



Legislation Text

File #: 19-0204, **Version:** 1

Consider and take action on an ordinance amending Ordinance No. 2013-20 approving updated Land Use Assumptions and Capital Improvements Plan for Water and Wastewater Facilities; and amending capital recovery fee pursuant to Texas Local Government Code Chapter 395 (Director of Engineering)

Staff requests first and final reading.

Under Chapter 395 of the Texas Local Government Code ("Chapter 395"), the City is allowed to set Capital Recovery Fees (CRFs) at any level up to the maximum as determined in the "Water and Wastewater CRF Update" Study (attached as Exhibit A) as prepared by the City's consultant team of Ardurra Group, Freese and Nichols, and NewGen Strategies & Solutions

As discussed with the recent Roadway CRFs, Chapter 395 requires that the land use assumptions and capital improvements plan for which CRFs are imposed shall be reviewed, evaluated, and updated every five years. The last study was conducted in 2012/2013 and approved by City Council under Ordinance 2013-20 in February 2013. The work noted below and presented in the proposed ordinance brings the City into compliance with this State law:

- Land Use Assumptions: The City's current land use assumptions were adopted under Ordinance 2017-33 in December 2017.
- Master Water and Master Wastewater Capital Improvements Plan Update were adopted under Ordinance 2018-44 in November 2018.
- The Water and Wastewater Capital Recovery Fee Capital Improvements Advisory Committee (CIAC), working with City Staff and the City's consultants has received a study report documenting methodological approach, development of land use assumptions and Water and Wastewater capital improvements plan, associated cost per service unit calculations based on needs necessitated by future 10-year growth, and a land use equivalency table for the derivation of Water and Wastewater Capital Recovery Fees for specific land uses in League City. Based on the study, the CIAC has approved a motion for the consideration of Water and Wastewater Capital Recovery Fee Update by the League City City Council. The CIAC has recommended a fee per service unit as outlined in the attached update.

Attached is a table illustrating the difference between the City's current rates and the rates now being proposed through the CIAC. Figure 4-1 from the attached study has been pulled out as a separate attachment to this agenda item. This attachment shows how League City compares on single family homes (1 EDU) with rates charged by other cities.

Staff recommends approval of the proposed Water and Wastewater Capital Recovery Fees as presented and would further recommend the following for implementation of said fees:

- Developments that have submitted a Preliminary Plat prior to May 1, 2019, have submitted infrastructure improvement plans by June 1, 2019 and the infrastructure plans have been accepted by Staff before October 1, 2019, shall be required to pay the Water and Wastewater Capital Recovery Fees as currently imposed.
- Developments that submit a Preliminary Plat after May 1, 2019, fail to submit infrastructure improvement plans prior to June 1, 2019, or do not have said infrastructure plans accepted by October 1, 2019, will be assessed Water and Wastewater Capital Recovery Fees based on the updated study.
- Similar to existing Water and Wastewater Capital Recovery Fees, the updated fees would continue be assessed at the time of platting but paid at the time the Building Permits are issued.

Attachments:

1. Data Sheet
2. Proposed Ordinance
3. Exhibit A - Water and Wastewater CRF Update Study
4. Exhibit B - CIAC Committee Recommendation Letter
5. Current vs. Proposed CRF Comparison Table
6. Figure 4-1: Comparison of Water and Wastewater CRF per Service Unit (EDU)

FUNDING

{ } Funds are available from Account #_____

{ } Requires Budget Amendment to transfer from Account #_____ to Account #_____

{X} NOT APPLICABLE

STRATEGIC PLANNING

{X} Addresses Strategic Planning Critical Success Factor #1 and Initiative #1, Action Item H

{ } NOT APPLICABLE