

# Mayor and Council Communication

**DATE:** 08/26/25

**M&C FILE NUMBER:** M&C 25-0802

**LOG NAME:** 60WATER-WASTEWATER IMPACT FEE ORDINANCE LEGISLATIVE UPDATE2025

## **SUBJECT**

(ALL) Adopt an Ordinance Amending Chapter 35, Article III, Division 2 "Water and Wastewater Impact Fees" of the Code of the City of Fort Worth to Revise Certain Provisions Relating to the Water and Wastewater Impact Fee Program to Comply with Legislation Passed by the 89th Texas Legislature and Amending Chapter 2, Article I "In General" of the Code of the City of Fort Worth Regarding the Character and Make-Up of Boards

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## **RECOMMENDATION:**

It is recommended that the City Council adopt the attached ordinance amending the Code of the City of Fort Worth Chapter 35 "Water and Sewers", Article III "Charges", Division 2 "Water and Wastewater Impact Fees", Subdivision I "General Provisions", to revise certain provisions relating to the Capital Improvements Plan Advisory Committee required by legislation passed by the 89th Texas Legislature and amending Chapter 2 "Administration", Article I "In General", Division 4 "Rules and Procedures for Certain City Boards", Section 2-83 "Number of Members and Terms of Service; Establishment of Places."

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## **DISCUSSION:**

The purpose of this Mayor & Council Communication is to adopt an ordinance amending Chapter 35, Article III, Division 2 "Water and Wastewater Impact Fees" to address the impacts of Senate Bill (S.B.) 1883 passed by the 89<sup>th</sup> Texas Legislature. S.B. 1883 takes effect on September 1, 2025.

S.B. 1883 makes substantial changes to certain procedures which are not codified in City Code. The change that is being addressed by this Ordinance is to the composition of the Capital Improvements Plan Advisory Committee (CIPAC). S.B. 1883 removes the provision that allows the City Plan Commission to serve as the impact fee advisory committee. While the CIPAC was not made up by the City Plan Commission, the resolution establishing the CIPAC (Resolution 1487) refers to now outdated state law. Moreover, the character of the committee has been changed such that 50% of the minimum five members must be representatives of the real estate, development, or building industries who are not employees or officials of a governmental entity. The CIPAC must also contain at least one member from the extraterritorial jurisdiction.

Staff recommends that the CIPAC be composed of eight members appointed by the City Council. Seven members of the committee will be residents of the City of Fort Worth. One member must reside in the City's extraterritorial jurisdiction. At least four of the eight Committee members must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity.

The ordinance creates a new section establishing the CIPAC as well as outlining its duties as per state law. The ordinance will amend Chapter 2 of City Code to exempt the CIPAC from the standing requirement of being an eleven member board appointed by council district. The ordinance will be effective upon adoption.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of the recommendation will have no material effect on City funds.

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Expedited