

ORDINANCE NO 2023-

AN ORDINANCE AUTHORIZING UPDATED LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR WATER AND WASTEWATER FACILITIES, AND AMENDING IMPACT FEES PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE SECTION 395.052; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of League City, Texas (“City”) first adopted Impact Fees for new development in 1983 pursuant to Ordinance No. 83-41 in accordance with applicable law; and

WHEREAS, the City subsequently addressed the Impact Fees for Water and Wastewater facilities via Ordinances 85-51, 89-33, 94-41, 99-81, 2006-72, 2013-20, 2019-13; and

WHEREAS, Section 395.052 of the Texas Local Government Code requires that the land use assumptions and capital improvement plan for which an impact fee is imposed shall be reviewed, evaluated, and updated at least every five years; and

WHEREAS, on March 23, 2021, pursuant to sec. 395.058 of the Statute, the City appointed the Capital Improvement Advisory Committee, which is composed of the Planning and Zoning Commission to assist in updating land use assumptions and reviewing the capital improvements plan; and

WHEREAS, on August 9, 2022, City Council approved a consulting contract with Freese and Nichols, Inc., to perform an impact fee study for Water and Wastewater facilities and to develop the LUA and CIP Report; and

WHEREAS, after notice of a public hearing was given as required by the Statute, the City Council held a public hearing on March 23, 2023 to hear comments on the updated land use assumptions, capital improvements plan and updated impact fees; and

WHEREAS, the Capital Improvement Advisory Committee of the City of League City filed its written comments on the proposed impact fees before the fifth business day of the date of said public hearing; and

WHEREAS, the City Council finds that the City has fully complied with the Statute adopting and imposing the impact fees in this ordinance; and

WHEREAS, the City Council finds it to be in the best interest of the citizens of the City of League City to adopt and approve updated land use assumptions, capital improvements plan and impact fees for water and wastewater facilities,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. The City authorizes and approves the updated land use assumptions and updated capital improvement plan, attached and incorporated as **Exhibit A**, and approves the updated impact fees attached as incorporated as **Exhibit B**.

Section 3. All ordinances or parts of ordinances in force when the provisions of this ordinance become effective which are inconsistent or in conflict with the terms of provisions contained in the amended schedule of rates hereby enacted by this ordinance, are hereby repealed to the extent of any such conflict. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City

Section 4. If any section, subsection, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstances held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of League City, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

Section 5. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law. The Ordinance shall become effective immediately upon passage. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance.

PASSED on first reading the ___ day of _____, 2023.

PASSED on second reading the _____ day of _____, 2023.

PASSED AND ADOPTED on the _____ day of _____, 2023.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney