RESOLUTION NO. 1212

A RESOLUTION AUTHORIZING A REFUND OF STORM SEWER SYSTEM DEVELOPMENT CHARGES TO BUILDING STRUCTURES, INC. AND PROVIDING FOR A BUDGET TRANSFER AND MAKING APPROPRIATION CHANGES FOR FY 1995-96

WHEREAS, Chapter 12.02 of the Troutdale Municipal Code provides for the levying of system development charges for various services, including storm sewer, and for a method of obtaining a credit pertaining thereto; and

WHEREAS, in February of 1994, the Council granted, under the provisions of Section 12.02.040F of the Troutdale Municipal Code, a reduction in storm sewer system development charges to the Swift Transportation development because that site provided for on-site detention of its storm water runoff; and

WHEREAS, in September of 1994, Mr. Larry Smith of Building Structures, Inc. requested a partial refund of storm sewer system development charges paid for the East Wind development because that site provided on site retention of its storm water; and

WHEREAS, the Council finds that granting a seventy (70) percent reduction in the form of a refund to Building Structures, Inc. would ensure that this development is treated in a fair and equitable manner compared to the Swift Transportation development; and

WHEREAS, a budget transfer and appropriation change to the Fiscal Year 1995-96 budget for the Storm Sewer Improvement Fund is needed to provide authority to expend funds from the appropriate expense element to accomplish the refund; and

WHEREAS, ORS 294.450 provides for the transfer of general operating contingency and that such transfer may be made within a fund when authorized by official resolution of the governing body.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The City will grant a refund of seventy (70) percent of the storm sewer system development charge paid by Building Structures, Inc. for the East Wind Development, the amount of said refund to be $7,840.15.

Section 2. The FY 1995-96 budget is adjusted as indicated within the Storm Sewer Improvement Fund by transfer of contingency appropriation totaling $7,840 for the purpose of paying a partial refund of previously paid system development charges.

Storm Sewer Improvement Fund-15.00	Budget	Required	Increase/(Decrease)
Materials & Services	$30,000	$37,840	$ 7,840
Contingency	25,000	17,160	(7,840)
Storm Sewer Improvement Fund Changes	$55,000	$55,000	$ 0

YEAS: 5
NAYS: 2 RIPMA, KIGHT
ABSTAINED: —

Paul Thalhofer, Mayor

Dated: 12/1/95

George Martinez, City Recorder

Adopted: 11-29-95