

1 RESOLUTION R-2025-

2 A RESOLUTION OF THE LONGMONT CITY COUNCIL ESTABLISHING THE CASH IN
3 LIEU OF WATER RIGHTS TRANSFER FEE

4
5 WHEREAS, annexations and other development activity in the City of Longmont are
6 required to meet the City's raw water requirements to promote a safe and reliable water supply for
7 present and future users; and

8 WHEREAS, the City of Longmont has a Raw Water Requirement Policy that requires
9 owners of land that is annexed and subsequently developed in the City to dedicate all historical
10 water rights associated with that property. If historical water rights dedication does not result in a
11 dedication to the city of at least three acre-feet of water per acre of land, then the applicant must
12 dedicate additional water to meet that requirement. Owners of properties with historical water
13 rights insufficient to meet this requirement may transfer selected nonhistorical water rights and/or
14 pay cash in lieu of the water rights transfer. This is known as the Cash-in-Lieu of Water Rights
15 program (CIL); and

16 WHEREAS, the Raw Water Requirement Policy specifies that the City's fee for cash in
17 lieu of water rights transfers will be based on the current cost of new water supply projects
18 identified in the city's raw water master plan, the current market value associated with the purchase
19 of units of Colorado-Big Thompson water, and the current market value of nonhistorical native
20 basin water rights identified in the Longmont Municipal Code; and

21 WHEREAS, Water Board and staff are recommending that City Council consider revising
22 Longmont's CIL for 2025 to reflect current water supply project costs and set a future date certain
23 for implementation of this fee adjustment; and

1 WHEREAS, the Raw Water Requirement Policy specifies that the fee for cash in lieu of
2 water rights transfers will be reviewed at least quarterly by the Water Board, and that the Board's
3 recommendation will be forwarded to City Council; and

4 WHEREAS, to facilitate a more streamlined approach and provide certainty to both the
5 City and the development community, Water Board is recommending that any new CIL change be
6 recommended to City Council annually and, pending approval, implemented at the start of each
7 calendar year; and

8 WHEREAS, the current CIL fee is \$48,500.00 per acre-foot. Water Board is
9 recommending an increase of the fee to \$59,625 per acre foot.

10 NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO
11 RESOLVES:

12 Section 1

13 The Fee for Cash in Lieu of Water Rights Transfers shall be set at \$59,625 per acre foot,
14 which shall go into effect on May 1, 2025.

15 Section 2

16 Any new CIL fee change shall be recommended by Water Board to City Council annually
17 and, pending approval, implemented at the start of each calendar year.

18 Section 3

19 The Council repeals all resolutions or parts of resolutions in conflict with this resolution,
20 but only to the extent of such inconsistency.

21 Passed and adopted this _____ day of _____, 2025.

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MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY

DATE

PROOFREAD

DATE

APPROVED AS TO FORM AND SUBSTANCE:

ORIGINATING DEPARTMENT

DATE

CA File: 25-003301