

TOWN OF MEAD, COLORADO
RESOLUTION NO. 11-R-2004

**A RESOLUTION OF THE TOWN OF MEAD COLORADO, REGARDING
THE EXPENDITURE OF IMPACT FEES TO DEFRAY CAPITAL COSTS
OF ACQUIRING, ESTABLISHING, UPGRADING, EXPANDING, AND
CONSTRUCTING PUBLIC FACILITIES THAT ARE NECESSARY TO
ACCOMMODATE DEVELOPMENT.**

WHEREAS, by Ordinance No. 377, the Board of Trustees of the Town of Mead established a system of development impact fees imposed to defray capital costs of acquiring, establishing, upgrading, expanding, and constructing public facilities necessary to accommodate development; and

WHEREAS, it is desired by the Board of Trustees to clarify the purposes for which certain impact enterprise funds may be spent, while retaining the guiding principle that development impact fees are to be spent only for the purchase of capital equipment and for the capital costs of acquiring, establishing, upgrading, expanding, and constructing public facilities necessary to accommodate development; and

WHEREAS, although Ordinance No. 377 and subsequent amendments, do not specify the purpose for which the "Open Space Impact Enterprise Fund" may be used, it is clear from the "legislative history" surrounding the development of the "*Town of Mead, System Development Fee, Task Force Recommendation*, September 1999" that the intended purpose was limited to the purchase of open space and conservation easements to act as buffers separating Mead from the Longmont/Del Camino and from the Berthoud/Johnstown areas; and

WHEREAS, it is determined by the Board of Trustees that the expenditure of Open Space Enterprise Fund money for the purchase of land for open space, or the acquisition of open space and/or conservation easements, or the construction of a system of pedestrian trails and ancillary facilities within such open space, without regard to the location of the open space, is appropriate and necessary for the preservation of the health, safety and welfare of all residents of the Town and as such advances a legitimate local government interest.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO; THAT;

Section 1. Funds in the Open Space Enterprise Fund may be expended for the purchase of land for open space, or the acquisition of open space and/or conservation easements, or the construction of a system of pedestrian trails and ancillary facilities within such open space and shall not be limited to creating buffers between Mead and its neighboring communities


Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

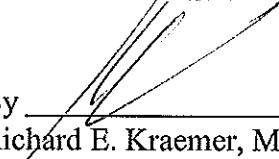
Section 4. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 29th **DAY OF** March, 2004.

ATTEST:

By 
Candace Bridgwater, Town Clerk

TOWN OF MEAD

By 
Richard E. Kraemer, Mayor