



MAYOR & COUNCIL COMMUNICATION

DATE: 06/17/2014

Consent

ITEM #: 13

AGENDA ITEM: Perfecting Amendment for Lateral Benefit Charge Assessment Calculation

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Dean A. Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Staff
- Report/Presentation..... Staff
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: City Clerk

FISCAL IMPACT: No new impact

SUMMARY AND ACTION REQUESTED:

The City Council is requested to adopt perfecting Ordinance 50.17 of the Municipal Code to further clarify terms used in the recent adoption of the Lateral Benefit Charge Language. As part of the Consent Agenda, no specific motion is required. If the Council chooses to pull the item for discussion, the recommended motion for this action is as follows:

“Move to approve Ordinance No. 08-108, perfecting previously approved language establishing a formula for levying lateral benefit charge assessments for building units (parcels) both in and out of utility areas designated by the Comprehensive Plan”

LEGISLATIVE HISTORY/ BACKGROUND INFORMATION ANALYSIS:

On May 6, 2014, the City Council approved language establishing a formula for levying lateral benefit charge assessments for building unit (parcels) both in and out of utility areas designated by the Comprehensive Plan. In order for the newly approved ordinance to be consistent with the current code and the current terms used in the Comprehensive Plan, the language modifications proposed in this

version of Ordinance 08-108. Ultimately, the new language retains the intent of the recently passed policy.

The changes include:

- Adding definition of “municipal urban service area” as “an area guided for municipal sanitary sewer service.”
- Replacing the phrase “utility service area” with “municipal urban service area.” The MUSA language is what the current Comp Plan uses to describe areas planned for sewers, which is the intent of the original language.
- Added further clarification to the charges that are included to property owners outside of MUSA who elect to connect at a later date. The specific WAC/SAC language previously used was potentially too limiting. It did not include connection or meter costs. The new language covers all the potential costs associated with connection.
- Staff recommends changing Section 3 regarding the specific fee amount. It is recommended that the fee be similar all the other fees identified in the Code and not specified in the specific code section. The fee schedule, which Council amends from time to time as needed and has the opportunity every new year to review and approve or modify, is the proper place to list the fees. This makes it easier to locate and amend as it is already located in the fee schedule.

(SWOT ANALYSIS):

Strengths	Amending the recently approved Ordinance language will make the ordinance consistent with current terms and definitions while remaining true to the intention of the policy adopted by Council. This is necessary for consistent and clear application of the policy. This action will also allow the city to properly codify the language in the City Code.
Weaknesses	This code will possibly need to be amended again in the future when the language in the Comprehensive Plan is changed. Staff does expect to some terms used in the future to change.
Opportunities	Council will have the opportunity to amend the fee schedule as needed and be consistent with all other City Fees.
Threats	None

RECOMMENDATION:

Based on the aforementioned, the staff recommends adopting the perfecting amendment as Ordinance 08-108. As part of the Consent Agenda, no specific motion is required. If the Council chooses to pull the item for discussion, the recommended motion for this action is as follows:

“Move to approve Ordinance No. 08-108, perfecting previously approved language establishing a formula for levying lateral benefit charge assessments for building units (parcels) both in and out of utility areas designated by the Comprehensive Plan”

ATTACHMENT(S):

1. Ordinance 08-108, Lateral Benefit Assessments for Trunk Water Main and Trunk / Interceptor Sewer Improvements
2. Redlined Version of Ordinance 08-108