

A RESOLUTION REVISING SPECIAL IN-LIEU-OF ASSESSMENT CHARGES FOR A PORTION OF THE COLUMBUS STREET SANITARY SEWER LIFT STATION PROJECT COSTS, WHICH ARE ALLOCATED TO UNASSESSED PROPERTIES WITHIN THE LIFT STATION SERVICE AREA AND RENAMING THESE SPECIAL IN-LIEU-OF ASSESSMENT CHARGES HEREAFTER AS SPECIAL CONNECTION CHARGES AND REPEALING RESOLUTION 4842 (A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR A PORTION OF THE COLUMBUS STREET SANITARY SEWER LIFT STATION PROJECT COSTS, WHICH ARE ALLOCATED TO UNASSESSED PROPERTIES WITHIN THE LIFT STATION SERVICE AREA AND REPEALING RESOLUTION 4701).

WHEREAS, Ordinance 5355 provided authorization by resolution the formation of a special in-lieu-of assessment area and allocation of in-lieu-of assessment rates for the unassessed portion of project costs related to the construction of the Columbus Street sanitary sewer lift station; and

WHEREAS, Resolution 3917 established this special in-lieu-of assessment on March 11, 1998; and

WHEREAS, the Council of the City of Albany authorized expenditures from the Sewer Economic Development Budget (02-952) and from the Sewer System Capital Projects Budget (02-454) for oversizing participation to be paid to the Mennonite Home of Albany, Inc. for construction of the Columbus Street lift station; and

WHEREAS, the Columbus Street lift station is designed to provide service to approximately 316 acres of assessable land within the designated City of Albany Urban Growth Boundary, in addition to approximately 40 acres of the Mennonite Home property; and

WHEREAS, the lift station assessable area as shown in Exhibit "A" does not include the portions of several properties within the lift station service area that the City of Albany Comprehensive Plan designates as Open Space (OS); and

WHEREAS, the Council desires to recover the expenditure of these oversizing costs through the implementation of a special connection charge (formerly called an in-lieu-of assessment) to be levied on the unassessed properties within the lift station service area as shown on the map in Exhibit "A;" and

WHEREAS, the special connection charge rate for each property within the lift station service area shall be based on the ratio of the assessable area of each property to the total benefited area applied to the total non-assessed City contribution; and

WHEREAS, this special connection charge shall apply to unassessed properties within the lift station service area and is considered to be in addition to other sanitary sewer connection charges that may otherwise be levied; and

WHEREAS, the calculation of this special connection charge assumes that land designated as Open Space (OS) will not be developed and that the allowable density will not be transferred; and

WHEREAS, if a parcel with Open Space (OS) is allowed to transfer density, then this special connection charge will need to be recalculated by the City Engineer; and

WHEREAS, special connection 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 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 4842 was 7642, and the April 2004 ENR Index to be applied for 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; and

WHEREAS, the previous special in-lieu-of assessment charge was actually a connection charge instead of (or in-lieu-of) an assessment that is designed to recover the equivalent cost of constructing public facilities that benefit the connecting property; and

WHEREAS, subsequent to the establishment of the previous special in-lieu-of assessment charge, adoption of Ordinance 5565 (effective September 2003) established that in-lieu-of assessment fees should more properly be characterized as connection charges.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution 4842 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED that the charges previously characterized as special in-lieu-of assessments will hereafter be known as special connection charges with the amounts, properties, rights, obligations and responsibilities unchanged; and

BE IT FURTHER RESOLVED that the Columbus Street Lift Station In-Lieu-of Assessment Benefited Area is hereby reaffirmed but renamed the Columbus Street Lift Station Special Connection Charge Benefited Area as shown in the map in Exhibit "A" attached hereto, and the special connection charge rates for each property within the benefited area are hereby reaffirmed as listed in Exhibit "B" attached hereto; and

BE IT FURTHER RESOLVED that this special connection charge shall apply to unassessed properties within the lift station service area and is considered to be in addition to other sanitary sewer connection charges that may otherwise be levied; and

BE IT FURTHER RESOLVED that special connection charge payments received under this Resolution shall be directed to the Sewer Economic Development Budget (02-952) and the Sewer System Capital Projects Budget (02-454) in order to compensate for the initial expenditure from that fund for the lift station oversizing costs in the following manner:

Sewer Economic Development (02-952)	\$279,324	\$290,609
Sewer System Capital Projects Budget (02-454)	<u>\$102,811</u>	<u>\$106,964</u>
Total Reimbursement	\$382,135	\$397,573

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 New-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 fees herein established become effective October 1, 2004.

DATED AND EFFECTIVE THIS 8TH DAY OF SEPTEMBER 2004.



