

Presented by: The Manager  
Introduced: 01/13/92  
Drafted by: K.C.R./J.R.C.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1552

A RESOLUTION REPEALING AND REENACTING RESOLUTION SERIAL NO. 1193 ESTABLISHING POLICIES FOR THE CREATION OF LOCAL IMPROVEMENT DISTRICTS FOR STREET IMPROVEMENTS IN EXISTING DEVELOPED SUBDIVISIONS.

WHEREAS, the paving of streets is one of the highest priorities of the people of Juneau, and

WHEREAS, the people of Juneau have voted to designate up to 1 percent of the 4 percent sales tax to the repair and improvement of streets and drainage, and

WHEREAS, many subdivisions were developed prior to current subdivision improvement standards, and

WHEREAS, the residents on many of these streets desire paving due to unacceptable problems with potholes, mud, and dust, and

WHEREAS, the federal Environmental Protection Agency has directed the city and borough to reduce dust in the area generated partially from unpaved roads, and

WHEREAS, unpaved roads in the city and borough can be categorized in two primary groups: unpaved roads with a stable roadway subbase requiring only surface work and paving; and unpaved roads with an unstable roadway subbase requiring substantial subbase replacement and drainage improvements in addition to surface work and paving; and

WHEREAS, the Assembly's Public Works and Facilities Committee has worked to develop the bituminous surface treatment (BST) paving process which can be accomplished at approximately 40 percent of the cost of traditional asphalt paving, and

WHEREAS, BST paving costs about \$60 per foot of roadway, while subbase replacement of roadways and drainage improvements costs an additional \$100 to \$250 per foot of roadway, and

WHEREAS, homeowners are not likely to be aware of the condition of their roadway subbase and the Assembly finds that it would be inequitable to charge them the full share of the cost of replacing the roadway subbase, if such construction is necessary, and

WHEREAS, it is the policy of the Assembly to pay approximately 50 percent to 70 percent of the average cost of paving streets in existing developed subdivisions to reduce the financial impact on existing homeowners who have varying abilities to pay, and

WHEREAS, it is the policy of the Assembly to finance the homeowners' share of costs for street paving through the local improvement district (LID) process, and through this process, the homeowner's share is financed over ten years through the city and borough, and

WHEREAS, the Assembly desires to establish fair and consistent procedures for the development of LID's for street improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

\* Section 1. Repeal and Reenactment of Resolution. Resolution No. 1193 is repealed and reenacted to read:

1. The following procedures and policies are adopted for use in the formation of local improvement districts for street improvements in existing developed subdivisions:

a. Public Information. The manager shall prepare and make available to the general public an informational pamphlet describing the local improvement district program and how citizens may participate in the program.

b. Project Standards. Street improvement designs shall reflect the following criteria:

(1) Streets. The standard local improvement district for street improvements is considered to be subbase replacement if necessary, drainage installation if necessary, and paving necessary to upgrade an existing gravel street. The standard width of the paved street shall be twenty to twenty-four feet, depending on the width of the existing traveled surface.

(2) Utilities. Utilities may be included in a local improvement district for street improvements or may be undertaken in order to expand utility service to an area not otherwise served. It is the intent of the Assembly that the cost of repairing, moving, or improving existing utilities will not be borne solely by adjacent property owners. The cost of extending or adding utilities will be borne on a per lot basis by the property owners who will connect or have access to the utilities.

(3) Curbs, Gutters, Underground Drainage. The Assembly will make a case-by-case determination of the necessity for curbs, gutters, and specialized drainage facilities, taking into account existing and proposed street improvements in the area. These improvements, if added, shall be charged in addition to the standard LID assessments for street improvements.

(4) Street Lights. The Assembly shall make a case-by case determination of the necessity for street lights. Normally, street lights will not be required. These improvements, if added, shall be charged in addition to standard LID assessments for street improvements.

(5) Sidewalks. The Assembly will make a case-by-case determination of the necessity for sidewalks. Normally, sidewalks will not be required. These improvements, if added, shall be charged in addition to the standard LID assessments for street improvements.

c. Payment Schedule. Local improvement districts for street improvements will provide for a ten-year payment schedule consisting of ten equal annual payments. The total amount due shall be the sum of the lot assessments plus finance charges.

d. Finance Charge. The owners of property included within a local improvement district shall be assessed an annual finance charge including interest charges on bonds or other financing instruments, the cost of marketing and selling such instruments, and a contribution to the Municipal Local Improvement District Guarantee Fund.

e. Lot assessment. It is the intent of the Assembly that private-public project cost apportionment and private assessments be calculated according to the following principles:

(1) Property will be assessed per lot. The owner of the lot shall be determined according to the records on file with the city and borough assessor's office at the time the local improvement district is approved.

