



Legislation Details (With Text)

**File #:** 16-0947      **Version:** 1      **Name:** 7/7/16 - Developer Offset Mitigation Payment  
**Type:** Resolution/Public Hearing      **Status:** Passed  
**File created:** 7/7/2016      **In control:** City Council  
**On agenda:** 7/7/2016      **Final action:** 7/7/2016  
**Enactment date:** 7/7/2016      **Enactment #:** R-16-279

**Title:** Resolution to Approve Fiscal Year 2017 Fee Adjustment for Public Services Area and to Authorize Amendments to Existing Development Agreements

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/7/2016	1	City Council	Held and Closed	
7/7/2016	1	City Council	Approved	Pass

Resolution to Approve Fiscal Year 2017 Fee Adjustment for Public Services Area and to Authorize Amendments to Existing Development Agreements  
Attached for your consideration and approval is a resolution approving an adjustment to the FY 2017 fee schedule for the Public Services Area - Systems Planning Unit to include a base payment in-lieu amount for sanitary sewer flow mitigation.

The City's Developer Offset Mitigation Program requires developments to mitigate the new flow that is being added by the development to the City's sanitary system. The recent amendment to section 2:42.5 of Chapter 28 of City Code allows the ability for developments to have an option of making a payment to the City in lieu of performing sanitary flow mitigation. Payment will be used by the City to fund sanitary sewer wet weather capacity improvement projects. The proposed fee schedule adjustment establishes the base payment in-lieu amount for this option.

The proposed amount for payment in lieu is \$3,000.00 per a gallon per minute of new peak sanitary flow being added to the system. The amount is based on the average cost of wet weather flow removal performed by the City in the past.

This resolution also authorizes amendments to existing development agreements when necessary to allow for the payment in lieu option consistent with the amendment to City Code;  
Prepared by: Cresson Sloten, Systems Planning Manager  
Reviewed by: Craig Hupy, Public Services Administrator  
Approved by: Tom Crawford, Interim City Administrator  
Whereas, All Service Areas of the city government review their fees each year as part of the budget process;

Whereas, Recent amendment to section 2:42.5 of Chapter 28 of City Code necessitates a fee addition; and

Whereas, Amendments to existing development agreements may be necessary to allow for the payment in lieu option consistent with the amendment to City Code.

RESOLVED, The fees in the Public Services Service Units be amended to include an amount for payment in lieu of performing sanitary sewer flow mitigation of \$3,000.00 per a gallon per minute of new peak sanitary flow;

RESOLVED, That the new fee item becomes effective immediately;

RESOLVED, That the Mayor and City Clerk be authorized to sign amendments to existing development agreements that modify mitigation terms when necessary to allow for payment in lieu of performing sanitary flow mitigation, subject to approval as to form by the City Attorney and approval as to form by the City Administrator; and

RESOLVED, That City Council authorizes the City Administrator to take necessary administrative actions to implement this resolution.