

## RESOLUTION NO. 04-21

### A RESOLUTION REPEALING RESOLUTIONS 97-58 AND 98-02 AND ADOPTING REVISED AMOUNTS OF WATER SYSTEM DEVELOPMENT CHARGES AND SETTING FORTH THE METHODOLOGY USED TO DETERMINE THE REVISED AMOUNTS

WHEREAS, Chapter 223 of the Oregon Revised Statutes (ORS) authorizes Oregon City to charge system development charges (SDCs) for increased usage of capital facilities; and

WHEREAS, ORS 223.304 establishes requirements for determination of the amounts of system development charges; and

WHEREAS, Oregon City Municipal Code (OCMC) 13.20 implements the statutory authority to impose system development charges and addresses the requirements of ORS 223.304 with the exception of specifically defining the amounts of the SDCs and the methodology that determines those amounts; and

WHEREAS, OCMC 13.20.030 authorizes the City Commission to establish and modify from time to time by resolution an SDC for any capital improvement; and

WHEREAS, the City Commission adopted a new capital improvement plan as described in ORS 223.309 for the City's water distribution system that resulted in new projected capital improvement costs to be funded with water SDCs; and

WHEREAS, OCMC 13.20.030C requires that any resolution establishing or modifying reimbursement SDCs shall contain a methodology that considers the cost of existing facilities, prior contributions by existing users, the value of unused capacity, rate making principles employed to finance publicly owned capital improvements, and any other factors deemed relevant by the City Commission; and

WHEREAS, OCMC 13.20.030C requires that any resolution establishing or modifying improvement SDCs shall contain a methodology which considers the cost of projected capital improvements needed to increase the capacity of the systems to which the fee is related in order to accommodate new development; and

WHEREAS, the City has met the procedural requirements of ORS 223.304(5) to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission that:

#### Section 1 – Repeal of Previous Resolutions

- 1) Oregon City Resolution No. 97-58, enacted on November 19, 1997 that previously established water SDC amounts, is hereby repealed.

2) Oregon City Resolution No. 98-02, enacted February 4, 1998 that amended Resolution No. 97-58 by including exceptions to the Schedule of Charges, is hereby repealed.

## Section 2 - Methodology

- 1) The May 2004 EES report (engineer's report) is adopted and incorporated herein by reference as though set forth in its entirety (see Exhibit A).
- 2) The methodology for establishing revised reimbursement and/or improvement SDCs for funding Oregon City's water distribution system capital improvements, which includes costs of pump stations, storage reservoirs, distribution mains, and compliance costs, as presented in the engineer's report is hereby adopted by this resolution to determine the water SDC.

## Section 3 – Amounts of Water System Development Charge

- 1) The calculations for determining the amounts of the water SDC are set forth in the engineer's report.
- 2) Based on those calculations in the engineer's report, the following schedule of water SDCs is adopted:

| <u>Meter Size (inches)</u> | <u>Equivalent Residential Unit Weighting Factor</u> | <u>Amount of SDC</u> |
|----------------------------|---|----------------------|
| 5/8 x 3/4                  | 1   | \$2,820              |
| 3/4                        | 1.5   | \$4,230              |
| 1                          | 2.5   | \$7050               |
| 1 1/2                      | 5   | \$14,100             |
| 2                          | 8   | \$22,560             |
| 3                          | 16  | \$45,120             |
| 4                          | 25  | \$70,500             |
| 6                          | 50  | \$141,000            |
| 8                          | 80  | \$225,600            |
| 10                         | 115   | \$324,300            |

- 3) The City Engineer may use alternative data when estimating the actual water use of a development when, in the City Engineer's opinion, the alternative data are more reliable and realistic for a particular development than those set forth in this resolution.
- 4) This schedule shall become effective 30 days after adoption of this resolution by the City Commission and shall apply to all building permit applications received and deemed complete by the Building Official after that effective date.

#### Section 4 – Exceptions to Amounts

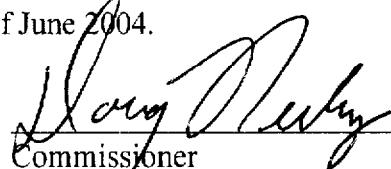
A single family home shall be charged as set forth in the above schedule, unless the home is equipped with a sprinkler fire suppression system and that sprinkler fire system is the sole reason that the home requires a larger water meter. In such a case, so long as the water meter is no greater than 1½-inch in size, the single family home shall be charged at the rate applicable to a 5/8 x 3/4-inch meter. If the single family home is equipped with a water meter larger than 1 ½-inch, the home shall be charged the SDC as set forth in the schedule above.

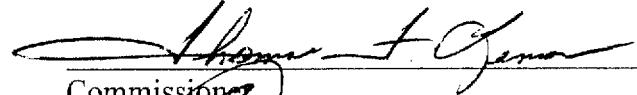
#### Section 5 – Annual Adjustment of SDC Amount

The SDC reflected in this resolution shall be automatically adjusted on January 1 of each year following the adoption year of this resolution based on changes in the Engineering News Record Construction Cost Index (CCI) for Seattle, Washington. The SDC shall be adjusted from those stated in this resolution by multiplying the SDC amounts by the Seattle area CCI for the month preceding the adjustment (for example, December 2004) divided by the Seattle area CCI for December 2003.

Adopted, signed, and approved this 2<sup>nd</sup> day of June 2004.

  
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Alice Morris  
Mayor

  
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Gary Ruby  
Commissioner

  
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Thomas F. Gannon  
Commissioner

  
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Gary Shultz  
Commissioner

  
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B. Bailey  
Commissioner

Comprising the City Commission of Oregon  
City, Oregon

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Effective Date: July 1, 2004, upon approval by the City Commission of Oregon City

July 2, 2004