



**TOWN OF MILLIKEN
TOWN BOARD
MEMORANDUM**

To: Mayor Tokunaga and Members of the Board of Trustees	Meeting Date:
From: Seth Hyberger, Community Engagement Specialist/Planner	April 13, 2016
Agenda Title: Storm Water Utility Fee Resolution	
Attachments: Storm Water Utility Fee Resolution	

PURPOSE

To modify the Town Fee Schedule to establish and incorporate a fee for storm water drainage management.

BACKGROUND INFORMATION

The Storm Water Management and Facility Utility Enterprise was created in December of 2014 for the Town of Milliken. The Town created a Storm Water Management and Facility Utility Enterprise as a special condition of accepting its Energy and Mineral Impact Assistance Grant from the Colorado Department of Local Affairs in the amount of \$135,000. The grant funding was utilized to complete the Town's Stormwater Master Plan 2014. The Town's Stormwater Master Plan 2014 listed multiple projects for the Town totaling \$22,230,570. The September 2013 Flood Event severely impacted central Milliken and this made evident the deficiencies of the Town's Storm Drainage System. The flood impacts resulted in the necessity to update the Town's 1982 Stormwater Management Plan and establish a Storm Water Management and Facility Utility Enterprise to construct future storm water projects.

The storm water enterprise utility is set up to comply with the statutory and constitutional definitions of an enterprise as a government-owned business which has authority to issue its own revenue bonds and which receives less than 10% of its annual revenues in grants from all state and local governments in Colorado combined.

The next step in the process is the implementation of setting up the Stormwater Utility Fee. Jon Sorenson with ICON Engineering Inc. and Storm Group 1 put together a revised proposal to assist the Town with implementing the Stormwater Utility Fee. This proposal was presented to the Town Board on February 11, 2015. The Board requested the proposal to be simplified. There were two proposals presented and Lamp Rynearson & Associates was selected to complete a study for the Stormwater Utility Fee Implementation as well. The study consisted of 5 phases. These phases are Project Management, GIS Analysis, Rate Structure Options and Revenue Projections, Public Participation, and Billing Database. The results were presented at a meeting in September and after adjustments based on Town Board's direction, Lamp Rynearson & Associates presented the information at a public hearing on December 9, 2015.

The Town Board had some concerns regarding the costs to be set for industrial and commercial properties during a discussion session at a Town Board meeting on March 9, 2016. The Town Board requested staff to provide additional rate options based on what surrounding communities such as Evans and Longmont are charging for their storm water fee. The Town Board at a work session on March 30, 2016 reviewed

the various rate options provided by staff and decided to charge single family-residential a flat monthly fee of \$5.00 or \$60.00 per year. Commercial, industrial, and non-single family land parcels shall be charged a rate of \$5.00 per impervious area acre per month with a \$60.00 per year minimum. The impervious area for each parcel was calculated in a separate report created by Lamp & Rynearson, & Associates. This impervious area parcel report shall be updated once a year on an annual basis.

BUDGET IMPLICATIONS

This Fee Schedule will increase revenues to the Town to the extent residents apply for, and receive permits to utilize this service. These revenues shall also be used to address known drainage deficiencies and projects in Milliken and ensure funding is available for this critical public service.

STAFF RECOMMENDATION

Staff recommends setting the rate of the stormwater monthly fee at \$5.00 per impervious area acre for commercial, industrial, and non-single family parcels per month with a \$60.00 per year minimum. Impervious area calculations shall be updated once per year. The flat fee for single family residential shall be \$5.00 per month or \$60.00 per year.

Resolution No. 16-08

TOWN OF MILLIKEN

A RESOLUTION OF THE TOWN OF MILLIKEN ADOPTING STORM WATER UTILITY FEES FOR THE STORM WATER UTILITY ENTERPRISE AND AMENDING THE TOWN'S FEE SCHEDULE TO INCORPORATE THE SAME

WHEREAS, the Town Board of Trustees previously enacted Ordinance No. 704 to establish a storm water management and facility utility enterprise; and

WHEREAS, the storm water enterprise will have the ability to appropriate and disburse funds for the benefit of the Town of Milliken, its citizens and property owners to provide storm water facilities for drainage and to control flooding through proper management, retention and detention of surface waters; and

WHEREAS, the Board of Trustees also enacted Ordinance No. 727 to adopt requirements and regulations governing the storm water management and facility utility enterprise and to authorize the imposition of fees upon customers and properties in the Town to promote the protection of the public from damage from storm water runoff; and

WHEREAS, under the authority granted pursuant to Ordinance No.727, the Town desires to set rates for the storm water utility fees; and

WHEREAS, the fees adopted herein are based on engineering studies caused to be performed by the Town and are reasonably related to the overall cost of the storm water management program and services to benefit the residents of the Town; and

WHEREAS, by adoption of the fees set forth herein, the Town's Fee Schedule is amended to incorporate such fees.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO:

Section 1. The Board hereby adopts the following storm water utility fees on properties within the Town in accordance with and subject to the provisions of Article V, Storm Water Utility, Chapter 13 of the Municipal Code:

- a. All single family zoned parcels, lots or tracts shall be charged a flat monthly fee of Five Dollars (\$5.00) per month for an annual fee of Sixty Dollars (\$60.00).
- b. All commercial, industrial and non-single family residential parcels, lots or tracts within the Town not exempt under Section 13-5-50(d) of the Municipal Code shall be charged a monthly fee of Five Dollars (\$5.00) per impervious area acre in accordance with the study performed by Lamp Rynearson & Associates dated December 09, 2015, as such is updated and amended on an annual basis.

Section 2. The Board of Trustees hereby amends the Town's Fee Schedule to incorporate the storm water utility fees for residential, commercial and industrial properties as set forth herein and authorizes Town staff to make the appropriate changes to the Town's Fee Schedule.

Section 3. The storm water utility fees established in this Resolution shall be effective as of **July 1, 2016**, and may thereafter be amended from time to time by resolution of the Town Board of Trustees.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES this 13th day of April, 2016.

ATTEST:

TOWN:

Cheryl Powell, Town Clerk

Milt Tokunaga, Mayor