

## **RESOLUTION NO. 2990**

### **A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A SYSTEMS DEVELOPMENT CHARGES REFUND AGREEMENT WITH COFFEE CREEK LOGISTICS HOLDINGS, LLC FOR CONSTRUCTION OF OVERSIZED PUBLIC SEWER AND 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 and an 18 inch sewer main in SW Clutter Street (“Qualified Public Improvements”); and

WHEREAS, in City of Wilsonville Planning Approval File No. DB20-0019 through DB20-0024, Coffee Creek Logistics Holdings, LLC was required through Condition of Approval PFA 12 to construct the Qualified Public Improvements and would be eligible for an System Development Charge (SDC) Credit per Wilsonville City Code Section 11.100; and

WHEREAS, Coffee Creek Logistics Holdings, LLC paid Water and Sewer Systems Development Charges with issuance of their building permit for the planned warehouse and manufacturing facility; and

WHEREAS, the Qualified Public Improvements in SW Clutter Street have been constructed by Coffee Creek Logistics Holdings, LLC and the City has inspected and accepted the completed Qualified Pubic Improvements; and

WHEREAS, Coffee Creek Logistics Holdings, LLC requested a refund of water and sewer SDCs for the oversized portion of the Qualified Public Improvements eligible under the terms of Wilsonville Code 11.000; and

WHEREAS, Coffee Creek Logistics Holdings, LLC submitted documentation for the actual cost of construction for the Qualified Public Improvements and the City has analyzed and found the documentation acceptable; and

WHEREAS, the water and sewer SDC refund request does not exceed the value of the water and sewer SDCs assessed and paid by Coffee Creek Logistics Holdings, 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 System Development Charge Refund Agreement with Coffee Creek Logistics Holdings, 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 15th day of August, 2022, and filed with the Wilsonville City Recorder this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Systems Development Charges Refund Agreement between City of Wilsonville and Coffee Creek Logistics Holdings, LLC