

engineers
surveyors
landscape architects

WATER AND WASTEWATER IMPACT FEE PROGRAM

for the



**April 2003
Updated November 2016**

Prepared by:



FORT WORTH ▲ DENTON ▲ DALLAS

**5237 N. Riverside Drive, Suite 100, Fort Worth, Texas 76137
817.336.5773 phone 817.336.2813 fax**

www.tnpinc.com

Teague Nall and Perkins, Inc. is
Registered by the Texas Board of Professional Engineers; No. F-230
Registered by the Texas Board of Professional Surveyors; No. 100116-00

February 15, 2017

engineers
surveyors
landscape architects

Richard Shaffer, P.E.
Director of Water Utilities
City of Weatherford
P.O. Box 255
Weatherford, Texas 76086

Re: Update to the City's Water and Wastewater Impact Fee Program

Rick:

Teague, Nall and Perkins is pleased to submit the final report for the 2016 update to the City's Water and Wastewater Impact Fee Program. This report includes the adopted Impact Fee Ordinance and calculations based on the approved percentage of assessment for water and wastewater impact fees.

We appreciate the opportunity to serve the City of Weatherford on this important effort. Please contact me if you have any questions or need any additional information.

Sincerely,

tnp

teague nall & perkins



Scott Wilhelm, P.E.
Principal



City of Weatherford

Water and Wastewater Impact Fee Program

Updated November 2016

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY	1
Capital Improvements Advisory Committee	1
Annual Certification of Impact Fee Program	1
Impact Fee Revenues and Expenditures.....	1
Land Use Assumptions.....	2
Benefit Area.....	2
Water and Wastewater Capital Improvements Plan.....	2
City of Weatherford's Maximum Water and Wastewater Impact Fees	2
City of Weatherford's Assessed Water and Wastewater Impact Fees.....	3
II. IMPLEMENTATION OF IMPACT FEES.....	5
Authorization	5
Historical Impact Fee Revenues and Expenditures.....	6
Service Area and Land Use	6
Population Growth and Distribution.....	7
Future Connections and Meter Equivalents	11
III. WATER AND WASTEWATER IMPACT FEES	13
Maximum Water and Wastewater Impact Fees.....	13
Calculation of Water Impact Fee.....	14
Calculation of Wastewater Impact Fee.....	14
Assessed Water and Wastewater Impact Fees	15
Impact Fee Project Accounting and Management.....	18
IV. IMPACT FEE ORDINANCE.....	20

List of Tables

Table 1	2026 Population Growth Distribution.....	11
Table 2	AWWA Meter Equivalents	12
Table 3	2026 Meter Equivalents by Land Use.....	12
Table 4	Calculation of Water Impact Fee.....	14
Table 5	Calculation of Wastewater Impact Fee	14
Table 6	Water System Capital Improvements Plan	15
Table 7	Wastewater System Capital Improvements Plan.....	16
Table 8	Impact Fee Rate Schedule by Meter Size	18
Table 9	Projected Impact Fee Revenue at 50% Assessment.....	19

List of Figures

Figure 1	Service Area.....	7
Figure 2	Future Land Use Assumptions.....	8
Figure 3	Projected Growth Curve	9
Figure 4	2026 Development Areas	10
Figure 5	Impact Fee Water and Wastewater Capital Improvements Plan	17



I. EXECUTIVE SUMMARY

The City of Weatherford began the process of establishing a water and wastewater impact fee in the Fall of 2001. The intent of the Impact Fee Program was to ease the financial burden being borne by the City's existing rate payers for the construction of new water and wastewater infrastructure required to support future development. Under the Impact Fee Program, a portion of the costs associated with new water and wastewater infrastructure is paid for by new developments within the City's established service area. In accordance with Local Government Code Chapter 395, the City must update the Impact Fee Program at least every five (5) years.

