

RESOLUTION NO. 19-1998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON ESTABLISHING FEES FOR SANITARY SEWER SERVICE AS PROVIDED BY THE MILWAUKIE MUNICIPAL CODE CHAPTERS 13.12 AND 13.20; CLASSIFYING THE FEES IMPOSED BY THIS RESOLUTION AS NOT SUBJECT TO ARTICLE XI, SECTION 11 (B) OF THE OREGON CONSTITUTION; AND REPEALING RESOLUTION 18-1997.

Whereas, the Milwaukie Municipal Code Section 13.12.070 provides that sewer service fees shall be established by resolution of the City Council; and

Whereas, Financial Consulting Solutions Group Inc. (FCSG) reviewed annual budgets and the City's sanitary sewer capital improvement plan in March 1997, developed projections of revenues and expenses, and also developed a recommendation for an increase in sewer user fees over five years based upon that study; and

Whereas, City Council approved the first rate increase recommended by the FCSG study in May 1997; and

Whereas, the expense and revenue projections determined by FCSG in April 1997 remain valid; and

Whereas, the Milwaukie Citizen Utility Advisory Board has recommended an increase in fees in order to keep up with the increasing costs of sewage treatment, maintain a minimal fund contingency, and accumulate capital for future capital improvements; and

Whereas, the City Council, having reviewed the recommendation of FCSG and the Citizen Utility Advisory Board, has determined that it is necessary to increase residential and commercial fees to provide adequate funding for the sanitary sewer fund;

Whereas, the City Council, having reviewed the recommendation of the Citizens Utility Advisory Board, has determined that it is currently not necessary to increase low income fees at this time; and

Whereas, the fee increase is not an alternative source of funding to make up for ad valorem property tax reductions;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie that:

Section 1. EFFECTIVE DATE. To be effective commencing with billings prepared on or after July 15, 1998.

Section 2. FEES: A flat bi-monthly sewer service fee is to be charged as follows:
a. Single family residence - \$33.85
b. Each residence unit in multiple unit structures - \$33.85

Section 3. COMMERCIAL, INDUSTRIAL AND OTHER RESIDENTIAL RATE: A bi-monthly fee of \$33.85 shall be charged based on the first 1600 cubic feet of water used. A fee of \$2.15 shall be charged based on each additional 100 cubic feet of water used in excess of the first 1600 cubic feet of water.

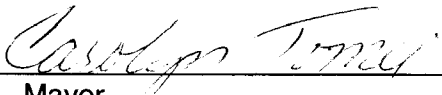
Section 4. LOW INCOME FEES: A reduced bi-monthly sewer service fee of \$15.70 shall be charged for individual sewer system users under Section 13.20 of the Milwaukie Municipal Code.

Section 5. SECURITY DEPOSIT: Pursuant to Section 13.12.070 of the Milwaukie Municipal Code, the City may require a deposit in an amount not to exceed the minimum sewer service fee for six months as a security against unpaid fees.

Section 6. CLASSIFICATION: The City Council determines that the fees imposed by this Resolution are not taxes subject to the property tax limitations of Article XI, Section (b) of the Oregon Constitution.


Section 7. REPEAL: Resolution No. 18-1997 is hereby repealed.

Introduced and adopted by the City Council of Milwaukie on June 16, 1998.



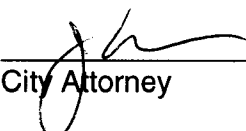
Mayor

ATTEST:



City Recorder

APPROVED AS TO FORM:



City Attorney