

RESOLUTION NO. 3444

A RESOLUTION REVISING THE IN-LIEU-OF ASSESSMENT CHARGES FOR THE NORTH ALBANY SANITARY SEWER BASIN AND REPEALING RESOLUTION 3252 (A RESOLUTION SETTING THE IN-LIEU-OF ASSESSMENT CHARGES FOR THE NORTH ALBANY SANITARY SEWER BASIN).

WHEREAS, the Council of the City of Albany has duly adopted Ordinance No. 5048 establishing Chapter 10.16 of the Albany Municipal Code, setting forth requirements for in-lieu-of assessment charges for properties within the North Albany sanitary sewer interceptor basin as defined in the North Albany Sanitary Sewer Local Improvement District Final Engineer's Report dated April 13, 1993; and

WHEREAS, the City of Albany contributed \$1,245,635.60 in non-assessed City contributions to the North Albany Sanitary Sewer District project costs with the goal of recovering these monies by charging in-lieu-of assessment charges against properties not previously assessed or previously assessed properties taking additional benefit from the sewers constructed as part of the North Albany Sanitary Sewer District project; and

WHEREAS, Chapter 10.16 of the Albany Municipal Code specifies that in-lieu-of assessment rates as required by that chapter shall be adopted by a resolution of the Albany City Council; and

WHEREAS, adjustments to the established rates may be made by resolution, and said adjustments may be made in proportion to the change in the Engineering News Record (ENR) Construction Cost Index (Seattle); and

WHEREAS, the ENR Index at the time of adoption of Resolution 3252 was 5481, and the current ENR Index is 5843 (Index Ratio =  $5843/5481 = 1.066$ , indexed dollars rounded to nearest \$1).

NOW, THEREFORE, BE IT RESOLVED, by the Albany City Council, Resolution 3252 is hereby repealed;

BE IT FURTHER RESOLVED, the following North Albany sanitary sewer in-lieu-of assessment rates are hereby established and adopted to reflect the 6.6% increase in the ENR Index:

Interceptor In-lieu-of Rate - Properties Outside Sewer District	\$1,654/gross acre
Collector In-lieu-of Rate - Properties Outside Sewer District	\$5,328/benefit
Interceptor In-lieu-of Rate - Properties Inside Sewer District	\$1,654/ <u>additional</u> gross acre
Collector In-lieu-of Rate - Properties Inside Sewer District	\$3,730/additional lot (within 150 ft.)

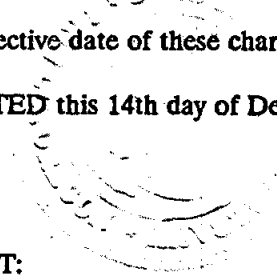
In-lieu-of assessment charges for Interceptor and Collector Sewers, Properties Outside Interceptor Basin: The amount of the in-lieu of assessment shall be equivalent, as far as possible, to the benefit received as determined by the Public Works Director and approved by the City Council.

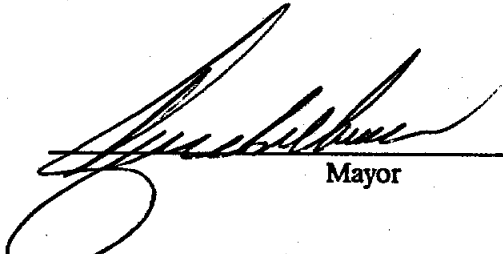
Future adjustments to the above rate shall be periodically made by resolution. The resolution shall revise the rates in proportion to the change in the ENR Construction Cost Index (Seattle). For purposes of reference, the ENR Seattle Index at the time of passage of this resolution is 5843.

The effective date of these charges shall be January 9, 1995.

ADOPTED this 14th day of December 1994.

ATTEST:

  
Norm C. Wilborn  
Deputy City Recorder

  
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Mayor