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Land Use & Environment Committee

Review of Pavement Restoration Fee and Implementation Process

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Title

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Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Review the proposed Pavement Restoration Fee and Implementation Process, and move to forward to City Council for their review and approval.

Report

Issue:

Despite an effort undertaken in the late 1990s, there is no clear guidance related to the establishment, application, or collection of Pavement Restoration Fees (previously known as No-Cut Fees). As a result, the City is not being compensated for premature pavement failure that occurs when pavements are cut within 5 years of being newly paved.

Staff Contact:

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Presenter(s):

Fran Eide, P.E., City Engineer, Public Works Engineering, 360.753.8422.

Background and Analysis:

September 22, 1998, Council considered a “no-cut ordinance.” The intent of that ordinance: “Trench cuts will not be allowed within the first five years of a pavement’s life unless the utility can prove there is no other option.” For small projects where the City agrees that cutting the new pavement is unavoidable and where an overlay is impractical, the City would allow the cut, require trench restoration, and also assess a “trench restoration penalty” to compensate for the earlier degradation of the pavement surface, providing funds for future maintenance of the cut pavement.

According to the September 22, 1998 Study Session minutes, Council concurred with that approach and directed that “the ordinance will be part of the City of Olympia’s 1999 Development Guidelines

and Public Works Standards revisions presented to Council for adoption in December" 1998.

Engineering Design and Development Standards (formerly Development Guidelines and Public Works Standards), Section 4B.175, Pavement Restoration, outlines pavement restoration requirements, including a reference to financial penalties, but does not include the actual penalty amount.

In April of 2001, Tom Frare, City Engineer at that time, wrote a memo to the Department of Community Planning & Development stating that no specific fee amount was established when the no-cut ordinance was adopted. He went on to recommend, based on significant research, that the City adopt a trench restoration fee of \$17.70 per square foot. Assessment of the fee has been sporadic, at best, as we never established an effective procedure for identifying when assessment of the fee is triggered.

In 2015, after extensive research of pavement performance and approaches in other communities, we have determined that a current fair, defensible, and appropriate fee is \$250 per square foot.

In planning for implementation, staff has developed a process for determining when the fee should be assessed and created a process for notification to property owners and private utilities prior to paving project so they may plan for underground work in advance.

Neighborhood/Community Interests (if known):

Through administration of a Pavement Restoration Fee we will ensure high quality street surfaces by minimizing pavement cuts.

We will have a predictable process for both property owners considering development and for private utilities, to help reduce the instances of cuts in new pavement.

Options:

1. Revise OMC Chapters 4 and 12 to establish a pavement restoration fee of \$250.00 per square foot or portion thereof to be assessed when a permit applicant cuts into roadway pavement less than five years old. The overall pavement rating for City streets will improve and funds will be collected to help address pavement repair.
2. Do not establish a pavement restoration fee. There will be no incentive for an applicant to avoid cutting into new pavement, resulting in an overall decline in pavement condition. There will be no additional funding to help restore street surfaces that fail prematurely.

Financial Impact:

If a pavement restoration fee is assessed, the applicant's fee will be calculated based upon the total square footage of the proposed trench cut. These funds will be revenue to Public Works Transportation, to be used for pavement repair.

There will be some additional cost to the City to generate the map used to track streets resurfaced within the last five years. We expect this cost to be minimal.