

ORDINANCE NO. _____

AN ORDINANCE APPROVING AMENDED IMPACT FEES AND AMENDING CHAPTER 152, IMPLEMENTATION OF IMPACT FEE, OF THE CODE OF ORDINANCES FOR THE CITY OF PFLUGERVILLE, TEXAS TO UPDATE THE IMPACT FEES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 395, SUBCHAPTER C; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, under the authority of *Tex. Loc. Gov't Code* Chapter 395, Subchapter C, Section 395.052, the City of Pflugerville is required to update the land use assumptions and capital improvements plan at least every five years; and

WHEREAS, pursuant to Section 395.053, the City, within 60 days after the date it received the update of the land use assumptions and the capital improvements plan, adopted an order setting a public hearing to review the update and determine whether to amend the plan; and

WHEREAS, in conformance with Sections 395.054, the City made available to the public the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit; and

WHEREAS, under Section 395.056, the Capital Improvements Advisory Committee filed its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing; and.

WHEREAS, the City's Capital Improvements Advisory Commission and Planning and Zoning Commission have recommended approval and adoption of the proposed amended impact fees to the City Council; and

WHEREAS, the City has complied with all other conditions necessary to take this action and has properly noticed and conducted all public hearings and public meetings pursuant to *Tex. Loc. Gov't Code* Chapter 395, Subchapter C and the *Texas Government Code*, as applicable.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1: Findings

The findings contained in the preamble of this Ordinance are hereby declared to be true and correct and are adopted as part of this Ordinance.

Section 2. Amended Impact Fees

The City Council hereby approves, having complied with all requirements set forth above, the proposed amendments to the impact fees as shown on the attached Exhibit "1".

Section 3. Code Amendments

The City of Pflugerville, Texas Code of Ordinances, Chapter 152 Implementation of Impact Fee, Sections 152.02, 152.04, 152.15, 152.18, 152.19 and 152.22 and Exhibits A and B are hereby amended to read as shown on Exhibit "1".

Section 4: Severability

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 5: Repealer

This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 6. Effective Date

This Ordinance will take effect on March 10, 2020 after its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2020.

CITY OF PFLUGERVILLE, TEXAS

by:

Victor Gonzales, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

Charles Zech, City Attorney
DENTON, NAVARRO, ROCHA, BERNAL & ZECH P.C.

EXHIBIT 1

Adding language (underlined) and deleting language (strikethrough) as follows:

§ 152.02 DEFINITIONS.

- (A) For the purpose of this chapter, the following definitions will apply unless the context clearly indicates or requires a different meaning.

* * *

SERVICE AREA. The land area served by capital improvements plan projects. This includes the entire area inside the city limits and other areas surrounding the city limits, as shown on Exhibit A, attached to Ordinance No. ~~1179-14-06-1~~. _____.

* * *

§ 152.04 ADMINISTRATIVE PROVISIONS.

- (A) Capital Improvements Plan. The capital improvements plan identifying capital improvements or facility expansions for which impact fees may be assessed, that was considered at the March 10, 2025, 2014, public hearing and is attached as Exhibit B to Ordinance ~~1179-14-06-10~~ _____, is approved and adopted.

* * *

§ 152.15 TIME OF ASSESSMENT AND COLLECTION OF IMPACT FEE.

- (A) For new development that was platted before the adoption of Ordinance No. ~~1179-14-06-10~~ _____, the city will assess and collect the impact fee in effect at the time the building permit is issued or the application is made for an individual connection to the municipal water or wastewater system.

* * *

§ 152.18 CALCULATION.

- (B) The number of service units is determined at the time of:
- (1) Assessment, by reference to the capital improvements plan attached as Exhibit B to Ordinance ~~1179-14-06-10~~ _____.
 - (2) Collection, in accordance with the meter size required and the following table:

Meter Size	Service Units
Apartment unit	0.5

5/8 inch	4
3/4 inch	1.5
1 inch	2.5
1 1/2 inches	5
2 inches	8
2 inches turbine meter	10
3 inches	16
3 inches turbine meter	24
4 inches compound meter	25
4 inches turbine meter	42
6 inches compound meter	50
6 inches turbine meter	92
8 inches compound meter	80
8 inches turbine meter	160
10 inches compound meter	115
10 inches turbine meter	250
12 inches turbine meter	330
<u>Meter Size</u>	<u>Service Unit Equivalent</u>
<u>5/8" Displacement</u>	<u>1.0</u>
<u>3/4" Displacement</u>	<u>1.7</u>
<u>1" Displacement</u>	<u>2.7</u>
<u>1 1/2" Displacement</u>	<u>3.3</u>
<u>2" Displacement</u>	<u>6.7</u>
<u>3" Compound</u>	<u>21.3</u>
<u>4" Compound</u>	<u>33.3</u>
<u>4" Combination</u>	<u>46.7</u>
<u>6" Compound</u>	<u>66.7</u>
<u>6" Combination</u>	<u>106.7</u>
<u>8" Combination</u>	<u>186.7</u>

* * *

§ 152.19 IMPACT FEE AMOUNT.

- (A) The amount of the impact fee for water and wastewater facilities are applied based on Service Area. (Exhibit A Ordinance No.1179-14-06-10 _____)
- (B) Effective March 10, 2020 ~~July 1, 2014~~, the impact fee for each service unit is:

Basin	Water Impact Fee	Wastewater Impact Fee	Total
Central	\$4,241.00	\$2,725.00	\$6,966.00
Cottonwood	N/A	\$3,537.00	\$3,537.00
Area	Water Impact Fee	Wastewater Impact Fee	Total
Service Area 1	\$7,897.00	\$1,898.00	\$9,796.00
Service Area 2	\$7,897.00	\$8,184.00	\$16,082.00

* * *

§ 152.22 CREDITS AND REIMBURSEMENTS.

(A) Where, in order to serve new development, the Developer is required to construct, contribute, contribute to, or dedicate, a capital improvement or facility expansion identified in the capital improvements plan (Exhibit B to Ordinance ~~1179-14-06-10~~ _____) the developer may enter into an agreement with the city whereby the developer is:

- (1) Credited for the capital improvement or facility expansion against the impact fee otherwise due from the new development; or
- (2) Reimbursed for all or a portion of the costs of the capital improvement or facility expansion from impact fees as received from other new developments that use the capital improvement or facility expansion.

