

RESOLUTION NO. 218

A RESOLUTION DOCUMENTING COUNCIL POLICY WITH REGARD TO THE DRINKER LID AND PROVIDING INSTRUCTIONS TO CITY STAFF

WHEREAS, no written documentation of the policies and representations of the Common Council of the City of Troutdale with regard to the Drinker LID exists, and

WHEREAS, the Drinker LID was formed after consideration was given at City Council meetings held on March 13, May 8, May 29, June 19, July 10, September 11, October 9, (1973)

_____, and

WHEREAS, representations were made by the Common Council that certain property owners within the Drinker LID might not be required to pay 100% of their assessments if the City had adequate alternate sources to make required payments on the Drinker LID bonds, and

WHEREAS, the City has authority to pay for part of the Drinker LID by virtue of Section 11, Sub-Section C of City of Troutdale Ordinance Number 159, and

WHEREAS, Drinker LID bond payments have been paid in part through the use of funds generated from sources other than assessments, and

WHEREAS, public improvements constructed with the proceeds of the bonds sold for the Drinker LID are of general benefit to the citizens of the City of Troutdale, and part of the public improvements are of special benefit to certain property owners, and

WHEREAS no division of the Drinker LID cost has been made between the general benefit and the special benefit portions, and

WHEREAS, five of the seven elected officials who were members of the Common Council of the City of Troutdale at the time the Drinker LID was formed are at the time of this Resolution members of the Common Council of the City of Troutdale, and

WHEREAS, because of the absence of any written record of the representations or promises which were made to the property owners of the Drinker LID regarding deferral or partial waiver of assessments, there may now exist confusion and misunderstanding,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE, that

1. The Common Council intends to indentify the general benefit and the special benefit portions of the Drinker LID assessment.

2. The City staff is directed to perform a study of the proper apportionment between the general and special benefits and prepare a report for the Common Council.

3. The City staff is further directed to study alternate sources of financing and solutions to facilitate the orderly and efficient collection and payment of debts created by the Drinker LID. The staff shall prepare a report setting forth the findings of such a study and the report shall include the feasibility of financing part or all of the Drinker LID project through the following sources:

- A. General Obligation Bonds
- B. General Obligation Loan through Governmental Sources
- C. System Development Charges
- D. User Fees
- E. Other

The aforesaid report shall address problems and propose solutions for the re-assessment of properties and reimbursements to property owners where appropriate.

4. Pending the completion of the aforesaid reports and action thereon by Council, the City staff shall continue to defer the assessment of properties which have not been developed for urban use. In the event of subdivision or partition of land, that land not converted or developed to urban use may continue to have the assessments thereon deferred provided that the property owner signs an appropriate agreement.

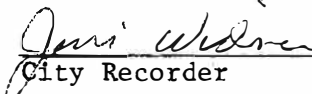
5. Pending the aforesaid reports, the City staff is further directed to prepare annual statements to be sent to the property owners indicating to each of them the amount of the assessment principal and interest which remains unpaid and which is a lien against their property.

6. It is further the stated policy of the Common Council of the City of Troutdale that any proposal or solution presented by staff or adopted by Council shall strive to create equality and fairness between those property owners who have either deferred or prepaid assessments.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE, THIS
16th DAY OF JANUARY, 1979.


MAYOR

ATTEST:


City Recorder

YEAS: 6

NAYS: 0