

Mayor and Council Communication

DATE: 09/21/21

M&C FILE NUMBER: M&C 21-0726

LOG NAME: 60UPDATE WTR AND WW IMPACT FEES 2022

SUBJECT

(ALL) Adopt Ordinance Amending Chapter 35 of the City Code, Water and Sewers, Article III, "Charges" and Revising the Land Use Assumptions, Capital Improvements Plan and Impact Fee Schedules for Water and Wastewater Facilities

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending Chapter 35 of the City Code, Water and Sewers, Article III "Charges" and revising the land use assumptions, capital improvements plan and impact fee schedules for water and wastewater facilities.

DISCUSSION:

Section 395.052 of the Local Government Code requires the City of Fort Worth to amend its Land Use Assumptions (LUA), Capital Improvements Plan (CIP) and Impact Fees at least every five years and as necessary to reflect any changes in the LUA, CIP and the Impact Fee Ordinance. The LUA amendment includes amending the service area boundaries and population projections. The CIP amendment includes amending the list of impact fee eligible projects and costs for the next 10 years based on the amended LUA. The last impact fee update was in 2017. The City is further required to hold a public hearing to discuss the amendments to the LUA and CIP.

On December 3, 2019, Mayor and Council Communication (M&C) 19-0356, the City Council authorized the City Manager to execute a contract with Freese and Nichols to prepare the amendments (City Secretary Contract No.55195). City Staff and our consultant met with the Citizens Advisory Committee (CAC), Wholesale Customers' sub-committee, Development Advisory Committee (DAC) representatives, and Retail Customers' sub-committee on October 2, 2020, February 11, 2021, March 25, 2021 and April 22, 2021 as part of the process to complete the LUA and CIP amendment study.

On December 10, 2020 and June 10, 2021, City staff briefed the Wholesale Customers' committee on the status of the LUA and CIP amendment study. On October 15, 2020, March 18, 2021, April 15, 2021 and May 20, 2021, the amendments were presented to DAC committee. On December 15, 2020 and June 8, 2021, presented to Infrastructure Transportation Committee.

On June 8, 2021, the City Council approved a resolution calling for a public hearing to consider the adoption of the amended Land Use Assumptions, Capital Improvements Plan and Water and Wastewater Impact Fee Schedules. From July 21 – 25, 2021, the public hearing notice was published in various newspapers in Tarrant and surrounding counties. The amendments have been available for public inspection since August 8, 2021, at the Downtown Fort Worth Library, City Secretary's Office and Fort Worth Water Department. The amendments were also made available on the City's website.

In accordance with Chapter 395.050 of the Local Government Code, on April 22, 2021, the Capital Improvements Plan Advisory Committee (CIPAC) unanimously recommended the adoption of the amendments to the Land Use Assumptions and Capital Improvements Plan, which established the Water and Wastewater maximum allowable impact fee to be \$9,445.00 per equivalent meter unit. By a vote of four to two, the CIPAC recommended a yearly \$488.00 increase for the next two years, to increase from the existing \$2,802.00 to \$3,777.00 per equivalent meter unit, which corresponds to 40% of the maximum allowable impact fee.

On August 3, 2021, the CIPAC's written recommendations was presented to City Council during the council work session. The committee's recommendation is a yearly \$488.00 increase for the next two years. On August 24, 2021, the City Council conducted a public hearing in an open session at a regularly scheduled City Council meeting to consider and hear comments on the proposed amendments. The proposed fee schedule were presented at the public hearing. The committee recommends that the City Council adopt the amended Land Use Assumptions, Capital Improvements Plan and \$9,445.00 as the Water and Wastewater maximum allowable impact fee by adoption of the attached ordinance. An equivalent meter unit is for a typical single-family dwelling. The proposed water and wastewater impact fee schedule would take effect on January 1, 2022. The attached ordinance establishes the maximum assessable impact fees as well as the phase-in schedule for the next two years.

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

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation and adoption of the ordinance funds will be deposited into the Water Impact Fee Fund and the Sewer Impact Fee Fund. The Water Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head:

Chris Harder 5020

Additional Information Contact:

Wade Goodman 7139

Matt Kusnir 8219