EXHIBIT A - WATER SERVICE AREA

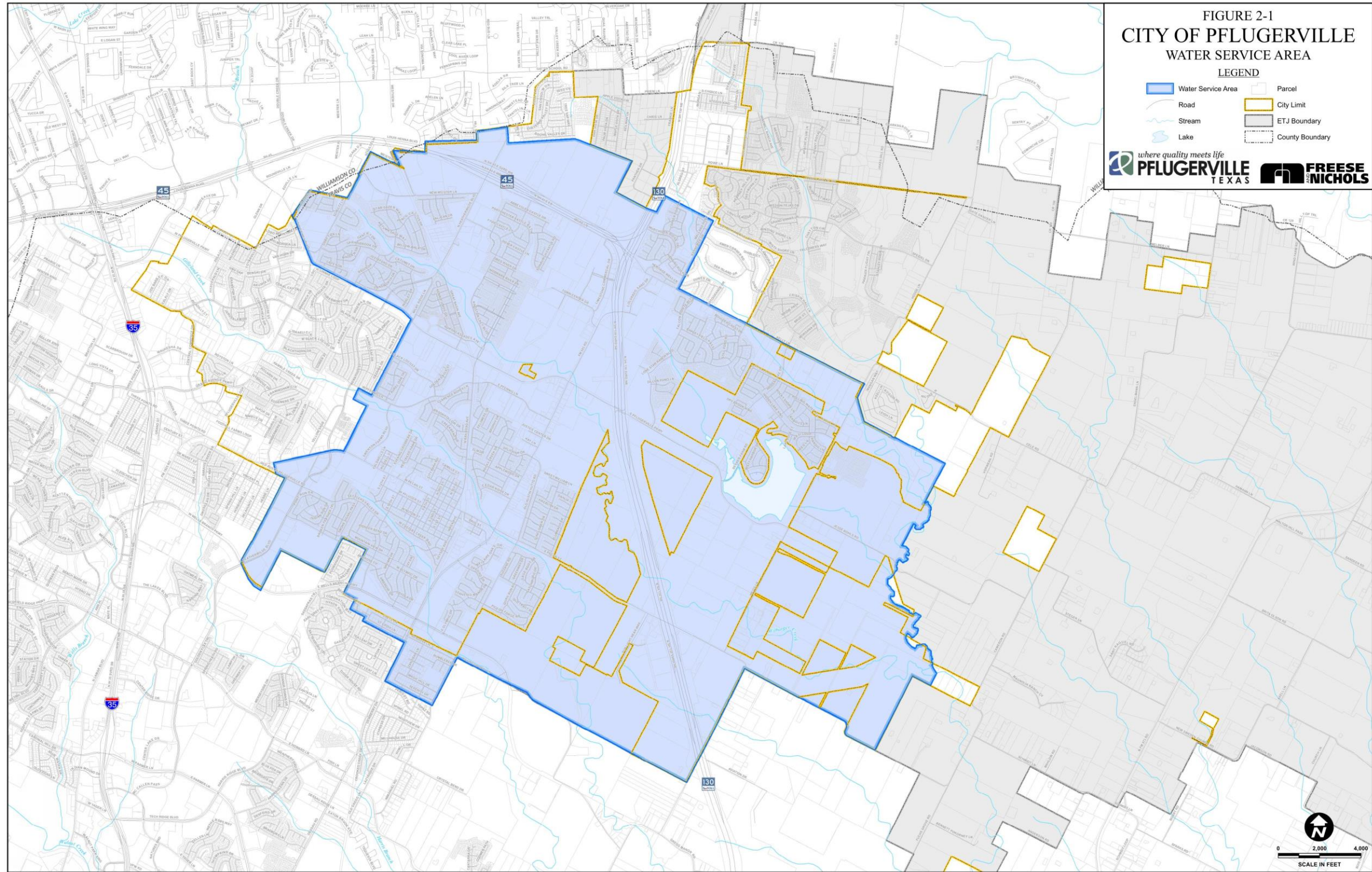


EXHIBIT A - WASTEWATER SERVICE AREAS

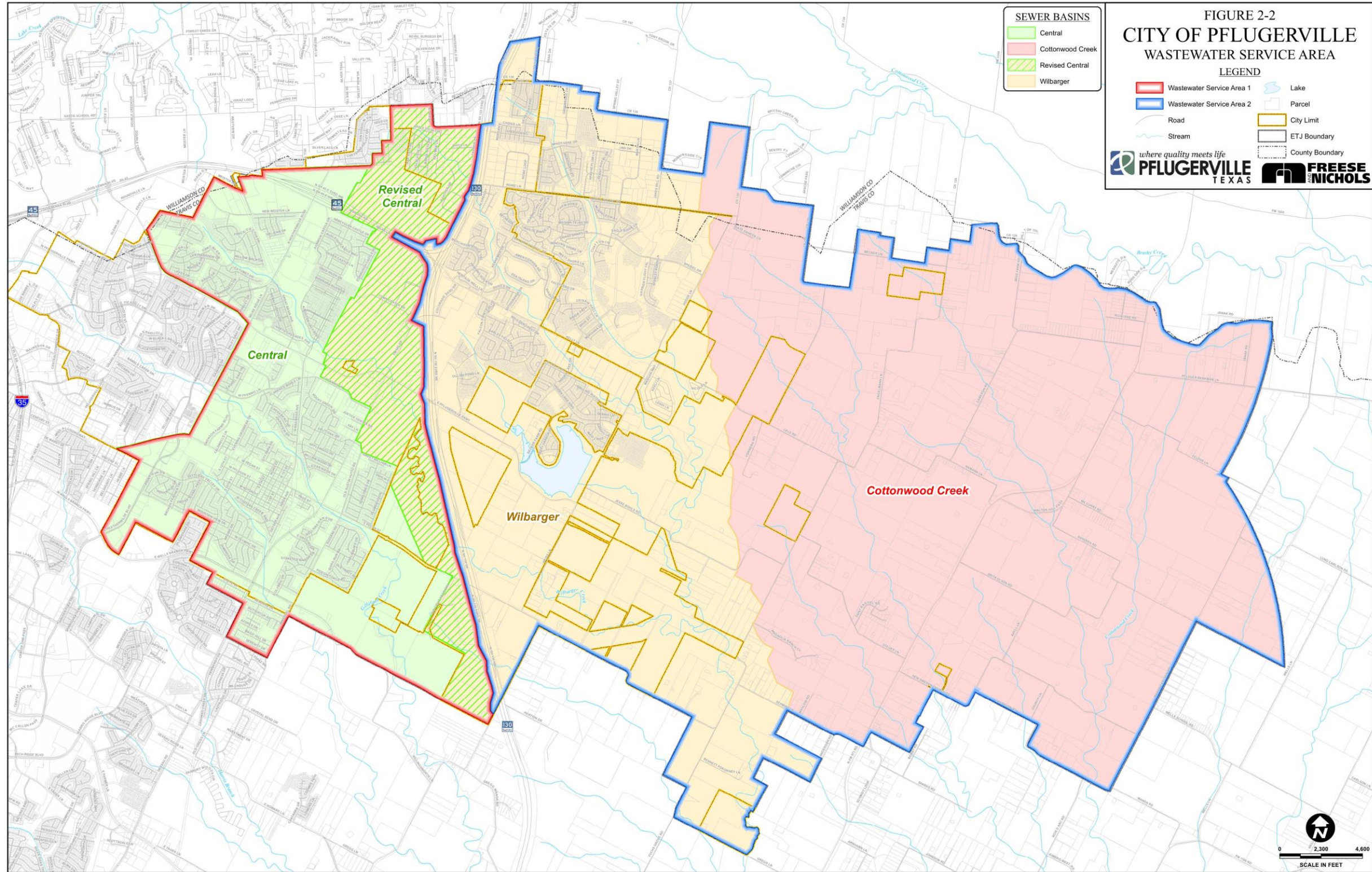


Exhibit B: Water Capital Improvement Projects

Proj. No.	Description of Project	Percent Utilization			Costs Based on 2019 Dollars	
		2019 ⁽¹⁾	2029	2019-2029	Capital Cost	Impact Fee Eligible Cost
EXISTING ELIGIBLE						
A	16-inch SH 45 Water Line Extension	0%	45%	45%	\$854,395	\$384,478
B	1.5-MG Heatherwilde Elevated Storage Tank	60%	100%	40%	\$6,390,257	\$2,556,103
C	9.2-MGD Pfennig Pump Station	70%	100%	30%	\$3,200,000	\$960,000
D	Impact Fee Study	0%	100%	100%	\$54,943	\$54,943
PROPOSED ELIGIBLE						
1	2.5-MG North Elevated Storage Tank	40%	100%	60%	\$9,170,700	\$5,502,420
2	6.0-MGD 800' PZ Pump Station	10%	80%	70%	\$7,897,100	\$5,527,970
3	2.0-MG 800' PZ Elevated Storage Tank	10%	45%	35%	\$7,993,500	\$2,797,725
4	30/24/20/16-inch Water Lines to Convert East PZ to 800' PZ	10%	65%	55%	\$2,931,900	\$1,612,545
5	16/12-inch Water Lines in New 800' PZ	5%	50%	45%	\$6,854,300	\$3,084,435
6	42/36-inch Weiss Lane/Pecan Street Water Lines	20%	80%	60%	\$10,531,300	\$6,318,780
7	36/30-inch Weiss Lane/Kelly Lane Water Lines	20%	70%	50%	\$9,377,400	\$4,688,700
8	Water Treatment Plant Expansion to 20.5 MGD	0%	100%	100%	\$23,000,000	\$23,000,000
9	WTP, HSPS, and Lake PS Expansion to 30.0 MGD	0%	100%	100%	\$38,810,200	\$38,810,200
10	20-inch State Highway 130 Water Line	10%	100%	90%	\$2,196,700	\$1,977,030
