

## **RESOLUTION #17-2012**

### **A RESOLUTION EXTENDING THE TIME FOR USE OF WATER IMPACT FEES**

WHEREAS, Utah Code Annotated Section 11-36-302 provides that a local subdivision that collects impact fees must spend or encumber those impact for a permissible purpose within six years of the date of collection unless the local subdivision identifies, in writing an extraordinary and compelling reason why the fees should be held longer than six years and an absolute date by which the fees will be expended; and

WHEREAS, the City of Moab has collected water impact fees since 1999; and

WHEREAS, the purpose of said impact fees is to pay for costs associated with the planning, design, property acquisition, construction, and or other costs associated with increasing the City's water storage capacity; and

WHEREAS, recent studies modeling the City's water system have called into question previous assumptions about the location, size and need for additional city water tanks and other facilities that would increase the City's water storage capacity; and

WHEREAS, the City has set aside in the 2012-13 City Budget impact fee monies in order to pay for an update to the City's water and sewer impact fees; and

WHEREAS, the update to the City's impact fees will update priorities for projects for which using water impact fees is most appropriate; and

WHEREAS, further planning and design efforts will be needed to prepare a water capacity project for bidding and construction; and

WHEREAS, the City needs additional time to determine the best use of impact fee funds in order to properly design, plan for and locate water storage and other facilities; and

WHEREAS, the City desires to create consistency in the impact fee usage schedule to provide for the efficient allocation of impact fee funds and to reduce confusion;

NOW THEREFORE, WE THE GOVERNING BODY of the City of Moab do hereby extend the timeframe for the water impact fees that were collected during the fiscal year of 1999-2000 through the fiscal year 2007-2008, to the Revised Time Frame, as follows:

Fiscal Year of Original Collection	Original Time Frame to spend (6 years)	Previously Extended time frame to spend	Revised Time Frame to spend as of 11/13/2012 (additional 10 years from original time frame)
1999-2000	2006	2012	2016
2000-2001	2007	2013	2017
2001-2002	2008	2014	2018
2002-2003	2009	2015	2019
2003-2004	2010		2020
2004-2005	2011		2021
2005-2006	2012	2016	2022
2006-2007	2013	2017	2023
2007-2008	2014	2018	2024

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on November 13, 2012.

SIGNED:

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David L. Sakrison, Mayor

ATTEST:

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Rachel E. Stenta, Recorder