 Mayor

ATTEST:



 City Clerk

EXHIBIT "A"

- Assessed Area
- Open Space Zone
- Benefitted Area
- UGB



COLUMBUS STREET LIFT STATION SPECIAL CONNECTION CHARGE BENEFITTED AREA

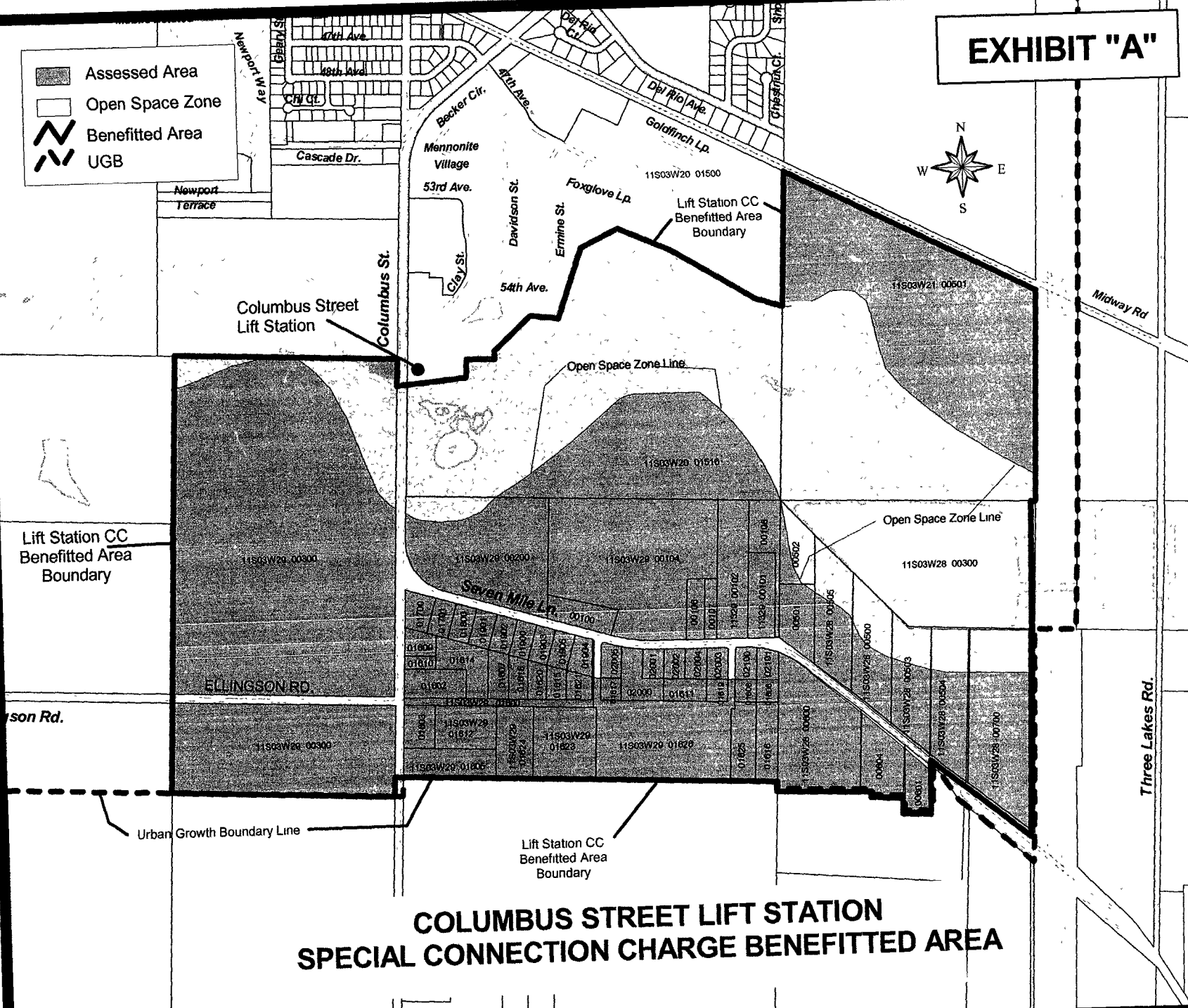


EXHIBIT "B"

Columbus Street Lift Station: Special Connection Charge Allocation (Area Basis)

