

RESOLUTION NO. 2264

A RESOLUTION ASSESSING LATECOMER FEES IN CONJUNCTION WITH PUBLIC IMPROVEMENTS INTALLED AS PART OF THE HERMISTON MINI-STORAGE PROJECT ON EAST ELM AVENUE

WHEREAS, Eastern Oregon Development, LLC is required to extend certain public facilities, which is the installation of a water main and related as part of the Hermiston Mini-Storage Project located on East Elm Avenue; and

WHEREAS, the City Council finds that Eastern Oregon Development, LLC has installed the necessary water main, as per a development agreement with the City of Hermiston. A 12-inch water line was extended in East Elm Avenue from NE 4th Street eastward approximately 1300 feet to the end of the development area, as indicated in Exhibit “A” attached hereto; and

WHEREAS, developers who install water mains that may benefit other developable properties are entitled to recoup a portion of their investment in those mains from “latecomers” who connect service lines to those mains; and

WHEREAS, HMC 157.164(F) states that were improvements installed by a developer benefit other properties, the city and the developer shall reach a mutually agreeable settlement to identify benefitting properties, actual costs charged and the method of repayment to the developer; and

WHEREAS, notice of potential assessment was sent to potential benefitting property owners, and a public hearing was held March 13, 2023, wherein the council took testimony and deliberated the issue; and

WHEREAS, the City Council did find that the properties indicated on Exhibit “A” benefit from the installation of the water main; and

WHEREAS, the City Council did find that \$27,713.31 is reasonable for the cost of the water main extension; and

WHEREAS, benefitting properties may not able or desire to fully utilize this water or sewer main at the present time.

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

1. That the following costs shall be prorated to the benefitting properties, and such improvement costs shall be paid to the City upon connection and reimbursed to Eastern Oregon Development, LLC, its successors and assigns, for a period of not to exceed ten (10) years from the passage of this resolution. That the installation cost of the water line of \$27,713.31 shall be assessed to the properties below as benefitting properties:

Property Owner	Tax Lot	Water Assessment
John Eckhardt	4N 28 02CD TL 700	\$2,271.53
UK Properties	4N 28 02CD TL 800	\$2,271.53
City of Hermiston	4N 28 11BA TL 102 & 202	\$8,927.10
Juliana Mendoza	4N 28 11BA TL 200	\$3,293.71
Quentin Ketchersid	4N 28 11BA TL 201	\$4,134.18
David Hackler	4N 28 11BA TL 101	\$6,815.26

2. That any property identified in this resolution shall be required to pay the specified charges prior to connecting to and receiving water service from the specified line in conjunction with any other fees and/or SDC charges required when connection to the system is made.
3. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 27th day of March 2023.
SIGNED by the Mayor this 27th day of March 2023.

Dr. David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER