

RESOLUTION NO. 5265

A RESOLUTION REVISING SPECIAL CONNECTION CHARGES FOR WATER AND SEWER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY FOR A UNIQUE SITUATION RESULTING FROM THE OREGON YOUTH AUTHORITY, STATE OF OREGON, LOCATION OF FACILITIES UNDER THEIR SUPERSITING AUTHORITY AND REPEALING RESOLUTION 5148 (A RESOLUTION REVISING SPECIAL CONNECTION CHARGES FOR WATER AND SEWER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY FOR A UNIQUE SITUATION RESULTING FROM THE OREGON YOUTH AUTHORITY, STATE OF OREGON, LOCATION OF FACILITIES UNDER THEIR SUPERSITING AUTHORITY AND REPEALING RESOLUTION 5037).

WHEREAS, Resolution 3788 established special in-lieu-of assessment (ILA) charges for water and sewer connections of unassessed properties in the city of Albany for a unique situation resulting from the Oregon Youth Authority, State of Oregon location of facilities under their supersiting authority; and

WHEREAS, in order to provide the timely construction of water and sewer service to the Oregon Youth Authority property, it became necessary for both the City and State of Oregon to advance funds representing the computed benefit to other properties; and

WHEREAS, Resolution 5037 established that this special in-lieu-of assessment charge is actually a special connection charge (as specified in Ordinance 5565) instead of an assessment that is designed to recover the equivalent cost of constructing public facilities that benefit the connecting property; and

WHEREAS, special connection charges are designed to recover the equivalent cost of constructing that portion of the water and sewer system that benefits the connecting property; and

WHEREAS, it is important to annually adjust special connection charges in order to keep pace with the changing cost of public improvement projects; and

WHEREAS, the *Seattle Engineering News-Record* (ENR) index used in Resolution 5148 was 8194, and the April 2006 Seattle ENR Index to be applied for purposes of this Resolution is 8449 (Index Ratio = 8449/8194 = 1.0311); and

WHEREAS, the fee has been calculated and rounded to the nearest dollar.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution 5148 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED that the following special water and sewer connection charges are hereby reaffirmed and adopted for the properties listed below and as shown on attachment "A" and "B":

Tax Lot Number	Special Sewer Connection Charge *	Special Water Connection Charge *
11-3W-19A-100	<del>\$22,294</del> <b>\$22,987</b>	None
11-3W-19A-200	<del>\$20,376</del> <b>\$21,010</b>	<del>\$17,029</del> <b>\$17,558</b>
11-3W-19A-500	<del>\$27,089</del> <b>\$27,931</b>	<del>\$22,638</del> <b>\$23,343</b>
* Rounded to the nearest dollar		

BE IT FURTHER RESOLVED that the above referenced connection charge amounts shall be due and payable upon an application to receive service; and

BE IT FURTHER RESOLVED that any fees collected will be applied to City and the Oregon Youth Authority in

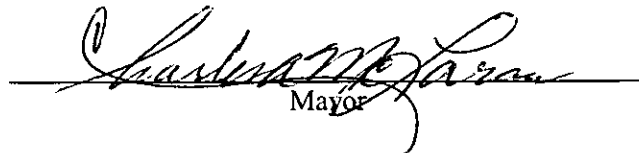
accordance with the Capital Recovery Reimbursement Agreement for Oregon Youth Authority dated March 24, 1998 (Recorders File #3116).

BE IT FURTHER RESOLVED that it is the intent of the Albany City Council to annually adjust the special connection charges outlined in this Resolution on the first day of July each calendar year in proportion to the change in the Seattle Construction Cost Index as published in the *Engineering News-Record* (ENR). The adjustment shall be made by calculating the percentage increase/decrease in the index from the last adjustment, and then applying that percentage to the previous year's connection charge; and

BE IT FURTHER RESOLVED that the effective date of these charges shall be **July 1, 2006**; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 24<sup>th</sup> DAY OF MAY 2006.

