



**Public Works & Mobility Department – Surface Transportation
Administrative Rule No. 418**

**Funding Assistance for City Council Ordered Right-of-Way
Special Improvement Assessment Program**

Adopted: April 2, 2013

Revised: September
9, 2021

DEFINITIONS:

City Council order(ed): Formal process by which City Council adopts a resolution ordering installation or replacement of certain curbs, gutters, sidewalks, approaches, alley approaches and appurtenant public infrastructure improvements.

City('s) Contractor: Contractor which City Council formally awards a construction contract through a competitive bidding process to complete construction of City Council ordered right-of-way improvements project.

PURPOSE: This Administrative Rule provides direction for implementation of the Special Improvement Assessment Program for City Council ordered sidewalk and related improvements.

APPLICABILITY: Public Works & Mobility Department - Surface Transportation

BACKGROUND: On March 2, 2020, the City Council passed Resolution 8416 establishing the Funding Assistance Program to provide financial support for installation of sidewalks, approaches, boulevards, and related appurtenances in accordance with the provisions of MMC 12.10 (formerly MMC 12.12). Eligible property owners are provided funding assistance per Resolution [8416](#).

POLICY: The Funding Assistance Program shall be used to assist property owners with adjacent right-of-way improvements under the following conditions:

1. The funding assistance shall only be allocated toward sidewalk and related improvements, and does not include street section work, adjacent to properties ordered by City Council through the Special Improvement Assessment Program (Program).
2. Funding assistance shall only be available to those properties with Road District #1 yearly assessments greater than \$0. Properties that do not pay property taxes (i.e. publicly owned property, non-profits, etc.) or otherwise contribute to Road District #1 are ineligible.
3. Funding assistance for vacant parcels that have a Road District #1 yearly assessment greater than \$0 will be applied based on the 1 & 2 Family Dwelling formula.
4. Funding assistance for eligible properties shall be based on the actual construction costs, not including finance costs, for those sidewalks, approaches, boulevards and related improvements as determined to be necessary by the City Engineer for Surface Transportation and quantified in the City Council order and/or on the construction plans. All other improvements desired by the property owner, if permitted to be constructed, will not receive funding assistance but may utilize City financing.
5. For eligible properties to receive funding assistance the property owner must participate in the City Council ordered project and the City's hired contractor must complete the work. If the

property owner elects to obtain their own contractor, funding assistance is not available. However, these property owners could still be included in the Miscellaneous Parcels Order for the sole purpose of using City financing for infrastructure improvements.

6. Properties identified for inclusion in a City Council ordered project for which a building and/or zoning permit has been issued requiring curb and/or sidewalk repair, replacement, and/or installation prior to City Council ordering the project are ineligible for funding assistance. Once these prior requirements have been satisfied, these properties will be eligible for future funding assistance.
7. Removal of encroachments, such as fences, structures, signs, or other private improvements not provided for in Section 8 below, and installation and/or repair of utility service lines within the public right-of-way, are ineligible for funding assistance and will be fully assessed to the property owner.
8. Removal and replacement of trees, landscaping, irrigation, and related improvements such as irrigation ditch work, retaining walls, boulevard topsoil, seeding and sleeves, that are required and necessary for the installation of curb, sidewalk, and related improvements are eligible expenses for funding assistance.

Drafted by:

Monte Sipe
Construction Projects Manager

Recommended by:

Kevin J. Slovarp, P.E.
City Engineer for Surface Transportation

Proofed and Prepared by:

Katie Emery
Business Operations Manager

Approved by:

Jeremy Keene, P.E., Director
Public Works & Mobility