

Growth Management Impact Fees Administration

On or before April 1 of each year, the District will submit to King County an update of the District's board-adopted Capital Facilities Plan.

On or before April 1 of each year, the District will send to King County an annual report showing the system improvements that were financed in whole or in part by impact fees and the amount of funds expended consistent with the requirements of RCW 82.02.070 and Section 7 of King County Ordinance No. 10162.

The District may issue a warrant or warrants for impact fees collected prior to submitting a request for transfer into the District Capital Projects Fund or Debt Service Fund, or the District may issue a warrant or warrants for the fund within five (5) days after the funds have been transferred from the County Agency Fund to the District Capital Projects Fund or Debt Service Fund.

The District may request that King County transfer funds on a date certain, and the District will make such a request at least five (5) days prior to the date certain.

The District will refund impact fees and interest earned on impact fees which have been disbursed to the District Capital Projects Fund or Debt Service Fund when a refund is required under applicable law, including but not limited to:

1. when the proposed development activity does not proceed and no impact to the District has resulted, unless the District determines that it has expended or encumbered the fees in good faith prior to the application for a refund; or
2. when the impact fees or interest earned on impact fees are not expended or encumbered within the time limits established by law and the County Council has not identified in written findings the extraordinary or compelling reasons for permitting such fees to be held longer than six years; or
3. when the school impact fee program is terminated.

The District will retain the impact fees collected for the District and held in the County Agency Fund for thirty (30) days prior to expending such fees. The thirty-day delay serves as evidence that the District has expended or encumbered the fees in good faith pursuant to Section 19(H) of Ordinance No. 10162, based on the District's belief that the residential development would go forward. For example, for an expenditure on May 1st, the District will expend such fees which were collected and held in the County Agency Fund as of April 1st of the same year.

The District will maintain all accounts and records necessary to ensure proper accounting for all impact fee funds and to ensure compliance with the Growth Management Act, King County Ordinance No. 10162, Ordinance No. 9785, and the Interlocal Agreements entered into between the District and King County, all as may be amended from time to time.

Reviewed: November 7, 2013