11	30/24-inch State Highway 130 Water Lines	10%	90%	80%	\$5,846,500	\$4,677,200
12	24/20-inch State Highway 45 Water Lines	0%	50%	50%	\$2,453,900	\$1,226,950
13	16-inch Colorado Sand Drive Looping	10%	95%	85%	\$1,001,500	\$851,275
14	16/12-inch Looping Improvements in Central PZ	20%	60%	40%	\$7,012,700	\$2,805,080
15	30/24-inch State Highway 45 Pump Station Suction Line	0%	65%	65%	\$2,172,100	\$1,411,865
16	30/24-inch State Highway 45 Pump Station Discharge Line	0%	65%	65%	\$3,432,900	\$2,231,385
17	5.0-MGD State Highway 45 Pump Station & 3.5-MG GST	0%	65%	65%	\$12,005,100	\$7,803,315
18	2.0-MG South EST, West/960' PZ Connection, and 3.5-MG Pfennig GST	0%	30%	30%	\$11,474,100	\$3,442,230
19	36-inch Weiss Lane/State Highway 130 Water Line	0%	70%	70%	\$4,801,900	\$3,361,330
20	24-inch East State Highway 130 Water Line	10%	100%	90%	\$4,987,300	\$4,488,570
21	20/16-inch Water Lines East of State Highway 130	0%	100%	100%	\$2,870,200	\$2,870,200
22	16/12-inch Water Lines West of State Highway 130	10%	100%	90%	\$3,270,900	\$2,943,810
23	WTP and Lake PS Exp. to 45.0 MGD, River PS Exp. to 20.0 MGD	0%	20%	20%	\$56,943,300	\$11,388,660
24	Central PZ Pump Station Expansion to 39.0 MGD	0%	80%	80%	\$10,879,200	\$8,703,360
25	12-inch Water Line South of State Highway 45	10%	90%	80%	\$1,720,000	\$1,376,000
TOTAL					\$260,134,295	\$156,856,559

⁽¹⁾ Utilization in 2019 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.

