

A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR WATER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY AND REPEALING RESOLUTION 4430 (A RESOLUTION REVISING THE IN-LIEU-OF ASSESSMENT CHARGES FOR WATER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY AND REPEALING RESOLUTION 4273).

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

WHEREAS, the in-lieu-of assessment charge for water is generally dependent on the minimum size water line to serve the property according to land use zone and required based on a system-wide analysis of fire flow requirements by land use zone; and

WHEREAS, the minimum size water line for single family residential land use zones (8-inch pipe) and for multifamily, commercial, and industrial land use zones (12-inch pipe) shall be the basis for calculating the per front foot cost for all properties; and

WHEREAS, the per front foot dimension shall be calculated by measuring the length of the water system that is adjacent to the connecting property; and

WHEREAS, the current single-family residential land use zones are Residential Reserve District (RR) Residential Single Family District (RS-10, RS-6.5 and RS-5), and Hackleman-Monteith District (HM); and

WHEREAS, in-lieu-of assessment charges are designed to recover the equivalent cost of constructing that portion of the water 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 previous Seattle ENR Index used in Resolution 4430 was 7327, and the April 2002 ENR Index to be applied as the new base ENR for this Resolution is 7540; and

WHEREAS, the calculated fee will be used to apply next year's annual adjustment, but the rounded fee (rounded to the nearest dollar) will be the established rate this year; and

WHEREAS, property tax revenue offsets a portion of the bonded debt to retire purchase of water lines from Pacific Power & Light in December 1984; and

WHEREAS, water lines constructed by the North Albany County Service District are financed by property taxes levied by the District.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution 4430 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED by the Albany City Council the following water in-lieu-of assessment rates are hereby established and adopted:

Water ILA Rates:

<u>Land Use Zone</u>	<u>Fee Per Front Foot</u>
Single-family Residential	\$50 (calculated fee = \$51.46) \$51
Multi-family, Commercial or Industrial	\$69 (calculated fee = \$71.01) \$71
All Zones	\$1,679 per existing service connection to the property

Total Water ILA Fee = (A x B) + (C x D)

Where: A = Total length of frontage in feet

B = ILA front foot rate for the appropriate line diameter

C = Number of existing service connections

D = ILA rate per existing service connection

BE IT FURTHER RESOLVED by the Albany City Council that the total Water ILA fee shall be discounted for properties connecting to water lines purchased from Pacific Power & Light in December 1984 in accordance with the discount percentages shown below:

<u>Fiscal Year</u>	<u>Discount Percentage</u>	<u>Fiscal Year</u>	<u>Discount Percentage</u>
2002-03	21 %	2006-07	9 %
2003-04	18 %	2007-08	6 %
2004-05	15 %	2008-09	3 %
2005-06	12 %	2009-10 and beyond	0 %

BE IT FURTHER RESOLVED, should a water line exist along more than one property frontage, a credit toward the in-lieu-of assessment calculation may be given for up to 100 feet of the existing line(s) on each additional frontage or the length of the property line(s), whichever is less, except that in no case shall the total in-lieu-of assessment be less than an equivalent of fifty (50) feet of frontage; and

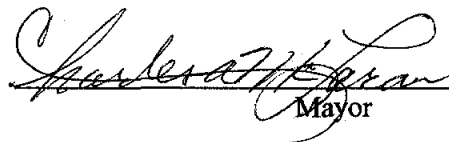
BE IT FURTHER RESOLVED that properties within the City of Albany connecting to water lines constructed by the North Albany County Service District shall be exempt from the Water ILA fee; and

BE IT FURTHER RESOLVED that the ILA fees outlined in this Resolution shall not apply to the properties specified in Resolution Number 3788, Resolution Number 3921, and subsequent resolutions specifically referencing the water lines constructed for the Lochner Road utilities project WL-96-5; and

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 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 in-lieu-of assessment charge; and

BE IT FURTHER RESOLVED that the fees herein established become effective July 1, 2002.

DATED THIS 12<sup>th</sup> DAY OF JUNE 2002.

  
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Mayor

ATTEST:

  
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City Recorder