

RESOLUTION NO. 6029

A RESOLUTION REPEALING RESOLUTION NO. 5813 (A RESOLUTION REVISING SPECIAL CONNECTION CHARGES FOR WATER AND SEWER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY FOR A UNIQUE SITUATION RESULTING FROM THE OREGON YOUTH AUTHORITY, STATE OF OREGON, LOCATION OF FACILITIES UNDER SUPERSITING AUTHORITY AND REPEALING RESOLUTION 5437.)

WHEREAS, Resolution No. 3788 was adopted on May 14, 1997, in order to provide an assessment methodology to reimburse the Oregon Youth Authority for sewer and water extensions necessary for the development of the Oak Creek Youth Correctional Facility, which improvements benefited an area larger than the facility itself; and

WHEREAS, Resolution No. 3788 was supplemented by a Capital Recovery Agreement executed on or about March 24, 1998, between the State of Oregon, acting by and through its Oregon Youth Authority and the City of Albany whereby the City agreed to pay funds recovered through Resolution No. 3788 to the State; and

WHEREAS, Resolution No. 3788 has been replaced over the years by a series of Resolutions (3921, 4433, 4700, 4840, 5037, 5148, 5265, 5437, and 5813) which adjusted the fees to be assessed based on the Engineering News Record (ENR) index; and

WHEREAS, Resolution 5813 was adopted on July 22, 2009; and

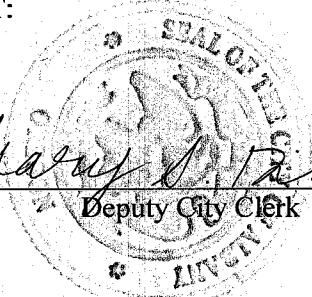
WHEREAS, the Capital Recovery Reimbursement Agreement had a 10-year duration and expired on March 24, 2008; and

WHEREAS, the Special Connection Charge methodology set forth in Resolution No. 5813 is inconsistent with current connection charge practices.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution No. 5813 is hereby repealed as of the date of this resolution and that properties connecting to the sewer and water extension referenced in prior Resolution No. 5813 shall be charged per the current City connection fee methodology.

DATED AND EFFECTIVE THIS 13<sup>th</sup> DAY OF JULY 2011.

ATTEST:

  
*Mary D. Stubble*  
Deputy City Clerk

  
Mayor