



RESOLUTION 2014-055

AUTHORIZING PARTIAL WAIVER OF WATER SYSTEM DEVELOPMENT CHARGES TO ALLOW CONNECTION OF PROPERTY TO CITY WATER FOR PROPERTY WITH A CONTAMINATED DRINKING WATER WELL

WHEREAS, the Oregon Department of Environmental Quality (DEQ) has been conducting investigation at the Ken Foster Farm site off Murdock Road, where it is known that some of the wastes from the Tannery site were placed; and

WHEREAS, as part of the DEQ investigation, they sampled well water and found one drinking water well to have levels of hexavalent chromium above DEQ risk-based concentrations for human health; and

WHEREAS, the DEQ determined that remediation was necessary and connection to City water was the best long term solution; and

WHEREAS, DEQ cost estimates to connect this property to City water were originally based on a ¾" meter which requires a water System Development Charge (SDC) of \$6,725.68. However, upon review of the existing plumbing fixtures at the residence it was determined that a 1" water meter was needed which has a \$16,816.77 water SDC; \$10,091 more than DEQ original estimates; and

WHEREAS, given the limited funds available to DEQ to conduct investigation and help minimize public health and environmental risks, the \$10,091 difference is significant and they have requested that Council consider a partial fee waiver to allow them to be charged at the ¾" meter rate rather than the 1" meter, and

WHEREAS, there are public benefits in providing this partial waiver as requested which are unique to this particular circumstance and provide justification for the partial fee waiver as requested, specifically:

- The Ken Foster Farm site is closely tied to the Tannery site and the City has worked closely with DEQ in the past and will continue to do so as we proceed with identifying options and opportunities for cleaning up both the Tannery site and the Ken Foster Farm site.
- DEQ is a state agency and does not profit from this connection or any services that they provide.
- There are limited funds available to conduct assessment and clean-up for both the Tannery site and the Ken Foster Farm site and the less DEQ has to spend on this particular issue, the more funds are available for other solutions on these two sites.
- There is a real human health risk that this connection will alleviate.

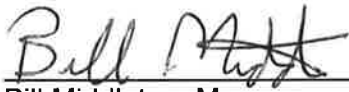
- There is an environmental health risk, primarily birds, on all properties. While the first priority of DEQ is minimizing human health risk, the secondary priority, if funds are available, is minimizing all risks.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Manager is authorized to waive the difference in Water SDC between a ¾" meter and a 1" meter to allow DEQ to facilitate the connection of the property at 23120 SW Murdock Road to City water.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 5th day of August 2014.



Bill Middleton, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder