and sanitary sewer services are available in 24th Avenue. The applicant has not proposed development with this Zone Map Amendment application

Based on the above findings, the application complies with this criterion.

- 4. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

- 5. OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
 - a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
 - b. Change standards implementing a functional classification system; or**
 - c. Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
 - i. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
 - ii. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
 - iii. Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. [OAR 660-012-0060(1)]**

Staff Findings: The subject property has existing frontage along 24th Avenue. The applicant has proposed a change in zoning from the Commercial Highway (C-2) zone to the Industrial (M) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

Based on the above findings, the application complies with this criterion.



City of Sweet Home
 Sweet Home Public Library
 1101 13th Avenue
 Sweet Home, OR 97386
 541-367-5007

Sweet Home Public Library

Statistics

	This month April 2022	Last month March 2022	Year to date 2022	2021 (total)
Patron Activity				
OPAC Logins	195	221	826	3081
SIP2 Logins	602	623	2422	6775
Main Door Count	2062	2456	8107	n/a
Circulation and Renewals				
Checkouts	3250	2369	10996	28723
Renewed items	669	906	3205	9125
E-audio & E-book checkouts	461	460	1621	5491
Total items checked out	4380	3735	15822	43339
Holds Requested				
Holds by Staff	164	105	508	1683
Holds by OPAC	77	83	403	1495
Item Counts				
Total items in library	31389	31549	31389	32879
Public Access Computers				
Logins	191	234	796	2104
Resource Sharing Savings				
Cost savings	3125	3742.97	12001.58	n/a
Items borrowed by consortium libraries	232	238	799	n/a
Items borrowed from consortium libraries	188	188	772	n/a

Events

The Community Reads event was a success with over 15 participants. 1000 Books Before Kindergarten program began April 1st. Four children have already completed their first 100 books read! We are giving out an average of 75 Take and Make Kits each month. Our new in building craft table has been a hit with all ages making different crafts each month.

Projects ongoing

We are continuing plans for this year's Summer Reading Program for all ages.

New Library update

Conversations with the State Library have occurred to talk about funding opportunities with grants and foundations. Lots of research and planning needs to be done now.

MEMORANDUM



TO: City Council
Christy Wurster, City Manager Pro Tem
Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: May 10, 2022

SUBJECT: Community and Economic Development Department Report for April, 2022

The Community and Economic Development Department (CEDD) consists of the City's Building, Planning, Engineering, Economic Development, Code Enforcement, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from April 1st, to April 30th, 2022.

1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	April, 2022	March, 2022	2022 YTD	2021 Total	2017-2021 Annual Average
Residential 1 and 2 Family Dwellings	2	19	24	23	28.0
Residential Demolition	1	3	5	9	8.2
Residential Manufactured Dwellings	1	0	1	16	13.8
Residential Mechanical Permits	4	5	28	120	110.2
Residential Plumbing	4	1	9	35	28.8
Residential Site Development	0	1	1	0	1.2
Residential Structural	4	3	12	56	48.8
Commercial Alarm or Suppression Systems	0	0	0	11	3.4
Commercial Demolition	1	0	1	4	3.4
Commercial Mechanical	2	1	6	19	14.6
Commercial Plumbing	0	0	2	9	11.0
Commercial Site Development	0	0	1	3	2.8
Commercial Structural	2	1	8	45	41.4
Total Permits	21	34	98	350	315.6
Value Estimate of All Permits	\$1,831,430.00	\$4,922,402.00	\$8,996,978.28	\$16,811,721.35	\$17,061,471.73
Fees Collected	\$25,885.78	\$65,393.41	\$118,902.72	\$250,671.91	\$233,439.18

2. PLANNING

- Summary of Final Decisions of Planning Division Applications:

Application Type	April, 2022	March, 2022	2022 YTD	2021 Total	2017-2021 Annual Average
Annexations	0	0	0	0	0.4
Code Amendments	0	0	0	1	0.8
Conditional Use	4	3	7	11	8.0
Partition	0	3	5	20	9.0
Planned Development/ Subdivision	0	2	2	4	1.2
Property Line Adjustments	0	0	4	21	12.0
Vacation	0	0	0	0	0
Variance	0	0	0	1	4.4
Zoning Map Amendment	0	0	0	4	2.2

- 12 Land Use Applications were submitted in April.
- 14 Land Use Applications are pending final approval.
- 3 Fence Permits were issued in April.
- 1 Temporary RV Permit was issued in April.
- The overhaul of development code portions of the Sweet Home Municipal Code (SHMC) is progressing as planned. The Planning Commission has completed their initial review, and will soon hold a public hearing and make a recommendation to the City Council. This is expected to take place in June, after which the Council will have an opportunity to review the document and consider changes. Based on Council feedback, after the required public hearing, Staff will schedule a special Council meeting for the first reading of the adoption ordinance. The reading will require approximately 6 and a half hours. We expect that this will take place sometime in July.
- The City has received a grant from the State to update our Transportation System Plan and create an Area Plan for the undeveloped land on the north side of the City. A consultant for the work is now on board, and the City has met with them to kick off the project.
- The City has also received a State grant for a Housing Needs Analysis (HNA). The consultant has been selected and will begin work soon. The purpose is to ensure that the City has both sufficient residential lands, and the proper mix of types and densities. This project is now underway, and Staff are meeting with the consultants every two weeks on the project.
- The next Planning Commission meetings are scheduled for May 5th and 19th, 2022.

