

POLICY MANUAL

Date Adopted: October 11, 2006

Classification: LAND

Date Last Amended:

Subject: **Reimbursement for Dedication
of Land for Urban Storm Water
Management Basins**

Approved By:



Background:

When a developer or landowner has dedicated five acres or more of land to the District for an urban storm water management basin in exchange for drainage fee credit or reimbursement from future drainage fee revenue, it is in the interest of the District to assure the developer or landowner receives the benefit of such land dedication before expiration of the twenty-year reimbursement period identified in the Local Drainage Fee Ordinance.

I. Purpose:

The purpose of this Policy is to provide for a consistent, fair, and reasonable reimbursement to the developer or landowner in a timely manner while providing the District the benefit of obtaining land at the earliest point in time and at a much lower land cost.

II. Policy:

When a developer or landowner dedicates five-acres or more of land to the District for an urban storm water management basin and accepts an arrangement of partial or full reimbursement through either fee credit or reimbursement from future drainage

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fee revenue pursuant to the Local Drainage Fee Ordinance Code, the Board of Directors of the District shall consider a cash reimbursement to the developer or landowner through the District's PPDA Account and/or any remaining amount reimbursed through the District's General Fund when the following conditions have been met:

- The developer or landowner has waited in excess of fifteen-years for the reimbursement or use of the credits;
- The District has received a benefit by having the land in which to build or develop a basin upon; and
- There are funds available in the District's PPDA Account and/or in the District's General Fund Budget or the Board of Directors approves the use of budgeted reserves.

Prior to the reimbursement, the Board of Directors shall determine whether the reimbursement is appropriate and conforms to this Policy. The Board of Directors reserve the sole right and discretion to determine if and when a cash reimbursement is to be made in advance of credit or reimbursement pursuant to the Local Drainage Fee Ordinance Code and Acquisition Agreement.