

RESOLUTION NO. 3975

A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR THE NORTH ALBANY SANITARY SEWER BASIN AND REPEALING RESOLUTION NO. 3845 (A RESOLUTION REVISING THE IN-LIEU-OF ASSESSMENT CHARGES FOR WATER CONNECTIONS FOR THE NORTH ALBANY SANITARY SEWER BASIN).

WHEREAS, Chapter 10.16 of the Albany Municipal Code sets forth requirements for in-lieu-of assessment (ILA) charges 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 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, the established in-lieu-of assessment charges are closely related to the cost of construction of the capital improvements for the sewer system; and

WHEREAS, in-lieu-of assessment charges shall be automatically adjusted 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); and

WHEREAS, the Seattle ENR Index used in Resolution No. 3845 was 6334, and the April 1998 ENR Index to be applied for the purposes of this Resolution is 6659 (Index Ratio = $6659/6334 = 1.0513$, indexed dollars, rounded to the nearest \$1).

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council, Resolution No. 3845 is hereby repealed as of the effective date of the revised charges; and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 established and adopted:

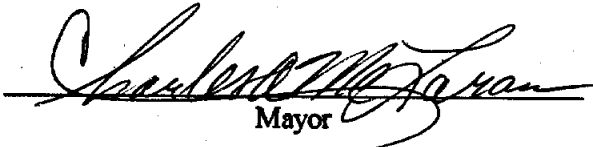
Interceptor In-Lieu-of Rate - Properties Outside Sewer District	\$1,885/gross acre
Collector In-Lieu-of Rate - Properties Outside Sewer District	\$6,072/benefit
Interceptor In-Lieu-of Rate - Properties Inside Sewer District	\$1,885/ <u>additional</u> gross acre
Collector In-Lieu-of Rate - Properties Inside Sewer District	\$4,250/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.

BE IT FURTHER RESOLVED that the ILA fees as outlined in this Resolution shall be automatically adjusted 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*. 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 ILA fees; and

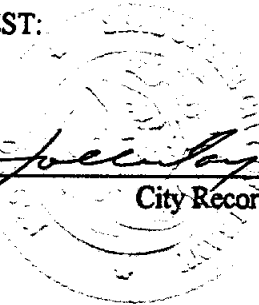
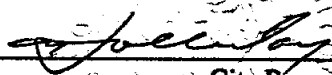
BE IT FURTHER RESOLVED that the fees herein established become effective July 13, 1998.

ADOPTED THIS 8TH DAY OF JULY 1998.



Mayor

ATTEST:

City Recorder