

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,  
AMENDING CHAPTER 152 OF THE CITY OF PFLUGERVILLE,  
TEXAS CODE OF ORDINANCES REGARDING THE IMPACT FEE  
ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, under the authority of Texas Local Government Code Chapter 395, Subchapter C, the City of Pflugerville is required to update the land use assumptions and capital improvements plan at least every five years; and-

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable; and

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

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

Section 1: General.

Sections 152.02, 152.04, 152.15, 152.18, 152.19 and 152.22 and Exhibits A and B of Chapter 152 of the City of Pflugerville, Texas Code of Ordinances are hereby amended to read as attached as Exhibit "1".

Section 2: Effective Date.

This Ordinance will take effect on July 1, 2014 after its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

Section 3: 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.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF PFLUGERVILLE,  
TEXAS

by:

\_\_\_\_\_

JEFF COLEMAN, Mayor

ATTEST:

\_\_\_\_\_

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_

GEORGE E. HYDE, City Attorney

DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH P.C.

EXHIBIT 1

§ 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. \_\_\_\_\_.

§ 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 25, 2014, public hearing and is attached as        Exhibit B, is approved and adopted.

(B)        Periodic updates. The land use assumptions and the capital improvements plan upon which        the impact fees are based will be updated at least every five years. Alternatively, the City Council may, pursuant to TEX. LOC. GOV'T CODE, § 395.0575, make a determination that        no update is required.

§ 152.15        TIME OF ASSESSMENT AND COLLECTION OF IMPACT FEE.

(A)        For new development that was platted before the adoption of Ordinance No. \_\_\_\_\_, 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.

(2)        Collection, in accordance with the meter size required and the following        table:

Meter Size	Service Units
Apartment Unit	0.5
5/8 inch	1
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

§ 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. \_\_\_\_\_)

(B) Effective July 1, 2014, the impact fee for each service unit is:

Basin	Water Impact Fee	Wastewater Impact Fee	Total
Central	\$4,241	\$2,725	\$6,966
Cottonwood	n/a	\$3,537	\$3,537

