

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
October 7, 2014	

TO: Mayor Shoji and City Councilors

FROM: Rodger Craddock, City Manager

ISSUE **Repeal of Resolution 69-139**

BACKGROUND

In 1969, the Coos Bay City Council adopted Resolution 69-139 which codified an agreed upon a set of rules and regulation regarding public works projects involving the City of Coos Bay and the Coos Bay North Bend Water Board.

In 1986, the Coos Bay City Council adopted Ordinance 72 which codified the rules, regulations, standards, and conditions on utilities use of City streets.

Resolution 69-139 and Ordinance 72 are in conflict in regards to financial responsibility when a utility is required to move its utility pipes due to a public works project. While Resolution 69-139 was repealed by implication by the adoption of Ordinance 72 and while it appears that we have followed Ordinance 72 since its adoption, the fact that City Council has not formally repealed Resolution 69-139 has caused some confusions on at least a couple of occasions.

ADVANTAGES:

Formally repealing 69-139 should alleviate confusion in the future involving public works projects which require the movement of Coos Bay/North Bend Water Board's utility lines.

DISADVANTAGES:

None identified.

BUDGET:

As Resolution 69-139 was in fact repealed by implication by the adoption of Ordinance 72, formally repealing Resolution 69-139, will not change operations and will not have a budget impact.

RELATED CITY GOAL:

This is considered a "housekeeping" matter is not related to a current City Goal

RECOMMENDATION:

If it pleases the Council, adopt Resolution 14-18 repealing Resolution 69-139.

City of Coos Bay

Resolution 14-18

**A RESOLUTION OF THE CITY OF COOS BAY, COOS COUNTY, OREGON REPEALING
RESOLUTION 69-139**

WHEREAS, the Coos Bay City Council adopted Resolution 69-139, an agreed upon a set of rules and regulations regarding public works projects involving the City of Coos Bay and the Coos Bay North Bend Water Board in 1969; and

WHEREAS, the Coos Bay City Council adopted Ordinance 72, which codified the rules, regulations, standards and conditions on utilities use of City streets in 1986; and

WHEREAS, Resolution 69-139 and Ordinance 72 are in direct conflict with each other and while Resolution 69-139 was repealed by implication by the adoption of Ordinance 72, the lack of a formal repeal of Resolution 69-139 has been the source of some confusion; and as such

NOW, THEREFORE, BE IT RESOLVED:

That the Coos Bay City Council hereby formally repeals Resolution 69-139.

The foregoing resolution was duly adopted by the City Council, City of Coos Bay, Coos County, Oregon this 7th day of October 2014.

Crystal Shoji, Mayor

ATTEST:

Susanne Baker, City Recorder

RESOLUTION NO. 69-139

WHEREAS, the Cities of Coos Bay and North Bend desire to establish a set of rules and regulations making possible better coordinantion between the cities and the Coos Bay-North Bend Water Board, and

WHEREAS, it is desirable that these rules and regulations be uniform in scope and nature in both cities.

NOW THEREFORE BE IT RESOLVED: The following rules and regulations shall be in effect immediately after their passage by the respective Councils of Coos Bay and North Bend.

I. Project Initiated by City:

A. An annual planning report regarding possible street and sewer projects shall be furnished to the Water Board by the City Engineer by February 1st of each year.

B. The City shall notify the Water Board when a project is proposed and will enclose a vicinity map requesting the Board to mark locations of any existing or proposed facilities, and return within two weeks.

C. The City shall furnish the Board with two sets of preliminary plans with target dates for hearing, bid lettings, and the start of work, and request that the Water Board review the plans for conflicts with the water system. The Water Board shall, within two weeks advise the City of any anticipated changes in the water system, as well as the estimated cost of such system relocation that may be responsible to the city project.

D. The City shall furnish the Water Board with a final set of plans with the scheduled project dates, and request the Water Board to initiate any work required to avoid conflicts with the project. The City shall furnish curb grade stakes for water meters.

E. The City shall notify the Water Board of successful bidders on any project and shall schedule a pre-construction conference to develop a work schedule. The Water Board shall arrange with the contractor to perform any additional work after the start of the project.

F. The contractor shall be responsible for protection of all valve boxes, valves, piping, and meters that are shown on the project plans or clearly marked in the field. The Water Board shall be responsible for items not shown on the plans or clearly marked in the field.

II. Projects Initiated by Water Board:

A. An annual Planning Report regarding possible water system projects shall be furnished by the Board to the City Engineer by February 1st of each year.

B. The Water Board shall notify the City when a project is proposed and will enclose a plan and project description and request that the City mark the location of all existing or planned facilities, review for conflict with sewers and other improvements and return within two weeks.

C. Prior to the date of construction the Water Board shall notify the City Engineer, Fire Department and Police Department of the actual construction date and the project schedule.

D. The Water Board shall comply with City standards when opening and/or repairing holes and ditches in streets or alleys.

E. The Water Board shall be responsible for the finished pavement and shall at their own expense, repair any settlement which may occur due to their operations within one year after the completion of work.

By mutual consent, the City and Water Board may choose to have the City repair streets and alleys cut or broken by the Water Board with the Board being responsible for the cost thereof.

F. The Water Board shall furnish the City with monthly reports giving location, time and other details on pavement cuts and water line breaks.

III. Operational Policies:

A. Projects requiring changes in the water mains which were installed to an established city grade due to the change in grade or relocation shall be paid by the city.

B. If water mains have been installed before permanent grades are determined, then the Water Board shall rearrange the water mains to accommodate the project at thier own expense.

C. In general terms, there will be no permanent water mains installed until grades have been established.

D. Initial water service relocations necessitated by conflicts of proposed improvements shall be borne by the Water Board. Cost of meter and service relocations redone after installation according to the City Engineer's stakes and instructions shall be paid by the City.

E. The City shall notify the Board of the proposed project summary dates. The Board shall submit complete billings related to the project prior to the project summary date.

F. The Water Board shall adopt as a designed standard, wherever possible, the placement of water mains on the south and east sides of streets, at least ten (10) feet from center line and with a minimum of thirty (30) inches of cover below finished grade, providing however, there shall be no water lines installed under existing or proposed curb lines.

G. Where possible, and especially in areas that will definitely need future service connections, the Water Board shall attempt to place the main in a behind-the-curb unpaved area, and install all across street services by pushing without breaking a pavement. If it is not possible to place such water lines in an unpaved area, the City and Water Board by mutual consent may elect to install water services at locations selected by the City with the cost of such services being borne by the City.

H. Water main and water service locations necessitated by sewer pipe line location necessitated by conflict with proposed sewer line locations shall be paid for by the City.

I. Hydrants shall be installed by the Water Board following the establishment of grade and location by the City Engineer.


J. Sanitary sewers shall be separated horizontally and vertically from all water lines as required by current standards of the Department of Environmental Quality.

K. In all cases, adequate padding shall be provided between crossing pipes to avoid breakage.

L. Before final payment is made, the contractor shall obtain a release from the Water Board verifying that all damage claims have been settled.

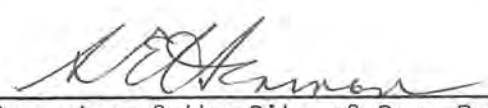
The foregoing Resolution was duly adopted by the Common Council of the City of Coos Bay, Coos County, Oregon, on the 24th day of November, 19 69, and approved of the Mayor on the 24th day of November, 19 69.

/s/


Mayor of the City of Coos Bay
Coos County, Oregon

Attest:

/s/


Recorder of the City of Coos Bay
Coos County, Oregon