Capital Improvements Advisory Committee

For this Impact Fee Program update, the City Council appointed a Capital Improvements Advisory Committee (CIAC) to consider recommendations for updating water and wastewater impact fees. The CIAC made recommendations to the City Council regarding land use assumptions, service area, water capital improvements plan, wastewater capital improvements plan, and assessment rates for setting water and wastewater impact fees. The following individuals graciously donated their time and energies to the Impact Fee Program update:

Ms. Janis Saunders – P&Z Representative
Ms. Eva Earl Rutledge – Real Estate Representative
Mr. Jim Duncan – Real Estate & Development Representative
Mr. Jeff Jones – Building Representative
Mr. Howard McClurkin – Development Representative

Annual Certification of Impact Fee Program

The Year 2001 revisions in the local government code require that the presiding officer of the governing body file an annual report with the State of Texas's Attorney General on or before September 30th certifying the management of the impact fee program. If the program is not managed in accordance with state statutes, the City of Weatherford will be fined ten (10%) percent of the revenues collected from impact fees.

Impact Fee Revenues and Expenditures

From in the inception of the Impact Fee Program in 2003 through August 31, 2016, the City of Weatherford has collected approximately \$4,980,000 in water impact fees and spent approximately \$4,184,000. Within the same timeframe, the City of Weatherford has collected approximate \$3,846,000 in wastewater impact fees and spent approximately \$2,352,000. In addition, there are several impact fee projects currently in process.



Land Use Assumptions

The land use assumptions from the City's Comprehensive Plan have been used in the development of the Impact Fee Program. The CIAC approved these land use assumptions for the purposes of identifying water and wastewater impact fee capital improvements projects and forwarded the land use assumption recommendations to the City Council for review and approval.

Benefit Area

The CIAC recommended that the City Council adopt the City's extraterritorial jurisdiction limit (ETJ) as the benefit area for water and wastewater improvements. With this approach, all undeveloped property within the ETJ is treated the same with regard to assessing impact fees. Additionally, impact fee revenues can be used to fund impact fee projects throughout the City as a whole, allowing the City more flexibility in funding projects to meet changing system demands resulting from development over the next ten (10) years.

Water and Wastewater Capital Improvements Plan

As part of this update to the Impact Fee Program, the Water and Wastewater Capital Improvement Plan has been updated. The plan identifies improvements that are anticipated between 2017 and 2026. These improvements are required to meet the projected demands of new development over the next ten (10) years and were used to calculate the water and wastewater impact fees for the City of Weatherford.

The Water System Capital Improvements Plan for Year 2026 identified \$18.1 million in water capital projects that can be funded with impact fees. The Wastewater System Capital Improvements Plan for Year 2026 identified \$15.4 million wastewater capital projects that can be funded with impact fees. Additionally, \$40,000 for preparation of the Impact Fee Program update was included in the costs that can be recovered from water and wastewater impact fees.

City of Weatherford's Maximum Water and Wastewater Impact Fees

Based on the results of the land use assumptions and the water and wastewater capital improvements plans, the maximum and allowable water and wastewater impact fees that can be assessed for a standard benefit unit are:

Maximum Water Impact Fee for Standard Unit:	\$ 4,314
Maximum Wastewater Impact Fee for Standard Unit:	\$ 3,677
	\$ 7,991

Chapter 395 of the Local Government Code requires that cities provide a 50% credit to impact fees to account for the tax revenues and utility bill revenues generated by new developments. Applying a 50% credit to the Maximum Water Impact Fee and the Maximum Wastewater Impact Fee yields the following allowable water and wastewater impact fees.

Allowable Water Impact Fee for Standard Unit after 50% Credit:	\$ 2,157
Allowable Wastewater Impact Fee for Standard Unit after 50% Credit:	<u>\$ 1,839</u>
	\$ 3,996

The fees are based on setting a 3/4" water meter as the standard unit size for single family residential properties. American Water Works Association's (AWWA) meter equivalency data is utilized to compare the demand that larger water meters place on the system to the demand that a standard 3/4" meter places on the system. Meter equivalencies are also used to set wastewater impact fee charges, because wastewater return flow is directly related to the amount of water used by each customer.

