

RESOLUTION NO. 2530

A RESOLUTION EXTENDING THE TEMPORARY SEWER SYSTEM DEVELOPMENT CHARGE SUBSIDY FOR DEVELOPMENT OF NEW AND EXPANDED FOOD AND BEVERAGE ESTABLISHMENTS.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That in September 2017 the 21 member Town Center Committee (TCC), was established and tasked to review and prepare a comprehensive update to the 20-year-old Town Center Plan.
2. That while still in process, the Town Center Committee through the public outreach and engagement, has identified increased demand for additional dining options in the Town Center, which reflects conversations that Staff has had with prospective businesses seeking to newly establish, expand, or convert existing commercial spaces to accommodate food and beverage establishments.
3. That an increase in dining facilities in the Troutdale Town Center Overlay District is in the public interest as already identified in the existing and adopted 1998 Town Center Plan and will improved the livability of the area, improve the mix local business activity and support overall economic viability in the zone.
4. That feedback from the development community has indicated that the higher costs for Sewer System Development Charges for food and beverage establishments, as compared to other commercial non-restaurant projects, discourages restaurant projects in the City.
5. That restaurants have a real and significant impact on the sanitary sewer system infrastructure, versus other types of commercial developments.
6. That in fairness to residential utility rate payers, Chapter 12.02 of the Troutdale Municipal Code establishes system development charges ("SDC") to impose an equitable share of the public costs of capital improvements upon those developments that create the need for, or increase the demands on, infrastructure system capacity.
7. That as an economic development activity it is in the public interest to foster development and redevelopment through a targeted Sewer SDC fee subsidy for new and expanded restaurant development projects in the Town Center, which will serve a valuable, desirable and necessary public purpose, and is for an authorized public purpose of promoting increased livability in Troutdale.

8. That to avoid unnecessarily and unfairly burdening monthly utility rate payers with system infrastructure costs required to support new developments, for many years the City's customary practice has been to ensure the full SDC fee is collected, whereby the City pays any reduced or discounted amount of SDC fees from general government revenues.

9. That on April 9th, 2019, pursuant to Resolution 2447, the Council approved a temporary, fiscal year 2019-2020, reduction in the sewer SDC's for new and expanded food and beverage projects in the Town Center Overlay.

10. That on July 14th, 2020, pursuant to Resolution 2506, the Council approved a temporary, fiscal year 2020-2021, reduction in the sewer SDC's for new and expanded food and beverage projects in the City of Troutdale.

11. That the Council finds that the reasons for the reduction still exist as stated above. Furthermore, due to the impact of COVID 19 it would be beneficial to extend and expand, the subsidy.

12. That it declares it serves the public interest, and it is necessary and desirable for the City to incentivize new and expanded restaurant development projects in the City, resulting in the public economic benefits of creating new jobs, increasing tax and other revenues, and contributing to urban revitalization.

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

Section 1. The City hereby approves for new and expanded food and beverage projects in the City a subsidy of the Sanitary Sewer SDC fees equal to 60% of the fee for Restaurants, Pizza Parlors, a Lounge, Bar or Tavern projects. The subsidy shall be applied after the lawful and proper Sewer SDC is calculated, and after any credits applied to that lawful and proper amount.

Section 2. SDC fees shall be due for any development which increases the required unit quantity of any of the Sanitary Sewer SDC infrastructure system and will be due and payable when required as specified in the Troutdale Municipal Code ("TMC") Section 12.02.060 and may not be prepaid, nor shall any manipulation of timing deadline requirements be allowed.

Section 3. The City shall ensure the combined payment by the project developer and the City provided SDC fee subsidy will total 100% of the Sewer SDC fee and that it is properly credited in full to the Sewer SDC fund.

Section 4. The City shall provide no special consideration apart from the Sanitary Sewer SDC fee subsidy and the project developer is not entitled to any special consideration for any development project, and any and all development shall be required to proceed through the normal and customary development permitting process, timing requirements and procedures, and subject to the then applicable zoning and development code requirements.

Section 5. The City finds and declares that it serves the public interest, and it is necessary and desirable for the City to assist the development of new or expanded restaurant development projects in the Town Center, resulting in public economic benefits of creating new jobs, increasing tax and other revenues, and contributing to urban revitalization.

Section 6. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are designated to act individually and/or jointly and cooperatively, on behalf of and in the best interest of the City and without further action by the City, and are hereby, authorized empowered and directed to implement the SDC fee subsidy program on behalf of the City, and any and all other required and necessary documents to implement the intent of this resolution.

Section 7. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of the SDC fee subsidy program, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 8. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the SDC fee subsidy obligations, and is further directed to implement all such actions necessary to ensure budgetary compliance.

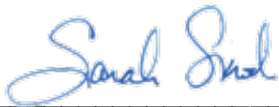
Section 9. However, the maximum expenditure from the General Fund for this subsidy shall be \$150,000. Based upon the date and time a building permit is issued, a new or expanded food and beverage business will receive priority if the allocated funds are not sufficient to fully, or partially, pay the full subsidy. The last priority application may only receive a partial subsidy or none. The subsidy program shall terminate upon expending the \$150,000, or the date hereafter stated, whichever is sooner.

Section 10. This Resolution shall take effect on July 1, 2021 and terminate on December 31, 2021.

YEAS: 7
NAYS: 0
ABSTAINED: 0



Randy Lauer, Mayor
Date: May 14, 2021



Sarah Skroch, City Recorder
Adopted: May 11, 2021