

RESOLUTION NO. 2996

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH BTC III GRAHAMS FERRY IC, LLC FOR CONSTRUCTION OF OVERSIZED PUBLIC WATER INFRASTRUCTURE IMPROVEMENTS.

WHEREAS, on October 15, 2007, City Council adopted the Coffee Creek Master Plan which included a detailed infrastructure study that identified public utility infrastructure needs to serve the Coffee Creek Industrial area, including a 12 inch water main in SW Grahams Ferry Road ("Qualified Public Improvements"); and

WHEREAS, in City of Wilsonville Planning Approval File No. DB21-0085 through DB21-0090, BTC III Grahams Ferry IC, LLC was required through Condition of Approval PFA 20 to construct the Qualified Public Improvement and would be eligible for an System Development Charge (SDC) Credit per Wilsonville City Code Section 11.100; and

WHEREAS, BTC III Grahams Ferry IC, LLC is required to pay Water Systems Development Charges with issuance of their building permit for the planned warehouse and manufacturing facility; and

WHEREAS, the Qualified Public Improvement in SW Grahams Ferry Road will be constructed by BTC III Grahams Ferry IC, LLC concurrently with onsite private improvements; and

WHEREAS, BTC III Grahams Ferry IC, LLC requested a reimbursement of water SDCs for the oversized portion of the Qualified Public Improvements eligible under the terms of Wilsonville Code 11.000; and

WHEREAS, BTC III Grahams Ferry IC, LLC submitted documentation for the estimated cost of construction for the Qualified Public Improvements and the City has analyzed and found the documentation acceptable; and

WHEREAS, upon completion and inspection of the Qualified Public Improvement, BTC III Grahams Ferry IC, LLC will be required to submit documentation for the actual cost for constructing the Qualified Public Improvement; and

WHEREAS, the water SDC refund request will not exceed the value of the water SDCs assessed and paid by BTC III Grahams Ferry IC, LLC for the development project.

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

Section 1. The City Council authorizes the City Manager to enter into and execute on behalf of the City of Wilsonville a Development Agreement with BTC III Grahams Ferry IC, LLC, in substantially the form attached in Exhibit A.

Section 2. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19th day of September 2022, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBIT:

A. Development Agreement between City of Wilsonville and BTC III Grahams Ferry IC, LLC