

He further stated that over three years ago the City projected 200 new rooftops and was on the verge of its first real substantial growth in many years and that to prepare for this anticipated growth, the Community Development and the Planning and Zoning Commission created a Master Development Code that was adopted by Council and also held a Planning Charrette for the San Jose District. He requests that Council consider adoption of the Impact Fees.

Mr. Charley said that funds had been budgeted and PMC Consultants was selected to produce the fee study. As a result, two events occurred that made a significant impact: 1) A major recession decimated the housing market; 2) The State of Arizona placed a moratorium on the adoption of new impact fees. Mr. Charley explained that this was still very relevant as a planning tool. If the State continued to grow, Bisbee may also experience some of the growth and there would be a plan in place so that new growth would pay its fair share.

Donna Snider then gave a short presentation of the Administrative Draft outlining the infrastructure required to serve the City of Bisbee and its future growth.

Mayor Porter thanked Ms. Snider for the presentation and asked when the moratorium would be lifted. City Attorney Langlitz advised that the State imposed a two-year moratorium, effective June 30, 2009 to June 30, 2011.

Mayor Porter then asked if the moratorium was on the collection of fees or the imposition of new fees. Mr. Langlitz replied that the moratorium applied to the adoption of new fees and the increase in existing fees. Mayor Porter also asked if it was possible to adopt impact fees and have these fees lay in abatement until the moratorium was lifted. Mr. Langlitz said this was possible, but that it might be feasible to wait until it is known what legislature would do because the City might have to redo the process all over again.

Mr. Charley asked for direction regarding how to proceed with this action. Mayor Porter felt all the City could do was wait until the moratorium was lifted or the rules were rewritten.

Councilmember Budge commented that he would like community input and believed that the City could move forward. He also recommended more discussion on how to proceed.

Mayor Porter suggested that the first step would be to adopt a notice of intent and make available a written report for infrastructure improvements.

Councilmember Giacomino agreed with the conception to set the fees and move forward with the project. She explained that if changes were needed, an amendment would cover that and it would not take as long the second time, but then if there was no change the City was good to go.

Mr. Langlitz said that the City could pursue to adopt the Infrastructure Improvements Plan and that the IIP could be based on the City's CIP.

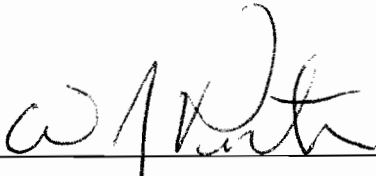
Mr. Charley asked who would monitor the expenditures of the money and if it would be a "pick and choose" to which development would be first. Ms. Snider said the City would need to set the prioritization and that the annual reporting requirement was set in the statutes. Mr. Langlitz also explained the process for the development fee funds and said that it needed to be kept in a separate fund and could only be used for the purpose of the development fee assessed. He further explained that legislature imposed an amendment for a city to come up with a specific project and an anticipated date for the project. He clarified that this would be very difficult for Bisbee because the City is not in the middle of a development boom and has no projects.

Mayor thanked Ms. Snider for coming to Bisbee and for her presentation.

MOTION: Councilmember Budge moved to adjourn.

SECOND: Councilmember Giacomino. MOTION PASSED: UNANIMOUSLY

Adjourned: 6:47 p.m.



W.J. Porter, Mayor

ATTEST/CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of the City of Bisbee, Arizona, held on the 23rd day of February 2010. I further certify that the meeting was duly called and held and that a quorum was present. Dated: March 16, 2010

Gloria P. Gonzalez
City Clerk (Interim)