

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 52-R-2023**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, AUTHORIZING A
PARTIAL REFUND OF IMPACT FEES COLLECTED ON THE LIGHTHOUSE
STORAGE PROJECT**

WHEREAS, Article IV of Chapter 4 of the *Mead Municipal Code* (“MMC”) authorizes the imposition of development impact fees to finance the capital costs of acquiring, establishing, upgrading, expanding and constructing public facilities that are necessary to accommodate new development; and

WHEREAS, Sec. 4-6-90(d) of the MMC states as follows:

- (d) The Town Treasurer shall have custody of all fee accounts, and **shall pay out the same only upon written orders of the Board of Trustees** or in accordance with appropriations specifically authorized by the Board of Trustees

(emphasis added); and

WHEREAS, on or about January 5, 2023, Tom Ames (“Owner”) was issued a building permit for approximately 35,800 square feet of industrial (storage unit) development (22MEA-00151) (“Original Square Footage”); and

WHEREAS, Owner intends to develop approximately 18,000 square feet and the building permit and associated fees have been revised accordingly (“Revised Square Footage”); and

WHEREAS, the Town’s impact fees on industrial development (Municipal Facilities, Police and Storm Drainage and Streets) were calculated and collected based on the Original Square Footage; and

WHEREAS, Town Staff desires to process a partial refund of the development impact fees collected based on the difference between the development impact fees due and payable on the Revised Square Footage; and

WHEREAS, as set forth above, Sec. 4-6-90(d) of the MMC requires a written order of the Board of Trustees prior to the Town Treasurer being authorized to process the development impact fee refund; and

WHEREAS, the impact fee refund totals an estimated thirteen thousand two hundred fifty-five and 36/100 dollars (\$13,255.36) (the “Estimated Aggregate Refund”), estimated as follows by impact fee account; and

<u>Fee account</u>	<u>Refund amount</u>
Police Enterprise Fund	\$ 571.67
Storm Drainage & Streets Impact Ent. Fund	\$ 9,493.93
<u>Municipal Facilities Impact Ent. Fund</u>	<u>\$ 3,189.76</u>
Total:	\$13,255.36

WHEREAS, the Board of Trustees desires to approve the payment of the Estimated Aggregate Refund to Owner, as may be adjusted and finalized in accordance with Section 1 of this Resolution (“Final Aggregate Refund”) and further desires to delegate authority to the Town Treasurer to finalize and pay the same from the Town’s impact fee enterprise funds.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The Board of Trustees hereby: (a) approves the payment of the Final Aggregate Refund to Owner, consisting of partial refunds of the development impact fees for police, storm drainage and streets, and municipal facilities; (b) authorizes the Town Treasurer to finalize the amount of the Final Aggregate Refund, in consultation with the Town Building Official and Community Development staff in order to properly account for adjustments associated with the Revised Square Footage; and (c) authorizes Town Staff to make any and all other necessary adjustments to the Owner’s building permit fee and associated fees in order to properly account for fee calculation adjustments associated with the Revised Square Footage (including but not limited to the building permit fee, commercial electrical fee, and inspection fees).

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

Section 3. 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 31ST DAY OF JULY 2023.

ATTEST:

By: 

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 

Colleen G. Whitlow, Mayor