3. ECONOMIC DEVELOPMENT

- The Council recently adopted the Downtown Streetscape and Parking Plan. Staff is now working on dividing the project into phases and seeking funding for construction of the first phase.

- The land swap agreement for 24th Ave has been approved, as have the land use applications and surveys. The survey is now complete, and recently went to Linn County for recording.

4. CODE ENFORCEMENT

- Summary of Actions.

Case Status	April, 2022	March, 2022	2022 YTD	2021 Total	2018-2021 Annual Average
New Complaints	9	7	33	92	84.00
New Officer-Detected Violations	3	1	12	74	74.00
Violations Resolved	8	10	30	166	286.25
Complaints Noted with No Violation Found	1	3	6	16	22.75
Open Cases at End of Period	0	2	0	12	20
Citations	0	0	0	7	4.00
Abatements	0	1	2	1	0.33
Enforcement Type	April, 2022	March, 2022	2022 YTD	2021 Total	2018-2021 Annual Average
Animal	6	2	11	35	46.50
Blight	0	0	0	2	1.25
Illegal Burn	0	2	2	1	1.75
Illegal Dumping	0	0	1	0	0.50
Illegal Parking	1	1	4	11	9.75
Illegal Sign	0	0	0	1	2.75
Junk/Abandoned Vehicle	1	1	5	4	9.00
Minimum Housing	0	0	0	0	3.25
Occupying an RV	2	0	5	26	42.00
Open Storage	1	0	9	31	67.25
Other	0	1	3	11	20.75
Public Nuisance	0	0	2	17	48.5
Public Right-of-way	0	0	0	2	12.75
Tall Grass & Weeds	1	0	1	65	122.75
Vacant Lot	0	0	0	0	0.25

The City's Code Enforcement Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations.

5. PARKS

- The Park and Tree Committee will meet next on May 18th, 2022.

- Construction of Phase II of the Sankey Park Improvements is now complete. Design work is now underway for Phase III of the park improvements, which will focus on the upper portion of the park.
- Design work is underway for a new park adjacent to City Hall. The Park will include a donated playground structure and dog park.

6. OTHER PROJECTS

- The Council has authorized ownership of the sculpture in the ODOT right-of-way near the East Linn Museum, and we have received a proposed Intergovernmental Agreement from ODOT. However, Citizens have come forward seeking to add a roofed structure over the artwork to protect it from the weather. ODOT recently transferred a portion of their property on that corner to the East Linn Museum, and Staff is now assisting the Museum with permit applications for any changes to the property.
- Willow Street Neighborhood LID: Staff recently met with representatives of several state agencies at a “one stop” meeting and have a tentative plan for financing that will include a package of both forgivable loans and other loans with very attractive interest rates. Staff is currently working on loan applications. One application has been submitted, but the other program won’t be reviewing applications until September.
- The ODOT Foster Lake Sidewalk Project: Construction is starting soon. The Council recently approved an updated IGA with ODOT for this project. Staff completed the necessary waterline relocation.
- The CEDD systems analysis is ongoing. This project will “map” out all department processes so that efficiencies can be identified, delays can be removed, and operations can be made easier for both customers and staff. These process maps will be documented for staff continuity and to share with other departments. Staff turnover has caused some delays but will provide new opportunities for improvement in this project.
- Staff is working with ODOT on a pedestrian crossing at 22nd Avenue and Main Street. State Funding has been identified, and we have an agreement with ODOT on what improvements will be constructed and where. This will come at little to no cost to the City. This improvement will be combined with an existing ODOT project to replace ADA ramps at intersections on Main Street. The Council recently approved an IGA with ODOT for this project. Construction on the overall ramp replacement project has begun, and the pedestrian crossing will follow soon.
- CEDD Staff have been developing designs for the budgeted City Hall renovation and emergency generator installation. This project has been included in the budget for the next fiscal year, and plans will be ready at that time.
- CEDD Staff continue to provide key support for the efforts to create a managed homeless facility. The site has been cleared, and a new fence has been erected along the south side of the easement. Staff is meeting with FAC on a weekly basis to coordinate site development.

