

RESOLUTION NO. 4840

A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT 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 THEREBY SUPERSEDING GENERAL WATER AND SEWER ILA RESOLUTIONS, AND REPEALING RESOLUTION 4700 (A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT 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 THEREBY SUPERSEDING GENERAL WATER AND SEWER ILA RESOLUTIONS, AND REPEALING RESOLUTION 4433).

WHEREAS, Chapter 11.14 of the Albany Municipal Code sets forth requirements for in-lieu-of assessments (ILA) for water connections of unassessed properties within the City of Albany; and

WHEREAS, Chapter 10.14 of the Albany Municipal Code sets forth requirements for in-lieu-of assessments (ILA) for sewer connections of unassessed properties within the City of Albany, excluding the North Albany Sanitary Sewer Basin; and

WHEREAS, general water and sewer ILA resolutions are adopted and periodically updated that establish the rates for water and sanitary sewer in-lieu-of assessments; and

WHEREAS, there exists the unique situation of the State of Oregon locating on a site in Albany with supersiting authority; and

WHEREAS, the existing general ILA assessment resolutions do not fully reflect the benefit assigned to the properties listed below; 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, in-lieu-of assessment 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 in-lieu-of assessment charges in order to keep pace with the changing cost of public improvement projects; and

WHEREAS, the Seattle ENR Index used in Resolution 4700 was 7540, and the April 2003 ENR Index to be applied for purposes of this Resolution is 7642 (Index Ratio =  $7642/7540 = 1.0135$ ); 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 4700 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED that the following water and sewer in-lieu-of assessment rates are hereby established and adopted for the properties listed below and as shown on attachment "A" and "B":

Tax Lot Number	Sewer ILA *		Water ILA *	
11-3W-19A-100	<del>\$20,515</del>	<b>\$20,792</b>	None	
11-3W-19A-200	<del>\$18,750</del>	<b>\$19,003</b>	<del>\$15,670</del>	<b>\$15,882</b>
11-3W-19A-500	<del>\$24,927</del>	<b>\$25,263</b>	<del>\$20,832</del>	<b>\$21,113</b>
* Rounded to the nearest dollar				

BE IT FURTHER RESOLVED that the above referenced in-lieu-of assessment 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 in-lieu-of assessment 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 in-lieu-of assessment charge; and

BE IT FURTHER RESOLVED that the effective date of these charges shall be July 1, 2003.

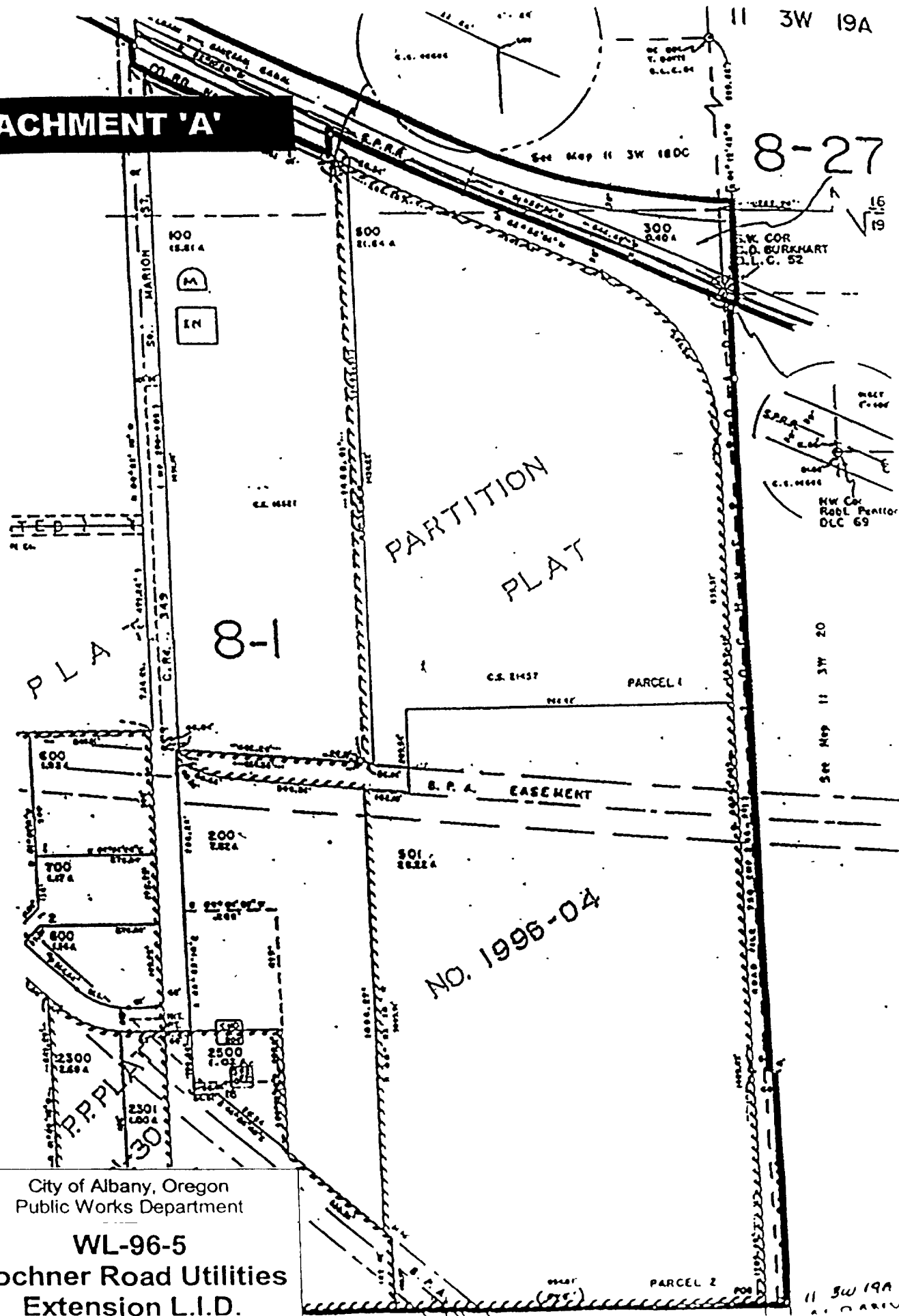
DATED AND EFFECTIVE THIS 11<sup>TH</sup> DAY OF JUNE 2003.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder


**ATTACHMENT 'A'**



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

11 SW 19A  
D. D. D. D.

**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**

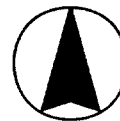
**200**  
0.85 Ac.

**501**  
8.61Ac.

**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