Exhibit B: Wastewater Service Area 1 Capital Improvement Projects

Proj. No.	Description of Project	Percent Utilization			Costs Based on 2019 Dollars	
		2019 ⁽¹⁾	2029	2019-2029	Capital Cost	Impact Fee Eligible Cost
EXISTING ELIGIBLE						
A	42/36/33-inch SH 130 Interceptor	30%	60%	30%	\$16,306,800	\$4,892,040
B	Central Wastewater Treatment Plant Phase 1 Expansion	80%	100%	20%	\$44,000,000	\$8,800,000
C	Central Wastewater Treatment Plant Phase 2 Expansion	0%	60%	60%	\$18,560,000	\$11,136,000
D	24/15-inch SH 45 Interceptors	0%	60%	60%	\$2,229,300	\$1,337,580
E	Impact Fee Study	0%	100%	100%	\$32,496	\$32,496
PROPOSED ELIGIBLE						
1C	30/24-inch Highland Park Interceptor	50%	75%	25%	\$2,101,600	\$525,400
2C	15-inch Gilleland Creek Interceptor	75%	95%	20%	\$1,036,300	\$207,260
3C	21/12-inch North Central Basin Interceptors	40%	70%	30%	\$2,839,500	\$851,850
4C	8-inch Bohls Place Interceptor	70%	100%	30%	\$958,800	\$287,640
5C	Club Lift Station Expansion	45%	55%	10%	\$4,059,000	\$405,900
6C	30/24-inch South Central Basin Interceptor	60%	80%	20%	\$11,070,900	\$2,214,180
TOTAL					\$103,194,696	\$30,690,346

⁽¹⁾ Utilization in 2019 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.

Exhibit B: Wastewater Service Area 2 Capital Improvement Projects

Proj. No.	Description of Project	Percent Utilization			Costs Based on 2019 Dollars	
		2019 ⁽¹⁾	2029	2019-2029	Capital Cost	Impact Fee Eligible Cost
EXISTING ELIGIBLE						
F	Carmel Lift Station and Force Main	5%	100%	95%	\$3,853,330	\$3,660,664
G	36/24/21/18-inch Wilbarger Interceptors	10%	75%	65%	\$4,188,786	\$2,722,711
H	Vine Creek Lift Station and Force Main	0%	90%	90%	\$1,812,459	\$1,631,213
I	New Sweden Lift Station and Force Main	0%	75%	75%	\$4,094,480	\$3,070,860
J	Impact Fee Study	0%	100%	100%	\$32,496	\$32,496
PROPOSED ELIGIBLE						
1W	Weiss Lane Lift Station Pump Upgrades	90%	100%	10%	\$400,000	\$40,000
2W	Carmel Lift Station Pump Upgrades	90%	100%	10%	\$350,000	\$35,000
3W	Weiss Lane LS and Carmel LS Operational Improvements	90%	100%	10%	\$1,840,000	\$184,000
4W	Sorento Interceptor Phase 2	70%	90%	20%	\$4,892,000	\$978,400
5W	Renewable Energy Park Force Main Extension	90%	100%	10%	\$506,000	\$50,600
6W	54-inch Wilbarger Creek Interceptor	30%	70%	40%	\$25,007,300	\$10,002,920
7W	8.0 MGD Wilbarger Wastewater Treatment Plant	0%	65%	65%	\$115,440,000	\$75,036,000
8W	24-inch West Wilbarger Creek Interceptor	0%	45%	45%	\$7,326,400	\$3,296,880
9W	24-inch East Wilbarger Creek Interceptor	0%	45%	45%	\$2,353,200	\$1,058,940
TOTAL					\$172,096,451	\$101,800,684

⁽¹⁾ Utilization in 2019 on proposed projects indicates a portion of the project that will be used to address deficiencies within the existing system, and therefore are not eligible for impact fee cost recovery for future growth.

END