MEMORANDUM



TO: Christy Wurster, City Manager Pro Tem
 FROM: Greg Springman, Public Works Director
 DATE: May 10, 2022
 SUBJECT: Public Works Activities Report – April 2022

This memorandum provides a brief periodic update of specific projects, WTP/WWTP O&M and Compliance status, and activities performed by the Public Works Department.

This table section summarizes work done on key maintenance activities.

Work Type	April, 2022	March, 2022	2022 YTD	2021	3 Yr Avg
Bathrooms/Garbage	28	14	78	169	503
Catch Basin Inspection/cleaning	0	1	3	6	28
Leaf Collection	0	0	0	1637	666
Hydrant Flushing	4	35	39	324	302
Locates	64	58	223	491	486
Meter Re-Read	66	65	277	1060	777
Mowing	18	14	33	40	84
Playground EQ Inspection	3	9	34	49	56
Pothole Repair	87	70	275	514	597
Sewer CCTV Miles	0.00	0.22	0.36	0.16	2
Street Sweeping Miles	137	113	475	893	2374
Water Main Repair	2	1	6	9	10
Water Service Repair	2	8	17	20	41
Water Turn Ons/Offs	58	97	251	677	877
Total Completed Work Orders	837	705	2501	6050	6973

WWTP and WTP Key Performance Indicators (KPIs)

	April, 2022	February, 2022	2022 YTD	2021	5 Yr Avg
Potable					
MG Treated	26.88	23.95	79.39	363.99	406.97
Backwash Water in MG	1.20	1.37	4.93	30.07	19.92
Ave daily demand in MG	0.87	0.86	0.88	1.00	1.12
Sanitary					
MG Treated	69.15	45.29	215.04	641.31	586.99
Max Daily Flow in MG	3.45	2.02	6.01	5.89	6.08
Average Flow in MG	2.23	1.62	2.36	1.76	1.61

* MG is Million Gallons

Note: Sweet Home Wastewater Treatment Plant experienced 3 exceedances for the month of March 2022.

- On 3/02/2022 Max daily TSS pounds was 1580.3 on a permit limit of 690 pounds
- On 3/02/2022 Weekly Avg TTS pounds was 863.3 on a permit limit of 520 pounds
- On 3/02/2022 Weekly Avg TTS mg/L was 32.5 on a permit limit of 30.0

Current & Upcoming Projects

Wastewater Treatment Plant Improvement Project

Scope: Upgrades to equipment & processes for DEQ Compliance

Status: Engineer of Record (West Yost) completing WWTP Final Design for Phase I and Phase II. West Yost provided Council a WWTP Improvement Project update in April 2022. Funding source to be determined by Council.

Small Diameter Water Main Replacement

Scope: Engineer of Record and Staff has identified aged water mains throughout the 54 miles of water distribution system. Staff and West Yost will take a phase approach to replace the 5 miles of small diameter water mains.

Status: Phase I & Phase II project documents will be presented to Council on May 10, 2022. Documents will include an RFP from Contractors. Engineer of Record and Staff will continue to provide updates as available.

Sankey Park Improvements

Scope: Install new paths, lighting, and playground equipment.

Status: Project was completed by January 2022. Final concrete path was poured in February 2022. Minor punch list of lighting remains to be finished by PW Staff.

Water & Stormwater Master Plans – West Yost

Scope: Develop Water & Stormwater Master Plans to support development

Status: Kick off meetings for both projects commence October 2021. Staff will provide periodic updates. Water Master Plan is scheduled for completion in July 2022. Stormwater Master Plan is scheduled for completion by June 2023.

Backwash Pump Evaluation – West Yost

Scope: Install backwash pump, utilizing the clearwell for filter backwashes and the corresponding effects on the distribution system and treatment.

Status: Design completed by West Yost, materials starting to be ordered for 1st stage of project. Contract approved by council to Pacific Excavation, pre-construction meeting occurred in January 2022. Pump has been ordered. Construction set to start May 2022.

Finished Water Pump VFD Evaluation – West Yost

Scope: Evaluate feasibility to add a Variable Frequency Drive (VFD) to the current finish water pumps to maintain a constant level in clearwell to help facilitate backwash pumping.

Status: Design completed by West Yost, materials starting to be ordered for 1st stage of project. Contract approved by council to Pacific Excavation, pre-construction meeting occurred in January 2022. Construction set to start May 2022.

Fluoride at WTP

Scope: Fluoride system at WTP has failed/End of life budgeted for replacement FY21/22.

Status: PW Staff obtaining updated quotes for replacement. The project has been proposed in the FY22-23 budget.

Wastewater Filter Belt Press

Scope: Filter Belt Press was installed in approx. 1974 and is an operational and financial challenge to keep operating, looking to prepurchase new dewatering equipment for the wastewater treatment plant as part of the upgrade project.

Status: PW staff currently working with Engineer of Record to confirm sizing of dewatering equipment.