City of Weatherford's Assessed Water and Wastewater Impact Fees

On February 14, 2017 the Weatherford City Council adopted an assessment rate of 50% of the maximum water and wastewater impact fees that could be assessed. The resulting combined water and wastewater impact fee assessment for the City of Weatherford will be \$3,996 per standard benefit unit, which is a 3/4" single family residential meter. The amount represents an increase of \$2 to the current standard water impact fee and an increase of \$9 to the current standard wastewater impact fee. The change to the total water and wastewater standard impact fee is an increase of \$11 or a 0.3% increase.

2016 Assessed Water Impact Fee for Standard Unit:	\$ 2,155
2016 Assessed Wastewater Impact Fee for Standard Unit:	<u>\$ 1,830</u>
2016 Assessed Water & Wastewater Impact Fees for Standard Unit:	\$ 3,985
2017 Assessed Water Impact Fee for Standard Unit:	\$ 2,157
2017 Assessed Wastewater Impact Fee for Standard Unit:	<u>\$ 1,839</u>
2017 Assessed Water & Wastewater Impact Fees for Standard Unit:	\$ 3,996

The new impact fees became effective February 14, 2017. Impact fees shall be collected at the time a building permit is issued. The following table shows the impact fee rates for various meter sizes.

IMPACT FEE RATE SCHEDULE (BY METER SIZE)

Meter Size	Meter Equivalents	50% Assessment Rate	
		Water	Sewer
3/4"	1	\$2,157	\$1,839
1"	1.67	\$3,602	\$3,071
1 1/2"	3.33	\$7,183	\$6,124
2"	5.33	\$11,497	\$9,802
3"	10	\$21,570	\$18,390
4"	16.7	\$36,022	\$30,711
6"	33.3	\$71,828	\$61,239
8"	53.3	\$114,968	\$98,019

II. IMPLEMENTATION OF IMPACT FEES

Authorization

The Texas Local Government Code, Chapter 395 authorizes political subdivisions to impose impact fees on land within its corporate boundaries and extraterritorial jurisdiction (ETJ). A political subdivision may also contract to provide capital improvements to areas outside of its city limits and ETJ and may charge an impact fee under the contract. The impact fee is based on the capital improvements needed to serve new development expected during the next ten (10) years from the time that impact fees are set or amended.

Impact fee revenues may not be used to repair, modernize or expand infrastructure needed to serve existing development or for operation and maintenance of capital infrastructure. Under state statutes, impact fee projects in areas where no service is available must be initiated within two (2) years after collecting funds and completed within five (5) years. Funds which are not applied toward funding of authorized projects within ten (10) years of payment must be refunded.

During the Year 2001 session of the Texas Legislature, the impact fee law was amended. The changes in the law became effective on September 1, 2001. The evaluations performed and recommendations made as a result of this program update are in compliance with the new revisions to the law, including these significant changes:

- Calculate a credit for ad valorem taxes and utility service billing revenues to be paid by future development or, as an alternative, provide a 50% credit against the maximum assessable impact fees,
- Compare the proposed fees to a standard calculation method for a maximum fee,
- Collect fees at issuance of the building permit,
- Update the impact fee program every five (5) years rather than three (3) years,
- Submit annual certification of compliance to Attorney General by September 30th,
- Forfeit ten (10%) percent of fees to the State as a penalty if a positive certification is not filed timely,
- Hold a Public Hearing to approve the Land Use Plan and Capital Improvements Plans with advertisement 30 days prior to the hearing, and
- Hold a Public Hearing to set impact fees with advertisement 30 days prior to the hearing.

