

RESOLUTION NO. 2019-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF COLORADO CITY, ARIZONA, MODIFYING WATER DEVELOPMENT FEES IN COMPLIANCE WITH STATE LAW.

WHEREAS, Arizona’s enabling legislation for development fees, A.R.S. § 9-463.05 (“Development Fee Statute”), requires the Town to adopt an Infrastructure Improvement Plan (IIP) which includes land use assumptions (LUA) and a development impact fee report (collectively known as the “Development Fee Documents.”) The Development Fee Statute also requires a two-phase adoption process, whereby the IIP and LUA are reviewed, refined and adopted before the development fee report is addressed; and

WHEREAS, Colorado City’s culinary water system is jointly managed through an intergovernmental agreement with Hildale City, Utah, some of the terminology used to refer to the Development Fee Documents are interchangeable, including: the Impact Fee Facilities Plan (IFFP) is the Infrastructure Improvements Plan (IIP) and includes the Land Use Assumptions (LUA), and the development impact fee analysis is the development impact fee report or study.

WHEREAS, The Hildale-Colorado City Utility Department has conducted an updated analysis of the Water Service Fee Analysis and recommended that the water service impact fee be removed; and

WHEREAS, the Council at the November 11, 2018 meeting approved giving notice to the Court Monitor and the United States Department of Justice of the intent to modify the water development impact fee for the Town of Colorado City to zero dollars.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF COLORADO CITY, ARIZONA, as follows:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. The final water development impact fee report and analysis is hereby adopted in substantially the form and substance of Exhibit A, attached hereto and incorporated herein by reference.

Section 3. In accordance with the development fee report, water development impact fees are hereby set as follows:

¾” Meter Impact Fee	\$0.00
1” Meter Impact Fee	\$0.00
1-½” Meter Impact Fee	\$0.00
2” Meter Impact Fee	\$0.00

Section 4. The new water development impact fees, as set forth above, will become effective June 28, 2019. .

Section 5. The Mayor, the Town Manager, the Town Clerk, the Town Attorney and the Utility Department are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

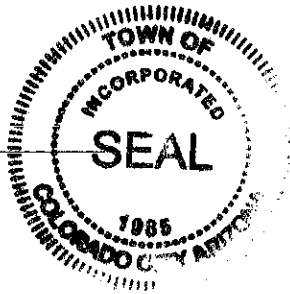
Section 6. This Resolution shall supersede all other resolutions establishing water development impact fees for the Town of Colorado City.

PASSED AND ADOPTED by the Mayor and Council of the Town of Colorado City, Arizona, this 28th day of May 2018.

Mayor Joseph Allred

ATTEST:

Cheryl P. [Signature]
Town Clerk



APPROVED AS TO FORM:

Mangum, Wall, Stoops & Warden, P.L.L.C.
Town Attorney