

RESOLUTION NO. 23-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO, ACTING BY AND THROUGH THE STORMWATER UTILITY ENTERPRISE,
ADOPTING STORMWATER MANAGEMENT FEES IN ACCORDANCE WITH SECTION
12-1-40 OF THE MUNICIPAL CODE**

WHEREAS, pursuant Section 10.3 of Article X of the City of Castle Pines Home Rule Charter, the City Council shall determine, by resolution, the amount of any new City-imposed fee or change in the amount of any existing City-imposed fee for any service rendered by the City (specifically excluding franchise fees), based on the direct and indirect costs of providing services; and

WHEREAS, the City Council has established, pursuant to adoption of Ordinance No. 22-12, a City Stormwater Utility Enterprise (“Stormwater Utility Enterprise”) to operate and maintain the citywide stormwater system (“Stormwater System”), and a Stormwater Utility Enterprise Fund (“Stormwater Utility Fund”) to create a special fund to account for the revenue and expenses associated with the stormwater system; and

WHEREAS, Ordinance No. 22-12 is codified in Chapter 12 of the Municipal Code, and provides in Section 12-1-40 that stormwater management fees will be set by resolution of the City Council and all fees collected shall be placed in the Stormwater Utility Fund; and

WHEREAS, the City Council, acting by and through the Stormwater Utility Enterprise, must adopt fees to support the operation and maintenance of and improvements to the Stormwater System; and

WHEREAS, in 2022, the City retained Wright Water Engineers (“Consultant”) to conduct an asset evaluation of the Stormwater System, and to assist City staff in determining the estimated annual costs for maintenance based on maintenance needs and necessary capital improvement projects; and

WHEREAS, based on the evaluation performed by the Consultant and City staff’s recommendation, the City Council, acting by and through the Stormwater Utility Enterprise, finds that it is in the best interest of the City and furthers the public health, safety, and welfare of the community, to establish stormwater management fees as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Castle Pines, Colorado, that:

Section 1. The City Council hereby (1) approves the establishment of annual stormwater management fees to be incorporated into the City’s fee schedule (as a Stormwater Utility Enterprise fee) based on the following formula:

- For each single-family attached or detached unit: \$105 per dwelling unit
- For each multifamily/commercial property: \$105 times the impervious area of the parcel divided by 4,000 square feet. (For example, the annual fee of a commercial property with an impervious area of 120,000 square feet will be \$3,150 ($\$105 \times 120,000 / 4,000$)).

Section 2. The annual stormwater management fees set forth in Section 1 shall be annually adjusted in accordance with the Denver-Aurora-Lakewood consumer price index (CPI).

Section 3. City staff is directed to implement, charge, and collect the stormwater management fees in a manner and method as determined by the City Manager.

Section 4. If any portion of this Resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions hereof.

Section 5. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 6 IN FAVOR, 0 AGAINST AND 1 ABSENT, THIS 14TH DAY OF MARCH, 2023.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (Mar 22, 2023 10:56 MDT)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

Linda C. Michow

Linda C. Michow, City Attorney