The Local Government Code now requires that a city update the information supporting its impact fees every five (5) years, after fees are adopted. The information that must be included in the update includes:

- Impact fee revenues collected and expended to fund eligible capital improvements,
- Land use assumptions,
- Capital improvements plans, and
- Applicable impact fees to be assessed.



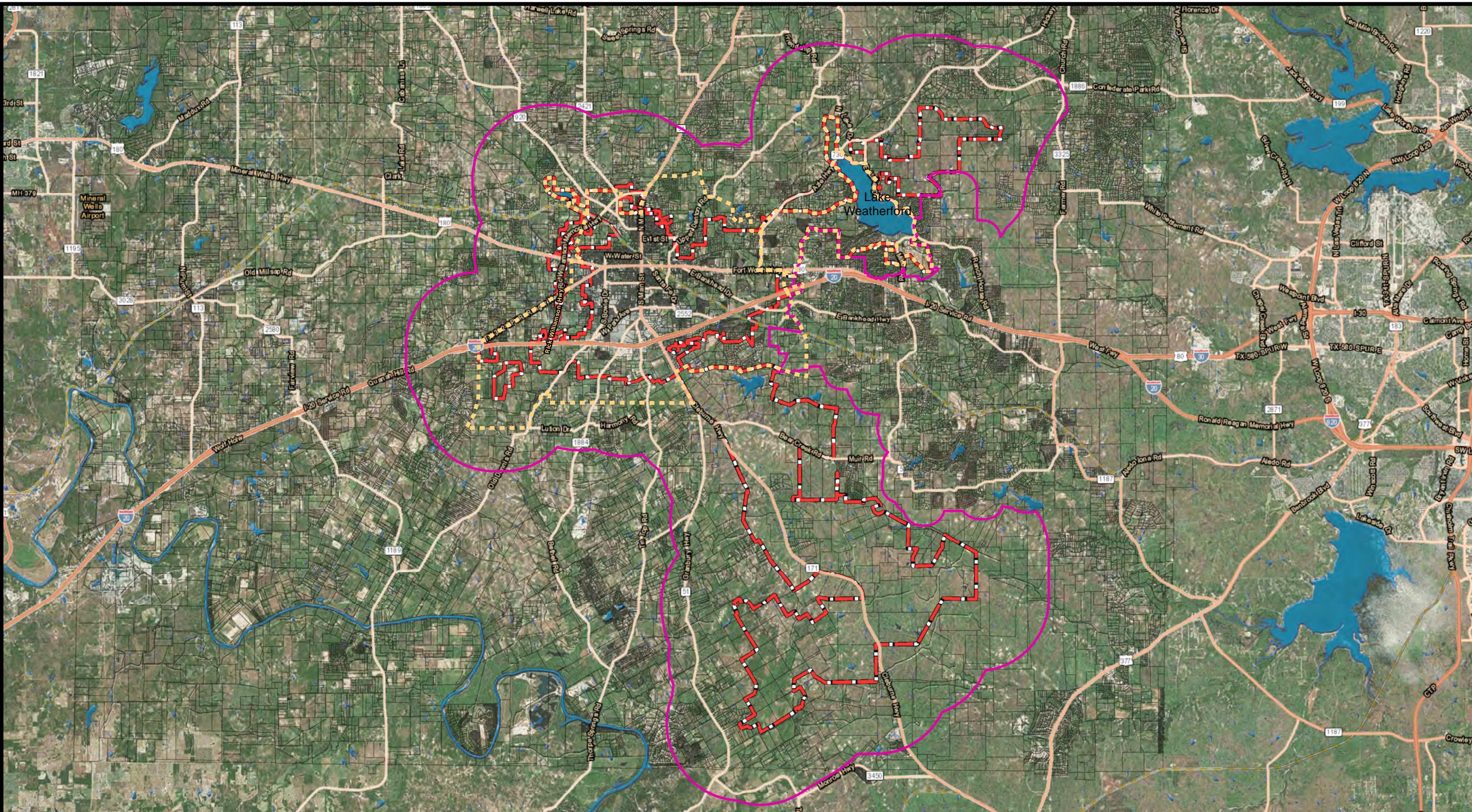
Historical Impact Fee Revenues and Expenditures

From the inception of the Impact Fee Program in 2003 through August 31, 2016, the City of Weatherford has collected approximately \$4,980,000 in water impact fees and spent approximately \$4,184,000. Within the same timeframe, the City of Weatherford has collected approximately \$3,846,000 in wastewater impact fees and spent approximately \$2,352,000. In addition, there are several impact fee projects currently in process.

Service Area and Land Use

The established service area for the City of Weatherford's impact fee program is the City's extraterritorial jurisdiction limit (ETJ). A graphical representation of the service area is shown on Figure 1. The service area comprises approximately 25 square miles and contains the majority of the City's water and wastewater facilities. The service area also encompasses most of the area included in the City's water and wastewater Certificates of Convenience and Necessity (CCN).

The land use assumptions for the impact fee program are from the City's Comprehensive Plan. Land use types within the impact fee service area include residential, commercial, industrial, park space and several others. Figure 2 shows the land use assumptions used for the impact fee program. The land use assumptions are used to distribute the population growth anticipated over the next ten (10) years, which is the impact fee's 10-year planning horizon.



0 6,000 12,000
1 inch = 13,000 feet

Development Areas

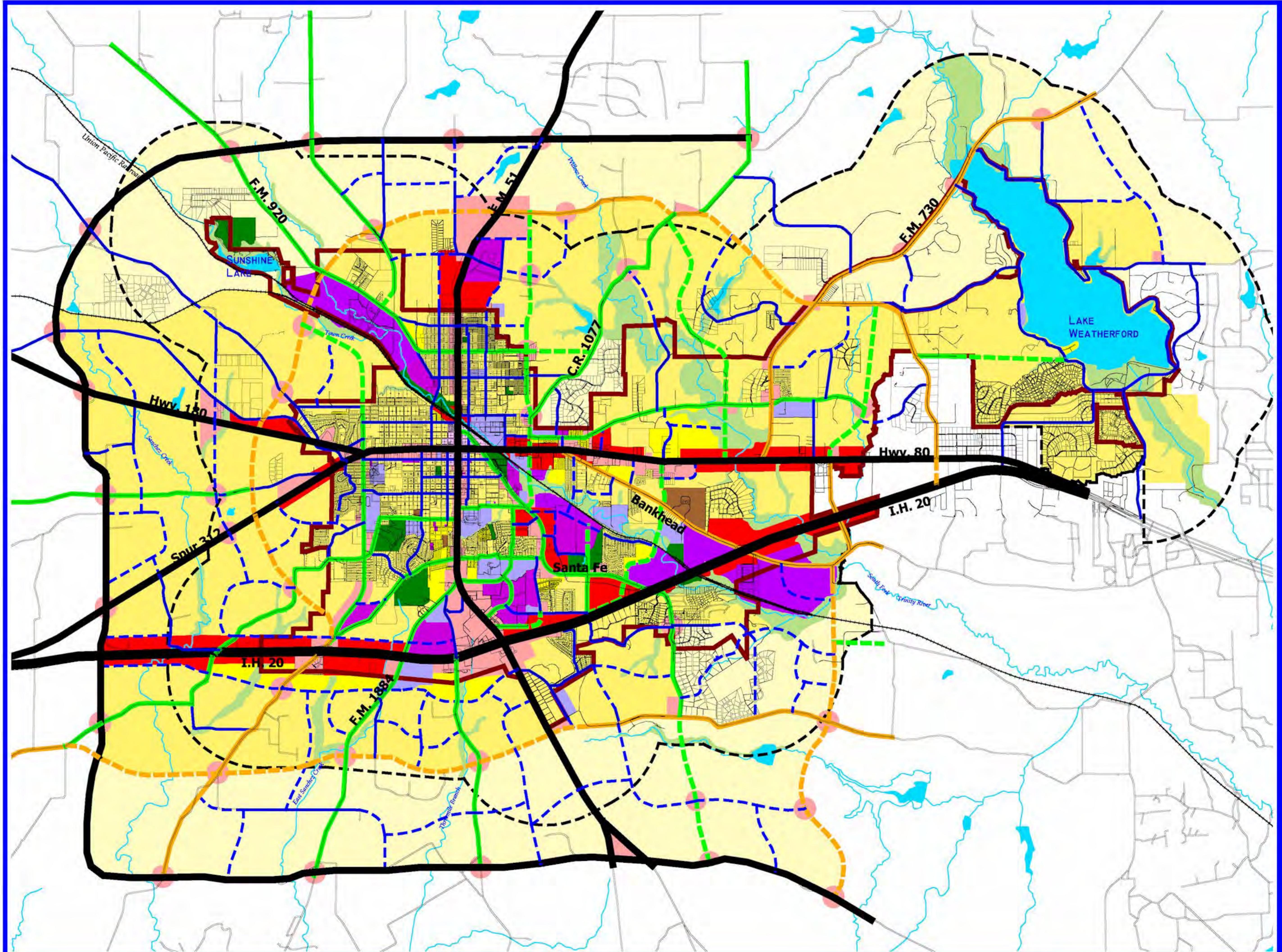
- City Limits
- City ETJ Limits
- CCN Limits



