

**RESOLUTION ADOPTING THE CITY OF
LEBANON'S STORMWATER DRAINAGE UTILITY
RATES**

) **RESOLUTION NO. 36**
) **For 2010**
)

WHEREAS, the City of Lebanon provides a valuable public service by providing Stormwater Drainage facilities for the collection and disposal of Stormwater discharged from properties and public rights-of-way within the City; and

WHEREAS, the utility exists for the benefit of citizens within the City to have the public Stormwater Drainage facilities available for the diversion, collection, and/or disposal of Stormwater Drainage and other runoff water from the person's property and represents a municipal service in a developed urban environment which is essential to the public health, safety and welfare; and

WHEREAS, persons benefiting from the public Stormwater Drainage facilities should be charged the appropriate fees that reflect the cost of the management, maintenance, extension and construction of the public Stormwater Drainage facility as a public utility in the City; and

WHEREAS, the City of Lebanon Council has provided that Stormwater Drainage Utility Fees should be established by resolution in accordance with Ordinance No. 2809 (2010); and

NOW, THEREFORE, be it resolved by the Council of the City of Lebanon as follows:

The Stormwater Drainage Utility Rates shall be:

SECTION 1:

The stormwater drainage utility shall be set at a fixed rate per customer account or tax lot within the City limits. The rate shall be \$5.55 per customer account or tax lot.

- A) Special Rate for Low Income Senior Citizens and Disabled: Senior and disabled citizens who qualify for the State of Oregon Low Income Energy Assistance Program will be entitled to a discount of 10% for residential service. To be eligible, applicants must present a copy of the State of Oregon approved income verification form to the Finance Department. Duration of eligibility is for 12 months from the date the application is approved and must be resubmitted annually. Discounts will begin for the billing received on or about the first of the month following presentation of the form at the Finance Department.

- B) Special Case Situations: The City Manager and or designee may make adjustments to the approved fee schedule on the basis of assuring public interest as well as meeting the financial needs for this program.

SECTION 2:

Annual Inflation Rate Adjustment: Beginning July 1, 2011 and each July 1st thereafter, the Stormwater Drainage Utility rate shall be adjusted for inflation using the 12-month change in the Seattle Engineering News Record Construction Cost Index (CCI) published by McGraw Hill, Inc., based on the published April data. The annual inflation adjustment minimum is set at two and one-half percent (2.5%) and the maximum at six percent (6%).

The formula for updating the rate each year within the above noted minimum/maximum range is as follows:

$$\text{Stormwater Utility Rate}_{\text{Current Year}} = \text{Stormwater Utility Rate}_{\text{last Year}} \times (\text{CCI}_{\text{current year}} / \text{CCI}_{\text{last year}})$$

Where:

CCI_{current year} = Construction Cost Index for the current year

CCI_{last year} = Construction Cost Index for the last year the rates were updated

Stormwater Utility Rate_{current Year} = Stormwater Utility Rate for the current year

Stormwater Utility Rate_{last Year} = Stormwater Utility Rate to be updated

SECTION 3:

The City Council finds that the changes imposed pursuant to this Resolution are not taxes subject to the provision of Article XI, Section 11b of the Oregon Constitution.

SECTION 4:

This Resolution shall become effective immediately.

Passed by the Council by a vote of ___ for and ___ against this 10th day of November 2010.

CITY COUNCIL OF LEBANON, OREGON

Kenneth I. Toomb, Mayor
Bob Elliott, Council President

Attested:

Linda Kaser, City Clerk / Recorder