

RESOLUTION NO. 5036

A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR THE NORTH ALBANY SANITARY SEWER BASIN AND REPEALING RESOLUTION 4841 (A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR THE NORTH ALBANY SANITARY SEWER BASIN AND REPEALING RESOLUTION 4699).

WHEREAS, Chapter 10.16 of the Albany Municipal Code sets forth requirements for a special in-lieu-of assessment (ILA) charge for sewer connections of unassessed 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 in-lieu-of assessment components and their application are more clearly described in the North Albany Sanitary Sewer Local Improvement District Final Engineer's Report dated April 13, 1993, and the interceptor basin and assessment district boundary is attached as Exhibit "A;" and

WHEREAS, the City of Albany contributed \$1,245,635.60 in non-assessed City contributions to the North Albany Sanitary Sewer District project with the goal of receiving 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, these special in-lieu-of assessment charges are designed to recover the equivalent cost of constructing that portion of the sewer system that benefits the connecting property; and

WHEREAS, it is important to annually adjust these special in-lieu-of assessment 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 4841 was 7642, and the April 2004 ENR Index to be applied for the purposes of this Resolution is 7951 (Index Ratio = 7951/7642 = 1.0404); and

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

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council, Resolution 4841 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED that the following North Albany sanitary sewer in-lieu-of assessment rates are hereby reaffirmed:

For Properties Inside the Interceptor Basin:

Interceptor In-Lieu-of Rate - Properties Outside Sewer District	\$2,163 2,251/gross acre
Collector In-Lieu-of Rate - Properties Outside Sewer District	\$6,967 7,249/benefit
Interceptor In-Lieu-of Rate - Properties Inside Sewer District	\$2,163 2,251/ <u>additional</u> gross acre
Collector In-Lieu-of Rate - Properties Inside Sewer District	\$4,877 5,074/ <u>additional</u> lot (within 150 ft.)

For Properties Outside the Interceptor Basin:

The amount of the interceptor and collector 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.

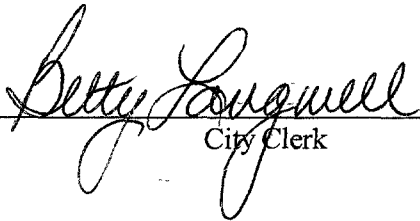
BE IT FURTHER RESOLVED that it is the intent of the Albany City Council to annually adjust these special in-lieu-of assessment charges outlined in this Resolution on the first day of July each calendar year in proportion to the change in the Seattle Construction Cost Index as published in the *Engineering 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 special in-lieu-of assessment charge; and

BE IT FURTHER RESOLVED that the fees herein established become effective October 1, 2004.

DATED AND EFFECTIVE THIS 8TH DAY OF SEPTEMBER 2004.


Mayor

ATTEST:


City Clerk