Figure 1
City of Weatherford
Impact Fee Program
Service Area

Future Land Uses 2001

City of Weatherford



Population Growth and Distribution

The City's Comprehensive Plan discusses growth scenarios ranging from 2% to 6%. Information within the City's 2013 Water Master Plan Update indicates projected growth rates ranging from 2% to 2.5%. Based on our evaluation of the existing information a growth rate of 2.6% was used for this Impact Fee Program update. Using this rate, the population of Weatherford is projected to increase by approximately 8,600 during the period of 2017 through 2026. This equates to a 2026 population of approximately 38,070 people. A graphical representation of the growth rate is shown on Figure 3.

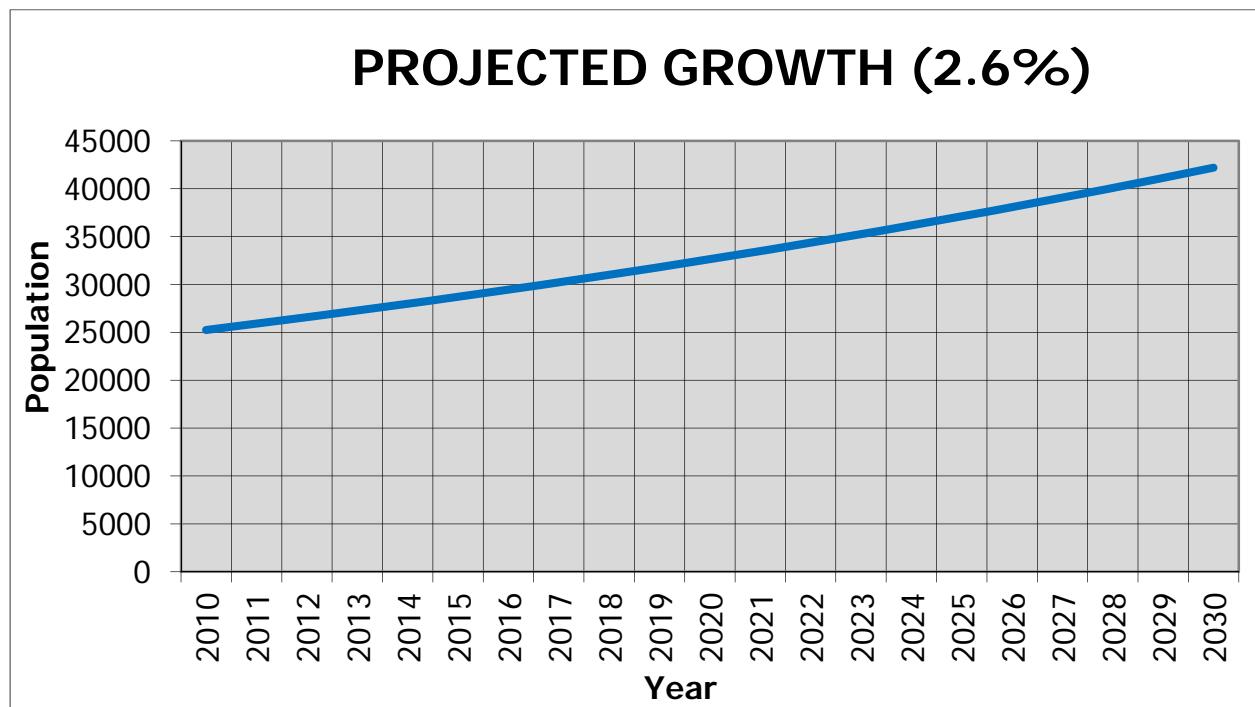
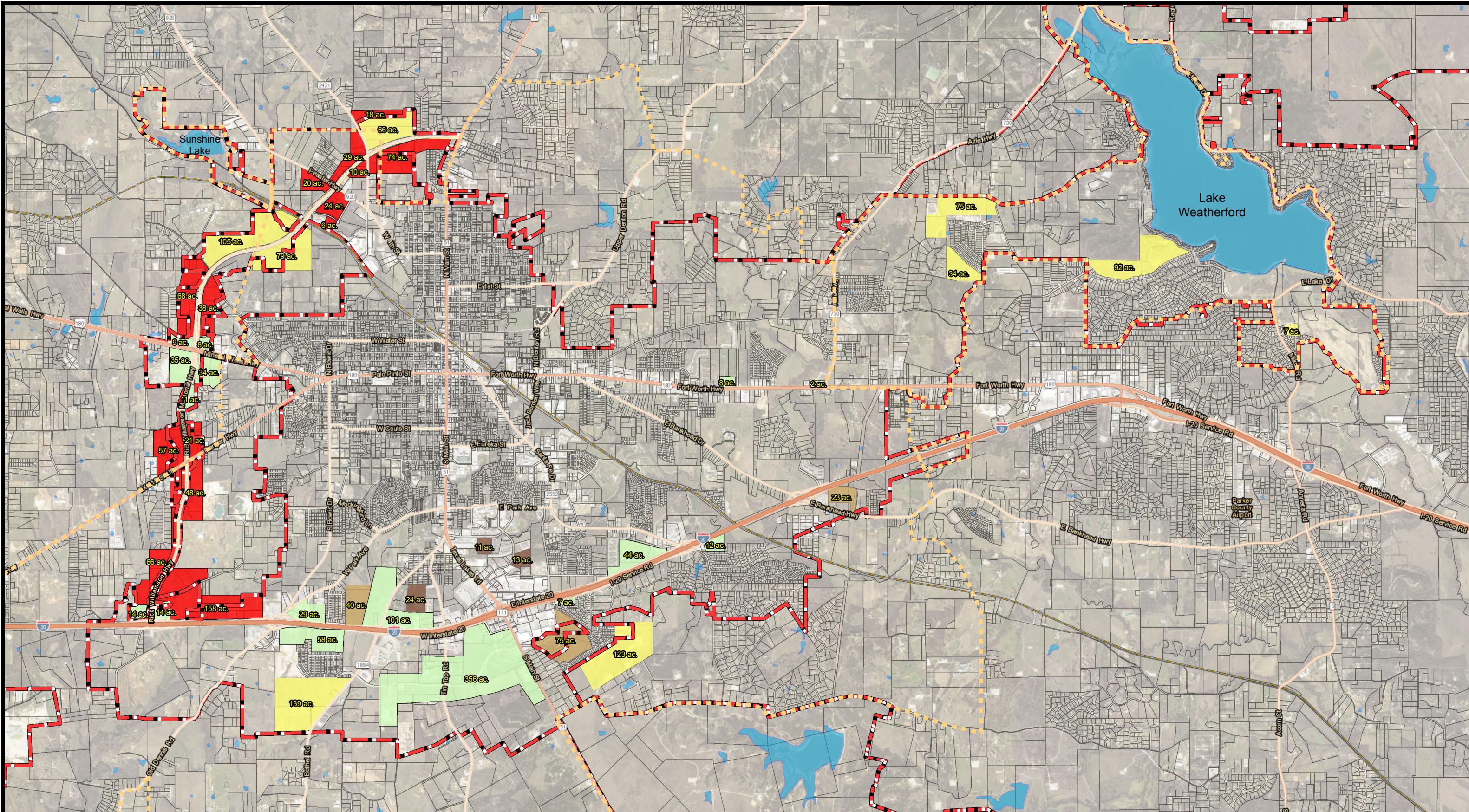