(2) Lots with street frontage of one hundred feet or less shall be assessed three thousand dollars if roadway subbase replacement and drainage improvements are required in addition to paving, and one thousand five hundred dollars if the roadway subbase is acceptable and only paving is required.

(3) Lots with street frontage of more than one hundred feet shall pay the assessment in subsection (2) above plus twenty dollars per foot for each foot over one hundred feet if roadway subbase replacement is required, and ten dollars per foot for each foot over one hundred feet if roadway subbase replacement is not required.

(4) Lot with frontage on more than one street shall be assessed only for the frontage with the greatest length. If the frontage on both streets is equal, then the frontage with the primary driveway or the frontage nearest to the house shall be the frontage subject to assessment. If the lot has previously been assessed for roadway improvements on one frontage, it shall not be assessed for later roadway improvements on the other frontage.

(5) Lots containing multi-family residential structures shall be assessed as follows: the appropriate frontage-based per lot charge or one thousand dollars per residential unit if roadway subbase replacement is required, whichever yields the greater total amount; or the appropriate frontage-based per lot charge or five hundred dollars per residential unit if roadway subbase replacement is not required, whichever yields the greater total amount. If the structure is a condominium or other development consisting of separately owned units, each unit shall be assessed an equal amount, either as a fraction of a per lot charge or the full amount of the applicable per unit charge.

(6) The determination of the necessity for roadway subbase replacement and drainage improvements shall be made by the director of engineering based on engineering investigation and the city and borough roadway standards.

(7) Summary of LID charges set forth in subsections e.(2)-(5) above:

	<u>BST only</u>	<u>BST/Subbase</u>
Lot with up to 100' frontage	\$1,500	\$3,000
Additional lot frontage over 100'	\$10/foot	\$20/foot
Corner lot secondary frontage	no charge	no charge
Condo/Multi-family *	\$500/unit	\$1000/unit

\* The greater of \$500/\$1000 per unit or the calculation based on roadway frontage.

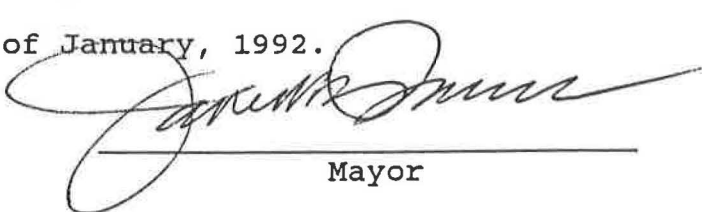
(8) Improvements in addition to standard roadway subbase replacement and paving (curbs, gutters, underground drainage, street lights, sidewalks, utilities and asphalt paving) are not included in the standard street improvement assessment. These additional improvements, if requested by local improvement district neighborhood petitioners, shall be assessed 100 percent to the property owners in addition to the standard street improvement assessment.

f. The manager shall conduct an annual review of the policies and procedures established in this resolution and, after consultation with the Assembly Public Works and Facilities Committee, shall forward to the Assembly, not later than January 31, any recommendations for amendments to this resolution.

2. In the event of a conflict between the provisions of this resolution and CBJ Title 15, or such other provisions of the city and borough code as may be applicable, the code provisions shall prevail.

\* Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 13th day of January, 1992.

  
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Mayor

Attest:

  
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Clerk

Proposed Manager's Report

Resolution No. 1552:

The poor condition of many streets, especially those in the Valley, requires a comprehensive response. As part of that response, the engineering department last summer began the experimental use of bituminous surface treatment (BTS) on roads in the Lemon Creek area. Initial results are promising. Last week, members of staff and the Assembly met with Valley residents to discuss these results and to explain the resolution before you. At the conclusion of the meeting, a show of hands indicated that the proposed standards and procedures are generally accepted. Petitions are currently being distributed to gauge the response of residents who did not attend the meeting. If the petitions indicate at least 70% support of all residents, LID ordinances will be prepared for introduction at your next meeting. This resolution serves as a policy guide for the preparation of those ordinances.

I recommend that this resolution be adopted.

JRC/mjm  
Assembly Meeting: 01/13/92