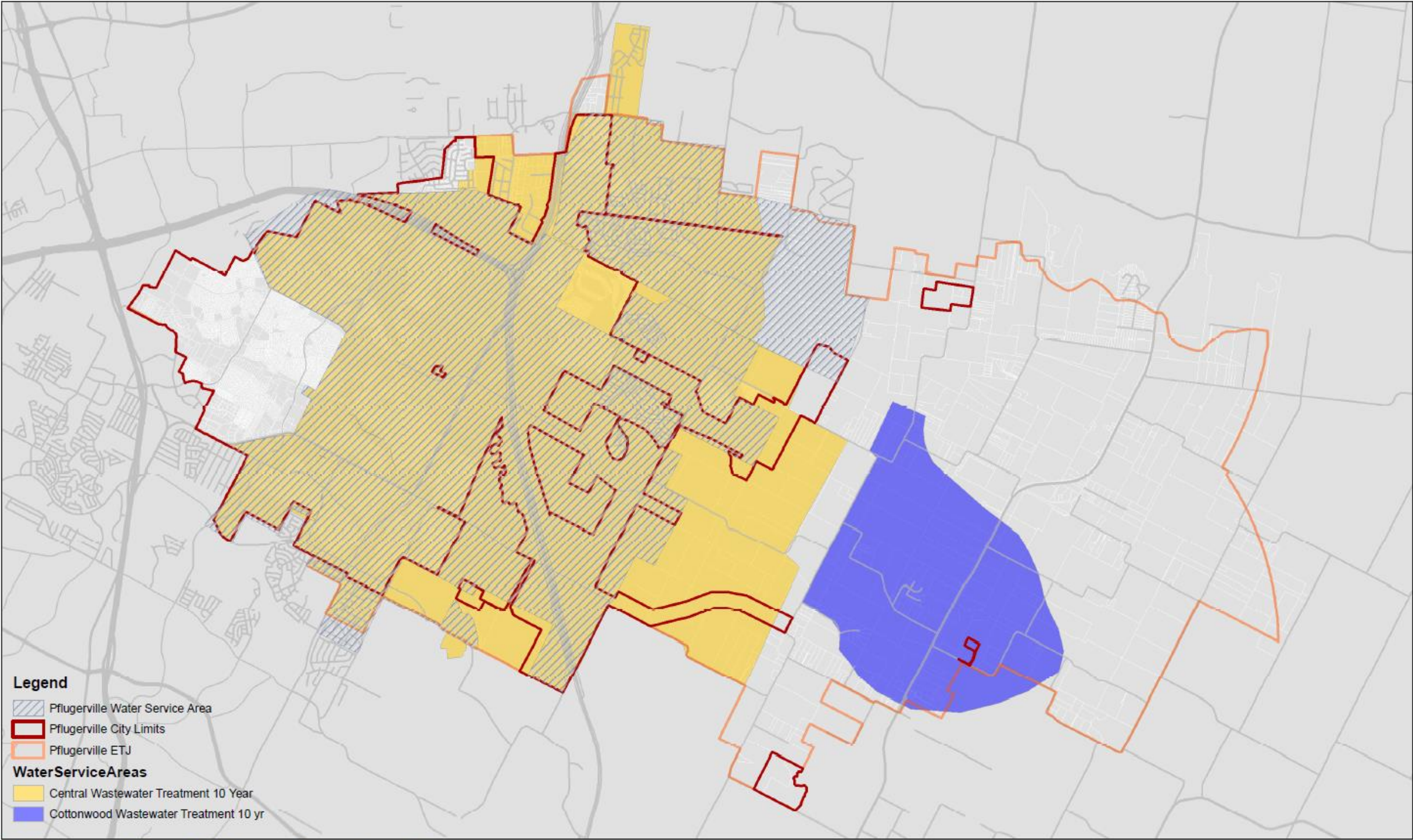
§ 152.22 CREDITS AND REIMBURSEMENTS.

(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) the

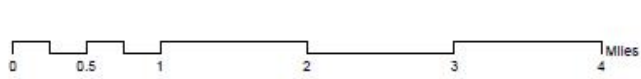
developer may enter into an agreement with the city whereby the developer is:

- (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 AND WASTEWATER SERVICE AREAS



**Pflugerville 10 Year Service Areas**



**Exhibit B: Water Capital Improvement Project**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2013	Other	Sorento CCN Purchase		\$250,000		\$460,000	100%	\$460,000
2013	Transmission	Kelly Lane Transmission Main Phase 1a	-	\$1,163,000	-	\$2,139,920	31%	\$654,917
2014	Elevated Storage	Wilke and Heatherwilde Blvd Transmission Main	-	\$1,507,000	-	\$2,772,880	41%	\$1,143,212
2014	Facility	Pfennig Ground Storage Tank and Yard Piping Upgrades	-	\$788,000	-	\$1,449,920	36%	\$521,971
2014	Facility	WTP Membrane Upgrade	-	\$4,175,600	-	\$7,683,104	36%	\$2,768,991
2014	Facility	Pfennig Pump Station Upgrades	-	\$5,724,000	-	\$10,532,160	36%	\$3,795,790
2014	Transmission	Pfennig Lane Connection	-	\$571,000	-	\$1,050,640	77%	\$813,772
2014	Transmission	Pfennig Lane Transmission Main Upgrade	-	\$196,000	-	\$360,640	86%	\$308,568
2014	Distribution	Pecan Street Parkway Drive Interconnect	-	\$318,000	-	\$585,120	70%	\$410,194
2014	Transmission	NTC MUD #5 Transfer: Pflugerville Parkway TM Connection	-	\$180,600	-	\$242,004	36%	\$87,218
2014	Transmission	NTC MUD #5 Connection Pflugerville Parkway and Heatherwilde	-	\$50,000	-	\$67,000	36%	\$24,147

\*Bond interest rate of 8.4% with a 10-year period was used.

