



October 25, 2007

Cottonwood Water & Sanitation District
2 Inverness Drive East
Suite 200
Englewood CO 80112
Attn: Laurie Tatlock

Dear Laurie Tatlock,

This letter is to inform you that the Town has performed review and study to determine the public facilities that are needed by the Town for stormwater management, as well as the manner in which the coordination, design, construction and maintenance of these facilities will be financed. Based on the review and study the Town Council of the Town of Parker has adopted Ordinance No, 8.22.1 (attached).

On January 1, 2008, the fee for each single-family dwelling will increase from five dollars (\$5.00) to five dollars and fifty cents (\$5.50) a month.

On January 1, 2009, the fee for each single-family dwelling will increase from five dollars and fifty cents (\$5.50) to six dollars (\$6.00) a month.

If you have any questions please call Wendy McDaniel at 303-805-3182.

Sincerely,

Mike Farina
Finance Director

ORDINANCE NO. 8.22.1, Series of 2007

TITLE: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE CONCERNING THE AMOUNT OF THE STORMWATER UTILITY FEE

WHEREAS, the Town Council of the Town of Parker adopted Ordinance No. 8.22, Series of 1999, to establish a stormwater utility fee to operate a stormwater management utility for the Town of Parker, based upon the Stormwater Management Study described therein (the "Town of Parker Stormwater Management Program");

WHEREAS, the Town Council established the amount of the stormwater utility fee to operate the stormwater management utility, which fee has not been increased or even adjusted based upon any consumer price index, since 1999;

WHEREAS, the Town of Parker continues to experience significant growth in residential and nonresidential use of real property in the Town, which continues to increase the impervious areas in the Town;

WHEREAS, based upon a sampling of single family residential lots located in each major subdivision of the Town, the average impervious area of single family residential lots in the Town has increased from 3738 square feet to 4000 square feet;

WHEREAS, the Town has undertaken additional reviews and studies to determine the public facilities that are needed by the Town for stormwater management, as well as the manner in which the coordination, design, construction and maintenance of these public facilities will be financed, as prepared by Muller Engineering Company on August 1, 2007 (the "2007 Town of Parker Stormwater Utility Assessment Report");

WHEREAS, based upon the 2007 Town of Parker Stormwater Utility Assessment Report, the Town has determined the amount of allowable stormwater utility fee and has further determined that all of the revenues generated to be set aside and utilized solely for the stormwater management utility described herein;

WHEREAS, the Town of Parker finds that the amount of the stormwater utility fee, as described herein, is reasonable, based upon the criteria and considerations contained in the 2007 Town of Parker Stormwater Utility Assessment Report; and

WHEREAS, the Town Council of the Town of Parker hereby adopts the 2007 Town of Parker Stormwater Utility Assessment Report and determines to adopt the stormwater utility fee, as described herein.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 4.08.070(a) of the Town of Parker Municipal Code, entitled "Stormwater Utility Fee Schedule," is hereby amended to read as follows:

4.08.070 Stormwater utility fee schedule.

(a) The stormwater utility fee shall be paid by the property owner as follows:

(1) The amount of the fee for each single-family dwelling shall be five dollars (\$5.00) a month.

i. On January 1, 2008, the fee for each single-family dwelling shall be five dollars and fifty cents (\$5.50) a month.

ii. On January 1, 2009, the fee for each single-family dwelling shall be six dollars (\$6.00) a month.

(2) The amount of the fee for each multi-family dwelling, apartment and nonresidential property (collectively referred to as "nonresidential property") shall be calculated as follows: $\text{Monthly fee} = \$5.00 \times (\text{the total impervious area of the property in square feet}) / (3738 \text{ square feet})$.

i. On January 1, 2008, the amount of the fee for nonresidential property shall be calculated as follows: $\text{Monthly fee} = \$5.50 \times (\text{the total impervious area of the property in square feet}) / (4000 \text{ square feet})$.

ii. On January 1, 2009, the amount of the fee for nonresidential property shall be calculated as follows: $\text{Monthly fee} = \$6.00 \times (\text{the total impervious area of the property in square feet}) / (4000 \text{ square feet})$.

Section 2. Chapter 4.08 of the Parker Municipal Code is hereby amended by the addition thereto of a new Section 4.08.130, which is to read as follows:

4.08.130 Annual fee adjustment.

In 2010 and every year thereafter, the fees described in this Chapter shall be recomputed by raising the fees in an amount equal to the percentage of change for the preceding year in the U.S. Bureau of Labor Statistics Consumer Price Index for the Denver-Boulder, All Items, All Consumers or its successor index. The Town Council may waive an annual increase for any particular year or years. This adjustment shall not be considered a fee increase, but a method of accounting to ensure that the value of the revenue collected pursuant to this Chapter is maintained.


Section 3. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to

the proper legislative object sought to be obtained. The Town Council further finds that the publication of an agenda that contains the title to this ordinance in a newspaper of local circulation prior to first and second reading of this ordinance creates a financial burden on the Town and that the title to this ordinance was posted in two public places two days before the Town Council meeting as provided by Section 7.5e. of the Town of Parker Home Rule Charter.


Section 4. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This Ordinance shall become effective ten (10) days after final publication.

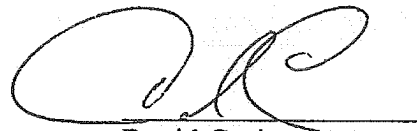
INTRODUCED AND PASSED ON FIRST READING this 1st day of October, 2007.


David Casiano, Mayor


ATTEST:


Carol Baumgartner, Town Clerk

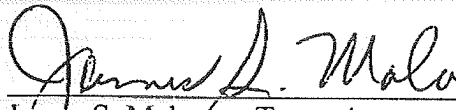
ADOPTED ON SECOND AND FINAL READING this 15th day of October, 2007.


David Casiano, Mayor

ATTEST:-


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney