

Pflugerville Municipal Utility District Guidelines

Intent: It is the intent of the City of Pflugerville to provide a partnership with Municipal Utility Districts and related entities to develop the community and maintain a regional perspective at a proportional share that ensures the quality of life for all Pflugerville residents current and future. This includes:

- Regional Roadway System and connectivity
- Parks, Schools, Public Buildings and Open Space
- A regional wastewater concept
- Long term Engineering Design Standards
- Quality of sustainable housing
- A strong mix of commercial development
- Quality, manageable growth in an orderly fashion
- A fair assessment for everyone

To achieve these goals, Pflugerville sets forth the following guidelines regarding the development of Municipal Utility Districts (and similarly created districts) in Pflugerville's extraterritorial jurisdiction. The guidelines address issues that the developer of the district must give serious consideration to when beginning negotiations with the city. Each district proposal will be reviewed individually and based on the factors that are unique to the proposed district.

Roads

- Roads will be required in MUD developments the same as for non-MUD developments. That is, all local and collector level streets must be entirely constructed by the developer. Interior arterial streets will require the dedication of the entire right-of-way width and construction of two lanes.

Impact Fees

- All water and wastewater impact fees must be paid at the time of final platting. The time of payment may be delayed up to five days following the approval of the final plat by the City Council if specified in the agreement.

Water and Wastewater Utility Service

- Unless the MUD area is in another utility service provider's certificated area, all retail service must be provided by the City of Pflugerville.
- Additional wastewater treatment plants may be permitted if the plant is proposed to be owned by the City of Pflugerville (option must be to city).
- The City of Pflugerville will operate the plant from the beginning of operations.
- If the MUD is to own a temporary wastewater treatment plant until the city is able to construct a permanent plant, a fee similar to and in lieu of an impact fee, will be paid to an escrow account that will be used for the construction of the permanent plant. The fee will be paid no later than five days following the approval of the final plat by the City Council.
- Septic tanks are permitted, at the city's discretion, if the City of Pflugerville is not going to provide wastewater service. Septic tanks must be approved by the proper authority.
- The MUD may not operate a retail utility for city-provided services.

- The city will not enter into a service contract to provide administrative services to the MUD.
- Generally, the city will not bill nor will it provide any other services for non-city utility services unless by separate agreement.

Site Development

- Development within the MUD must comply with the city's current Site Development Code.
- Development within the MUD must comply with the city's residential quality standards.
- City will to require building code compliance including inspections. The larger the project and the longer the development span, the more likely the city is to require compliance with the building code and inspections.

Limited Purpose Annexation

- The ability, at the city's discretion, to annex any or all of the area of the MUD for limited purposes, at any time must be included.

Full Purpose Annexation

- All commercial area will not be included in the MUD and will be annexed by the city. The landowner must petition for annexation into the city before the MUD is formed.
- A strip of land -- at least 1,000 feet wide -- must be provided within the MUD or along its boundary to allow the city to annex beyond the MUD. The landowner must petition for annexation of this land into the city.
- Large MUD developments must be divided into several smaller MUDs at the city's discretion.
- The cannot annex a MUD until at least 15 years after its creation date, or after if is at least 90 percent developed. Annexation is at the discretion of the city, and will be based on the financial feasibility of annexing the MUD and assuming its debt.
- Annexation may occur by petition of the residents at the discretion of the City.

Wastewater Treatment Plant

- Plants will be allowed if ultimately owned by the city. Temporary plants may be permitted until the permanent plant is provided. Plants designed must have City approval.
- The developer must apply for the discharge permit, which will be given to the city upon transfer of the plant.
- The developer must prove that a site chosen for the plant is adequate and the best possible location given the current conditions. The city must approve the site before the permit application is filed.

Park Land/School Sites/Public Facilities

- The park land dedication must comply with city requirements.
- The MUD will own and maintain the park land until the city annexes the MUD.
- A homeowners association can also own recreation land and facilities that will not be affected by annexation into the city.

- The park land must include irrigation with reuse water if the MUD includes a wastewater treatment plant. The city may also require that the park land is irrigated by reuse water if reasonable. A fee will be associated in reuse sales.
- The amount of park land will not be addressed in the consent agreement. The developer is required to meet and confer with the Parks and Recreation Commission prior to approval of the MUD consent agreement.
- The school, ESD, will provide information for future site needs and the City will request these locations in affected developments. The City will take any school land dedication into consideration when parkland is to be dedicated.

General Development

- All development must comply with the City of Pflugerville Subdivision Code and Engineering Standards.

Solid Waste Services

- The MUD must contract with the city to use its residential solid waste provider under the city's contract with the provider. Solid waste service rates in the MUD will be equal to the rate inside the city plus two dollars.

Water Rates

- Water rates will be equal to current city retail rates.

Wastewater Rates

- Wastewater rates will be equal to city retail rates plus five dollars.
- The city-wide average wastewater rate will be charged to customers in the MUD where the city does not provide the retail water service.

Homeowners Associations

- One or more homeowners associations is required in the MUD and the duties and responsibilities of the HOA will be specified in the consent agreement. The city may require certain duties and responsibilities of the HOA.
- If a pool is proposed, it must be owned and maintained by an HOA.

Sales Tax Collection

- The city will collect sales tax in any area annexed for limited purposes and will not share the collected tax with any other entity.

Drainage / Detention

- Detention ponds to serve the entire MUD area, and the commercial area carved out of the original MUD area, must be provided rather than individual ponds. The MUD will own the ponds and is responsible for maintenance until the MUD is annexed by the city. The city is not responsible for maintenance of any portion of the pond until the area that includes the pond is annexed. The MUD is not responsible for maintenance of any portion of the pond after the pond is annexed into the city.

City Operation Fees

- A fee for the proportion of city operations that can be attributed to serve the residents of the MUD will be charged. The fee is calculated as follows:

O = total operating budget (currently approximately \$15,000,000)

P = current city population (currently approximately 28,000)

p = currently used size of household (currently 3.17)

M = proportion of city services used by MUD residents (currently 10 percent)

$$(O/(P/3.17))*M$$

Currently:

$$(\$15,000,000/(28,000/3.17))*0.10$$

- Since it is a one time payment, the present value of the payment over 15 years (the presumed life of the MUD) is calculated)
- Given the current values above, the one-time payment is \$1,649.33 per unit.
- The fee will be paid at the time that the developer receives reimbursements and are due for the number of lots in the plats for which reimbursements are received.

Infrastructure Fee

- A fee for the proportion of capita costs to construct arterial streets that can be attributed to residents of the MUD will be charged. The fee is calculated as follows:

T = total value of arterial streets to be built in the next 15 years

U = total number of units in city at buildout

u = number of units proposed in the MUD

n = number of units per acre currently occurring

$$(T/(U/u))/n$$

- The fee will be paid at the time that the developer receives reimbursements and are due for the number of lots in the plats for which reimbursements are received.