

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING THE CONSTRUCTION (PUBLIC INFRASTRUCTURE) PLAN AND BUILDING PLAN REVIEW NEW COMMERCIAL FEES LISTED IN THE PFLUGERVILLE FEE SCHEDULE ADOPTED BY ORDINANCE NO. 1559-22-09-13, TO ADDRESS REQUIRED LEGISLATIVE ADJUSTMENTS TO VALUE BASED FEES PER HOUSE BILL 3492

WHEREAS, the Pflugerville Fee Schedule was adopted by Ordinance No. 1559-22-09-13 and included the ability to adopt modifications to the Fee Schedule by resolution rather than by ordinance; and

WHEREAS, the Texas legislature approved House Bill 3492 which becomes effective September 1, 2023 and precludes a municipality from considering the cost of constructing or improving the public infrastructure for a subdivision, lot, or related property development in determining the amount of a fee; and

WHEREAS, the fee for Construction (Public Infrastructure) Plan Due Upon Plan Approval and the New Commercial Building Plan Reviews have fees related to the value of a project as identified in the adopted Fee Schedule; and

WHEREAS, the proposed amendments explained and included herein as Exhibit A ensure compliance with the new state legislation and the fees will be published in accordance with House Bill 3492.

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

That City Council hereby amends the value based Construction (Public Infrastructure) Plan and Building Plan Review New Commercial fees adopted in Ordinance No. 1559-22-09-13 and replaces value based fees with the fees and calculations provided in Exhibit A.

PASSED AND APPROVED this 22nd day of August, 2023.

Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

CHARLES ZECH, City Attorney

DENTON NAVARRO ROCHA BERNAL & ZECH, PC

EXHIBIT A

F. Subdivision

3. Construction (Public Infrastructure) Plan

- ~~a. Due Upon Application Submittal \$500.00 per Application~~
- ~~b. Due Upon Plan Approval \$0.035 of Infrastructure Cost Estimate~~
- ~~c. Review Beyond 3 Review Cycles \$250.00 per Additional Review Cycle~~

- a. Due Upon Application Submittal: \$500 per Application
- b. Due Upon Plan Approval: \$275 per construction plan sheet

The per construction plan sheet is based on the hourly rate for the estimated actual direct time of the municipality's employees performing the review and processing of an engineering or construction plan and inspecting a public infrastructure improvement.

- b. Review Beyond 3 Review Cycles: \$500 per Additional Review Cycle

P. Building Plan Review

7. New Commercial

- | | |
|---|---|
| a. Up to \$100,000.00 in value | \$100.00 per Plan |
| b. \$100,000.00 – \$500,000.00 in value | \$355.00 for the first \$100,000.00 in value
+\$2.00 for each additional \$1,000.00 in value |
| c. \$500,001.00 to \$1,000,000.00 in value | \$1,155.00 for the first \$500,000.00 in value
+\$1.70 for each additional \$1,000.00 in value |
| d. \$1,000,001.00 and over in value | \$2,004.00 for the first \$1,000,000.00 in value
+\$1.14 for each additional \$1,000.00 in value |

Fees for new commercial building plan reviews will be the actual costs assessed to the City by a third-party entity that provides those services to the City.