

RESOLUTION NO. 2806

A RESOLUTION AMENDING RESOLUTION 2754 TO EXTEND A SYSTEM DEVELOPMENT CHARGE DEFERRAL PROGRAM FOR BUILDERS IN THE CITY OF BEND

Findings

A. ~~WHEREAS~~, The Country's economic downturn has severely and negatively affected the building industry.

B. ~~WHEREAS~~, A healthy and robust building industry is vital to meeting various City of Bend goals including increasing construction related employment and the availability of affordable housing.

C. ~~WHEREAS~~, The City Council believes that a short term program for deferral of system development charges (SDCs) will provide builders with some financial relief.

Based on these findings,

THE CITY COUNCIL ~~OF THE CITY OF BEND~~ DOES RESOLVES AS FOLLOWS:

1. ~~SECTION ONE.~~ Qualified builders may be eligible to defer payment of transportation, water and sewer SDCs for up to nine months, or through the time of application for an occupancy permit for a particular structure, whichever is earlier.
2. ~~SECTION TWO.~~ To qualify, builders must undergo an application process which may include a credit review and shall include the submission of a preliminary title report. Application for deferral shall be filed when the application for a building permit is submitted to the Community Development Department. Deferral of SDCs will not be granted if the application is not filed in accordance with this Resolution.
3. ~~SECTION THREE.~~ A lien in the amount of the SDCs deferred will be placed on the property. In order to participate in the program, builders may be required ~~will need~~ to execute and record a Trust Deed regarding the applicable real estate and securing the amount of the SDCs.
4. ~~SECTION FOUR.~~ Interest will be charged at 12% annually in the event that the SDCs are not paid when due as provided for in Section One of this Resolution. In addition, participating builders will be required to waive all rights to contest the amount and means of calculating the SDC.
5. ~~SECTION FIVE.~~ This program will expire on August 31, ~~2010~~ 2011. The City reserves the right to terminate the program at any time. The City Manager is authorized to establish additional rules and application forms for the implementation of this program.

6. ~~SECTION SIX.~~ This program shall apply city-wide to residential and nonresidential developments, except for properties in the Juniper Ridge real property contained in the Juniper Ridge Conceptual Master Plan adopted in 2008; properties that are subject to existing development or settlement agreements or properties for which applications for a building permit has already been submitted.

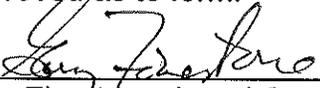
7. ~~SECTION SEVEN.~~ This resolution shall be effective August 31, ~~2009~~ 2010.

Adopted by the City Council the 4th day of August 2010.

YES: 7 NO: 0

Authenticated by the Mayor the 4th day of August 2010.

Approved as to form:

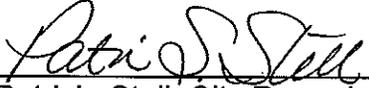


Gary Firestone, Legal Counsel



Kathie Eckman, Mayor

Attest:



Patricia Stell, City Recorder