	July 2004		Assessed	Connection Charge	
	ENR = 7951	Tax Lot Number	Area Acres	Apportionment	
		Area Sq Ft			
Total Project Cost (a)	\$473,767	11S03W21 00501	1815229 746	41 67	\$50,457 84
		11S03W20 01516	997225 457	22 89	\$27,719 82
Less Mennonite Home Contribution (a)	\$91,632	11S03W28 00500	124230 827	2 85	\$3,453 24
		11S03W28 00501	113713 589	2 61	\$3,160 89
Total City Participation (a)	\$382,135	11S03W28 00502	37171.585	0 85	\$1,033 26
		11S03W28 00503	146298 683	3 36	\$4,066 66
Benefitted Area, Acres	315.60	11S03W28 00504	180050 738	4 13	\$5,004 86
		11S03W28 00505	136071 310	3.12	\$3,782.37
Connection Charge \$ per Acre (a)	\$1,211	11S03W28 00600	449423 502	10 32	\$12,492 60
		11S03W28 00601	72620 631	1 67	\$2,018 63
Seattle ENR Index Ratio (April 2004)	1.0404	11S03W28 00604	139578 819	3.20	\$3,879 86
		11S03W28 00700	442946.410	10.17	\$12,312 56
Adjusted Connection Charge \$ per Acre	\$1,260	11S03W29 00100	82956 775	1 90	\$2,305 94
		11S03W29 00101	112908 855	2 59	\$3,138 52
		11S03W29 00102	210942 359	4 84	\$5,863.55
Check		11S03W29 00104	941521 340	21 61	\$26,171 41
Total City Participation (a)	\$382,135	11S03W29 00106	51014 203	1 17	\$1,418 04
Seattle ENR Index Ratio (April 2004)	1 0404	11S03W29 00107	35840 923	0 82	\$996 27
Adjusted Total City Participation (b)	\$397,573	11S03W29 00108	97699 330	2 24	\$2,715 74
		11S03W29 00200	613591 787	14 09	\$17,055 98
Connection Charge Allocation (b)		11S03W29 00300	4282476 948	98 31	\$119,039.76
Sewer Economic Development (02-952)	\$106,964	11S03W29 01600	66763 792	1 53	\$1,855.83
Sewer System Capital Projects (02-454)	\$290,609	11S03W29 01602	87056 308	2 00	\$2,419.90
Adjusted Total City Participation	\$397,573	11S03W29 01603	64608 089	1.48	\$1,795.91
		11S03W29 01605	130413.640	2 99	\$3,625.10
		11S03W29 01606	23945.177	0.55	\$665 60
(a) Current Value		11S03W29 01607	46885 434	1.08	\$1,303 27
(b) Adjusted Value		11S03W29 01608	23761 415	0.55	\$660 49
		11S03W29 01609	37159 615	0.85	\$1,032.92
		11S03W29 01610	19129.101	0.44	\$531 73
		11S03W29 01611	46177.128	1 06	\$1,283.58
		11S03W29 01612	129169.574	2 97	\$3,590.52
		11S03W29 01614	100217.654	2 30	\$2,785.74
		11S03W29 01615	29946.897	0.69	\$832 43
		11S03W29 01616	84755 426	1.95	\$2,355.94
		11S03W29 01617	22250 243	0.51	\$618.49
		11S03W29 01618	39046 378	0.90	\$1,085.37
		11S03W29 01619	23119.279	0.53	\$642.65
		11S03W29 01620	34496 638	0 79	\$958 90
		11S03W29 01621	32277 363	0 74	\$897 21
		11S03W29 01623	217207 078	4 99	\$6,037 69
		11S03W29 01624	130346.897	2 99	\$3,623 25
		11S03W29 01625	96603.904	2 22	\$2,685 29
		11S03W29 01626	535633 790	12.30	\$14,888.98
		11S03W29 01700	47230 250	1 08	\$1,312.86
		11S03W29 01701	37469.972	0 86	\$1,041 55
		11S03W29 01800	37458 947	0 86	\$1,041 24
		11S03W29 01900	34944 218	0 80	\$971.34
		11S03W29 01901	37452 639	0.86	\$1,041 07
		11S03W29 01902	37446 331	0.86	\$1,040 89
		11S03W29 01903	34938 723	0 80	\$971.19
		11S03W29 01904	37803 144	0 87	\$1,050.81
		11S03W29 01905	34933.228	0 80	\$971 04
		11S03W29 02000	77295 617	1 77	\$2,148 58
		11S03W29 02001	30341.944	0.70	\$843 41
		11S03W29 02002	31038.806	0 71	\$862 78
		11S03W29 02003	32506.844	0 75	\$903 59
		11S03W29 02004	31819.496	0 73	\$884 48
		11S03W29 02005	33514 342	0 77	\$931.60
		11S03W29 02100	34311 683	0.79	\$953 76
		11S03W29 02101	32387.842	0.74	\$900 28
Totals			13747378.663	315.60	\$382,135