

RESOLUTION NO. 4051

A RESOLUTION DIRECTING AN ENGINEER'S REPORT AND A FINANCIAL INVESTIGATION REPORT BE PREPARED FOR CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS ON PROPERTY LOCATED SOUTH OF OAK CREEK AND EAST OF COLUMBUS STREET.


WHEREAS, the property owner representing 100 percent of the affected property have submitted a petition for sanitary sewer improvements to be constructed on said property; and

WHEREAS, the property owners have requested consideration to use City financing for these public improvements; and

WHEREAS, Subsection 15.04.010 of the Albany Municipal Code requires the City Council to declare by resolution that it intends to make said improvements.

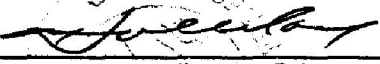
NOW, THEREFORE, BE IT RESOLVED that the City Council intends to make the improvements and hereby directs the City Engineer to make a survey of the improvements and file a written engineer's report with the City Recorder and further directs the Finance Director to prepare a financial investigation report with such reports to be in compliance with AMC Sections 15.040.020 and 15.040.030.

DATED THIS 16TH DAY OF DECEMBER 1998




Mayor

ATTEST:



City Recorder



City of Albany
Petition for Improvement

Date Received: Oct. 14, 1998
Approved: _____
Rejected: _____
Percentage: _____

Members of the City Council:

We, the undersigned property owners, do hereby petition for Public Improvement at the following location(s):

Sanitary sewer main line along the westerly and southerly boundaries of subject property as necessary to satisfy future sewer service connection of building facilities. The property is described by deed recorded in Volume MF 568, Page 661 of Linh County Deed Records (copy attached); the property is the southerly tract as shown on C.S. 18815 (copy attached).

Such improvement(s) to consist of the following:

Curb & Gutter _____
Storm Drainage _____
Pavement _____

Sanitary Sewer Approximately 750 L.F. along Columbus Street and 1,600 L.F. along southerly boundary.
Sidewalks _____
Other _____

Dated this 14TH day of October, 1998.

Owner/Agent of Record
(Print Name)

Signature
Wayne Sweetman

Address







Property/Tax Lot No.

EVANGLE ASSEMBLY, New Life Center

5775 Columbus Street

Tax Lot 1516 (Map 11-3W-20)