  
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Mayor

ATTEST:

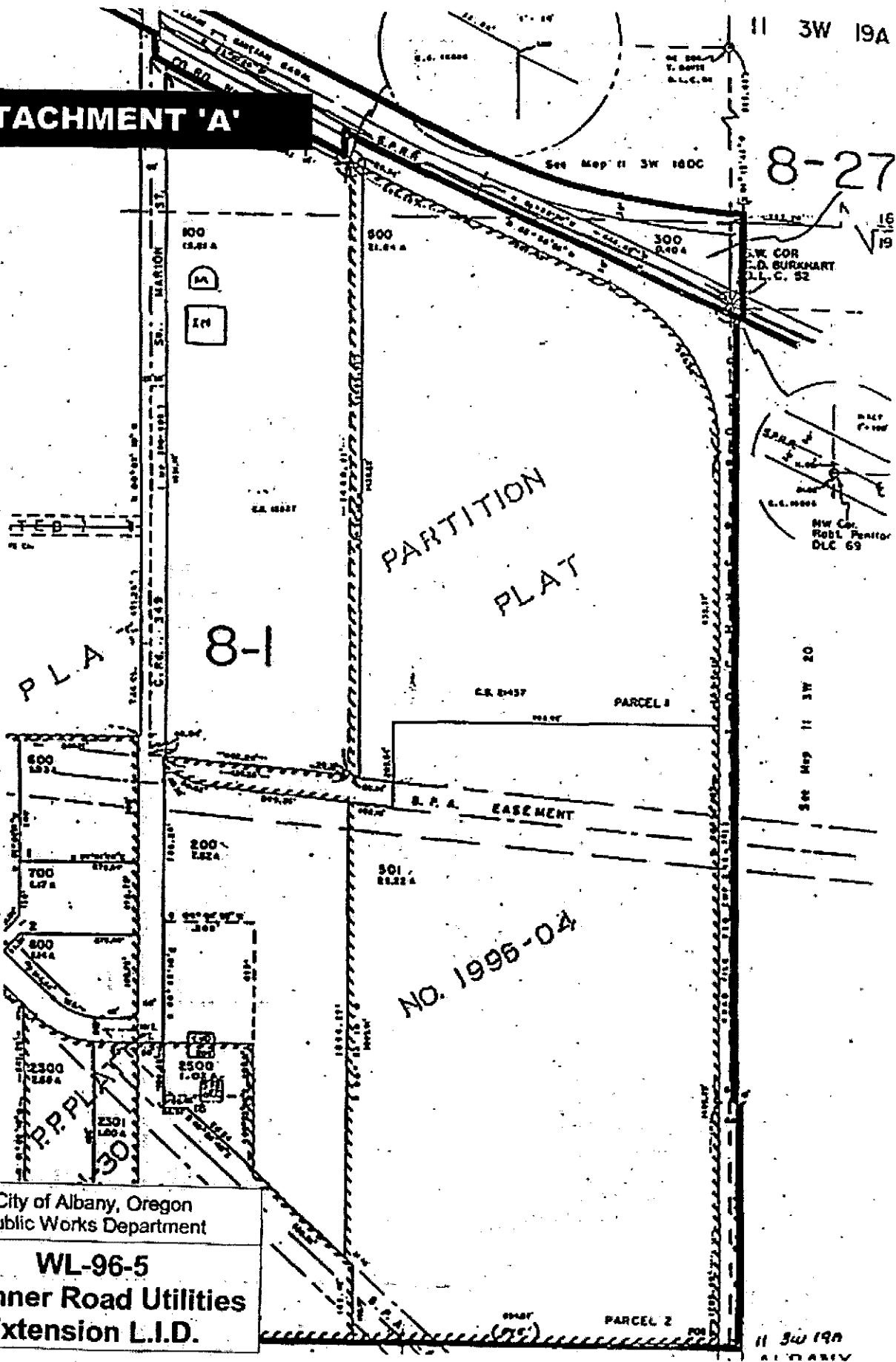
  
\_\_\_\_\_  
City Clerk

**ATTACHMENT 'A'**

11 3W 19A

8-27

16  
19



S.W. COR  
C.D. BURKHART  
L.L.C. S2

NEW COR.  
ROBT. PONTOR  
DLC 69

See Map 11 3W 20

No. 1996-04

City of Albany, Oregon  
Public Works Department  
**WL-96-5**  
**Lochner Road Utilities**  
**Extension L.I.D.**

11 3W 19A  
ALBANY

**ATTACHMENT 'B'**

 Benefitted Area

**501** Tax Lot Numbers

**1.13** Approximate Lot Area (Acres)

**11S-3W-19A**

**Marion St.**

**Lochner Rd.**

**100**  
0.93 Ac.

**500**  
1.13 Ac.

**BPA Easement**

**200**  
0.85 Ac.

**501**  
8.61 Ac.

**41st Ave.**

City of Albany, Oregon  
Public Works Department

**WL-96-5**  
**Lochner Road Utilities**  
**Extension L.I.D.**



100 0 100 200 300 400 500 Feet