**Exhibit B: Water Capital Improvement Project (Continued)**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2014	Transmission	NTC MUD #5 Connection Pflugerville Parkway to Dansworth Dr.	-	\$70,000	-	\$93,800	36%	\$33,806
2014	Transmission	NTC MUD #5 Heatherwilde TM from Kingston Lacy to New Meister	-	\$369,200	-	\$494,728	36%	\$178,300
2014	Transmission	NTC MUD # 5 Heatherwilde TM from Heatherwilde to Great Basin	-	\$232,200	-	\$311,148	36%	\$112,138
2014	Transmission	NTC MUD #5 New Meister to Timothy John Dr cul-de-sac	-	\$63,000	-	\$84,420	36%	\$30,425
2014	Transmission	NTC MUD #5 Heatherwilde TM from Pflugerville Parkway to North Cascades	-	\$119,300	-	\$159,862	36%	\$57,614
2015	Transmission	Pflugerville Parkway TM Capacity Improvements 888 ft-msl	-	\$934,000	-	\$1,718,560	55%	\$946,343
2015	Transmission	Weiss Transmission from WTP to Hidden Lake Phase 1	-	\$1,712,000	-	\$3,150,080	93%	\$2,926,000
2016	Facility	1.25 MG Elevated Storage Tank	-	\$7,560,000	-	\$13,910,400	36%	\$5,013,308
2016	Distribution	PRV South of Pecan and Heatherwilde for 942 ft-msl Pressure Plane	-	\$30,000	-	\$55,200	100%	\$55,200
2017	Distribution	PRV for Bohl's Place Neighborhood	-	\$30,000	-	\$55,200	96%	\$52,849

\*Bond interest rate of 8.4% with a 10-year period was used.



**Exhibit B: Water Capital Improvement Project (Continued)**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2019	Planning	Update Water CIP	-		\$303,000	\$557,520	36%	\$200,930
2019	Transmission	Well Supply Transmission Main to 950 Heatherwilde Phase 1	-	-	\$856,000	\$1,575,040	61%	\$960,700
2020	Transmission	Oxford Transmission Main Extension	-	-	\$686,000	\$1,262,240	47%	\$598,153
2020	Transmission	SH-45 Interconnect	-	-	\$848,000	\$1,560,320	33%	\$507,822
2020	Transmission	Well Supply Transmission Main to 950 Old Austin Pflugerville Road Ph 2	-	-	\$527,000	\$969,680	66%	\$637,178
2022	Transmission	South Weiss Transmission Main	-	-	\$4,941,000	\$9,091,440	37%	\$3,363,249
2022	Distribution	Obed /Stone Hill Pressure Plane Interconnection	-	-	\$57,000	\$104,880	0%	-
2022	Distribution	Wells Branch Loop	-	-	\$475,000	\$874,000	77%	\$677,218
2022	Facility	River Intake Relocation	-	-	\$1,887,000	\$3,472,080	36%	\$1,251,338
Previous	Supply	Raw Water Pipe Line	\$11,159,563	-	-	\$20,533,596	24%	\$4,913,292.93
Previous	Supply	Reservoir	\$13,398,037	-	-	\$24,652,388	24%	\$5,898,840
Previous	Ground Storage	Total System GS including Well 4,5,6,7, N&S SP, WTP GS and Pfennig	\$1,386,904	-	-	\$2,551,903	18%	\$468,533
Previous	Treatment	Surface Water Plant	\$17,730,924	-	-	\$32,624,900	32%	\$10,559,797
<b>Water Projects Totals</b>			<b>\$43,675,428</b>	<b>\$26,042,900</b>	<b>\$10,580,000</b>	<b>\$147,206,744</b>		<b>\$50,431,812</b>

\*Bond interest rate of 8.4% with a 10-year period was used.

**Exhibit B: Central Wastewater Capital Improvement Project**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2014	Interceptor	Highland Park and Pfluger Lane Interconnector Phase 1	-	\$460,000	-	\$846,400	24%	\$200,715.63
2014	Interceptor	Sorento/Carmel Forcemain	-	\$1,134,000	-	\$2,086,560	100%	\$2,086,560
2014	Interceptor	Sorento Interceptor Phase 1	-	\$1,647,000	-	\$3,030,480	2%	\$66,598
2014	Facility	Sorento/Carmel Lift Station	-	\$2,571,000	-	\$4,730,640	100%	\$4,730,640
2016	Interceptor	Carmel Interceptor Phase 1	-	\$2,079,000	-	\$3,825,360	19%	\$730,709
2016	Interceptor	Lakeside Interceptor Phase 1	-	\$995,000	-	\$1,830,800	7%	\$131,192
2016	Interceptor	SH-45 Connector Interceptor Phase 1	-	\$901,000	-	\$1,657,840	14%	\$232,176
2017	Facility	Design of Central WWTP Capacity Upgrades 6.9 MGD	-	\$3,122,000	-	\$5,744,480	100%	\$5,744,480
2017	Study	Update Master Plan and CIP	-	\$374,000	-	\$688,160	28%	\$191,156
2018	Interceptor	West SH-130 Interceptor Phase 1	-	\$5,909,000	-	\$10,872,560	44%	\$4,744,261

\*Bond interest rate of 8.4% with a 10-year period was used.

**Exhibit B: Central Wastewater Capital Improvement Project (Continued)**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2019	Interceptor	West SH-130 Interceptor Phase 2	-	-	\$1,889,000	\$3,475,760	47%	\$1,638,732
2019	Interceptor	Highland Park and Pfluger Lane Interconnector Phase 2	-	-	\$704,000	\$1,295,360	25%	\$328,287
2019	Interceptor	Highland Park and Pfluger Lane Interceptor Upsize	-	-	\$422,000	\$776,480	48%	\$372,295
2019	Facility	Construction of Central WWTP Capacity Upgrades 6.9 MGD	-	-	\$21,516,000	\$39,589,440	24%	\$9,567,821
2020	Interceptor	SH-45 Connector Interceptor Phase 2	-	-	\$1,644,000	\$3,024,960	15%	\$445,619
2022	Interceptor	Lakeside Interceptor Phase 2	-	-	\$599,000	\$1,102,160	2%	\$ 19,490
2022	Study	Update Master Plan and CIP	-	-	\$423,000	\$778,320	28%	\$216,200
2023	Facility	Central WWTP Capacity Upgrade 8.3 MGD (New Carrousel® unit)	-	-	\$3,564,000	\$6,557,760	100%	\$6,557,760
Previous	Interceptors	Southside, Gilleland, Weiss (1C & 1D)	\$3,845,880	-	-	\$7,076,419	28%	\$2,008,204.65
<b>Central Wastewater Projects Totals</b>			<b>\$3,845,880</b>	<b>\$19,192,000</b>	<b>\$30,761,000</b>	<b>\$98,989,939</b>		<b>\$40,012,897</b>

\*Bond interest rate of 8.4% with a 10-year period was used.

**Exhibit B: Cottonwood Wastewater Capital Improvement Project**

<u>Project Year</u>	<u>Project Type</u>	<u>Project Name</u>	<u>Previous Costs</u>	<u>Cost Over Next 5 Years</u>	<u>Cost in 5 to 10 Years</u>	<u>Total Cost for Construction + Bond Interest</u>	<u>% Attributable to New Growth</u>	<u>Impact Fee Total</u>
2017	Interceptor	New Sweden/Cottonwood Interceptor Phase 1	-	\$896,000	-	\$1,648,640	2%	\$37,735
2017	Facility	New Sweden Package WWTP 0.475 MGD	-	\$3,680,000	-	\$6,771,200	13%	\$874,571
<b>Cottonwood Wastewater Projects Totals</b>				<b>\$4,576,000</b>	<b>-</b>	<b>\$8,419,840</b>		<b>\$912,306</b>

\*Bond interest rate of 8.4% with a 10-year period was used.

END