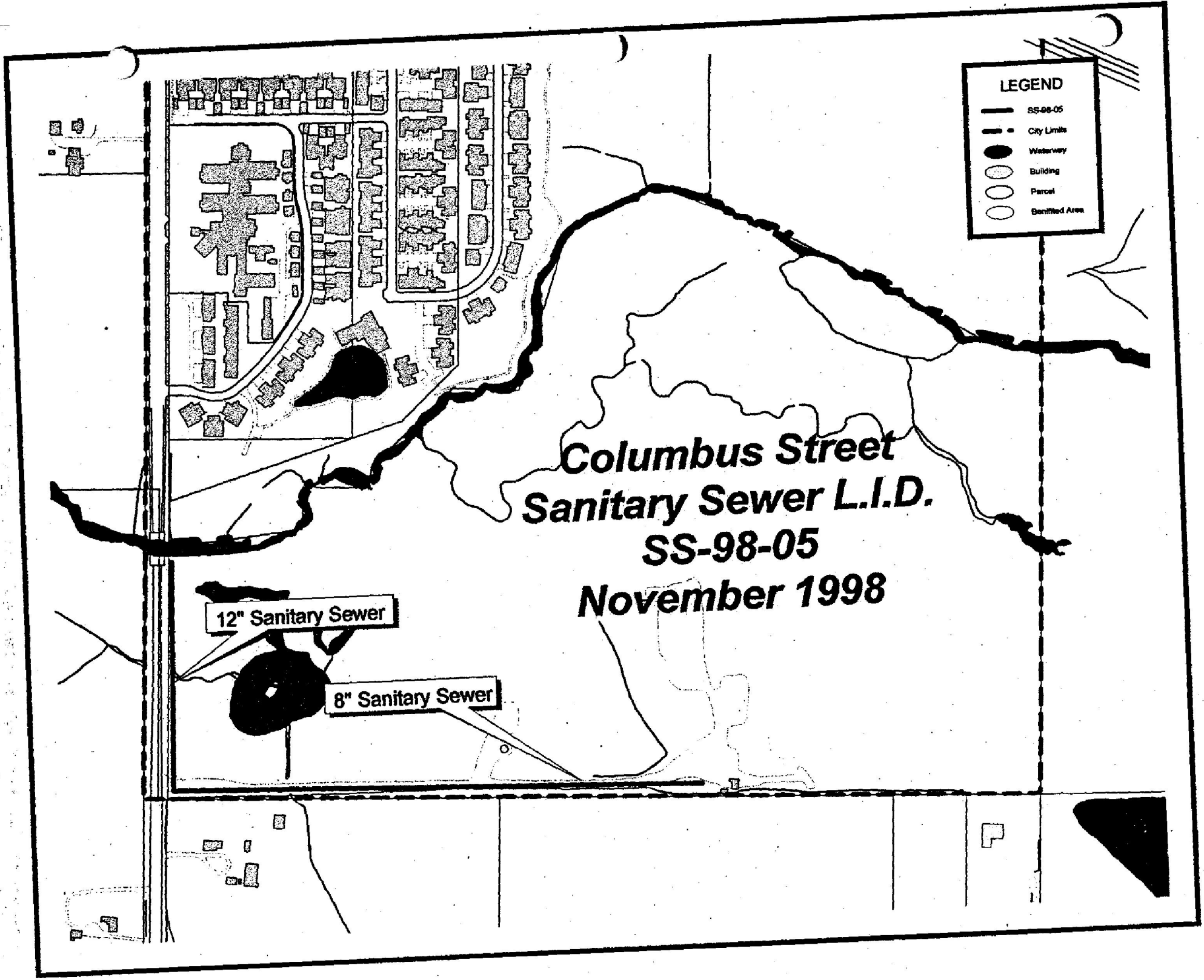
LEGEND

-  SS-98-05
-  City Limits
-  Waterway
-  Building
-  Parcel
-  Sanitized Area

**Columbus Street
Sanitary Sewer L.I.D.
SS-98-05
November 1998**

12" Sanitary Sewer

8" Sanitary Sewer





October 15, 1998

HAND-DELIVERED

CITY HALL
333 Broadalbin SW
P.O. Box 490
Albany, OR 97321-0144

(541) 917-7500

**CITY MANAGER/
HUMAN RESOURCES**
(541) 917-7501
FAX (541) 917-7511

**COMMUNITY
DEVELOPMENT
Planning**
(541) 917-7550
FAX (541) 917-7573

Building Inspection
(541) 917-7553
FAX (541) 917-7573

FINANCE/RECORDER
(541) 917-7520
FAX (541) 917-7511

FIRE ADMINISTRATION
(541) 917-7700
FAX (541) 917-7716

**PARKS & RECREATION
ADMINISTRATION**
(541) 917-7777
FAX (541) 917-7776

**PUBLIC WORKS
Engineering**
(541) 917-7676
FAX (541) 917-7573

Transit
(541) 917-7667
FAX (541) 917-7573
TDD (541) 917-7678

WATER/SEWER BILLING
(541) 917-7547
FAX (541) 917-7511

**Pastor Garry Siegenthaler
Wayne Kreitman
New Life Center
5775 Columbus Street SE
Albany, OR 97321**

Dear Sirs:

**LETTER OF UNDERSTANDING, REGARDING SANITARY SEWER EXTENSIONS
AT THE NEW LIFE CENTER SITE ON COLUMBUS STREET**

I am writing this letter of understanding to document the discussion of the October 9, 1998, meeting between representatives of the New Life Center and the City of Albany.

The City agreed to allow the temporary (5-year maximum) use of a wastewater holding tank for the New Life Center, subject to issuance of a permit from the Oregon State Department of Environmental Quality (DEQ). Furthermore, the City agreed to send a letter to the DEQ, stating that the City will assure that public sanitary sewer service will be available to the site within five years.

The New Life Center representatives agreed to the following conditions:

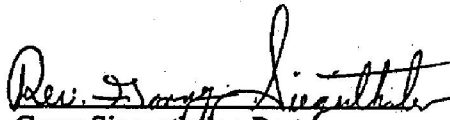
1. The New Life Center representatives will sign and submit a Petition for Improvements for the extension of a public sanitary sewer trunk main along the site's Columbus Street frontage. The petition for improvements will also include an 8-inch public sanitary sewer main extension along the site's south property line from Columbus Street to within approximately 100 feet of the church. The New Life Center representatives will also submit a signed and notarized Petition for Improvements and Waiver of Remonstrance Agreement for the same project.
2. The City may initiate the Local Improvement District (LID) whenever the City deems the project is needed, but not sooner than 12 months from the date the petition is signed. The City will form the LID in time to assure the sanitary sewer's installation occurs prior to the 5-year DEQ deadline date.
3. The City may initiate the LID if a property that needs the same sewer extension is annexed. Assuming the New Life Center does not yet need the sewer extension, only the portion of the sewer that is needed for the annexed property must be built at that time.
4. The public sewer extensions must be constructed prior to any further development on the site. For example, construction of the planned school or additions to the church would not be allowed prior to the installation of the public sewer.

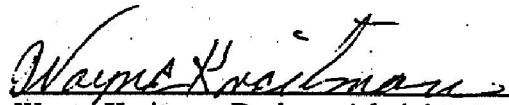
New Life Center
Page 2
October 15, 1998

5. LID assessments may be financed through the City.
6. The New Life Center must pay an in-lieu-of assessment fee for the sanitary sewer pump station when the church connects to the public sanitary sewer system. The fee is currently approximately \$17,700, however, the fee is indexed to the Seattle ENR and will be recalculated based on the index value in effect when the connection occurs.

The above commitments from the property owner are sufficient to ensure the City of Albany's sanitary sewer will be extended in a timely and orderly manner and will allow the New Life Center to meet the requirements of the City.

If the below listed representatives of the New Life Center concur with this letter of understanding, please sign this letter and return it to me at the City of Albany Community Development Department. City staff will then proceed to formalize the elements of this letter into the LID Engineer's Report and/or a separate agreement based upon input from the City Attorney.


Garry Siegenthaler, Pastor


Wayne Kreitman, Business Administrator

Sincerely,



Gordon Steffensmeier, P.E., P.L.S.
Civil Engineer II

GPS

cc: Floyd W. Collins, Public Works Director
Don Donovan, Senior Planner
Mark Yeager, P.E., Principal Utilities Engineer
Chip Ullstad, P.E., Utility Engineer
Jack Burrell, P.L.S., K&D Engineering