FIGURE 3

Distribution of the future population considers the land use assumptions, the anticipated growth areas identified in the Comprehensive Plan and input provided by the City regarding future developments. Using this information, the population growth was distributed within the service area.

The majority of future growth is concentrated along the Interstate 20 corridor and along the newly constructed Ric Williamson Memorial Highway between North Main Street and Interstate 20. Figure 4 shows the future growth areas and their associated acreages. The Comprehensive Plan's average population and building densities were used to size the growth areas for the different land uses. Table 1 provides a breakdown of the growth distribution for the future growth areas and the associated populations.



0 2,000 4,000
1 inch = 4,000 feet

Development Areas

City Limits

2026 Commercial (743 ac.)

2026 Industrial (635 ac.)

2026 Low Density Residential (720 ac.)

2026 Medium Density Residential (138 ac.)

2026 High Density Residential (47 ac.)



Figure 4 City of Weatherford 2026 Development Areas

TABLE 1

2026 Population Growth Distribution				
Land Use Type	Additional 2026 Area (acre)	Building Density (home/ac)	Population Density (res/home)	Additional 2026 Population
Low Density Residential	720	2.5	2.8	5,040
Medium Density Residential	138	6	2.5	2,070
High Density Residential	47	16	2	1,504
Commercial/Retail	743	n/a	n/a	n/a
Industrial	635	n/a	n/a	n/a
TOTAL	2,283			8,614

Future Connections and Meter Equivalents

The number of future water and wastewater connections is based on the building densities associated with the different land uses. Five future land uses were identified for the 2026 development areas. Of the five land uses, only low, medium and high density residential are associated with population. The number of future connections related to population growth was calculated using a connection per acre density of 2.5 for low density residential, 6 for medium density residential and 16 for high density residential. The other land uses are associated with commercial and industrial related development. Connections related to commercial and industrial growth are determined using a connection per acre density of 0.20 and 0.17, respectively.

Depending on the type of land use, the typical water meter size can vary. Residential connections typically use 3/4" water meters while commercial/retail connections are typically 1" and industrial connections are typically 2". For the purpose of determining system impacts, the different size meters are equated to a standard size using a meter equivalents table produced by the American Water Works Association (AWWA). A summary of the AWWA meter equivalents used for this impact fee program is shown in Table 2.

TABLE 2

AWWA METER EQUIVALENTS	
Meter Size	Meter Equivalent Compared to 3/4" Meter
3/4"	1.0
1"	1.67
1 1/2"	3.33
2"	5.33
3"	10.00
4"	16.67
6"	33.33
8"	53.33

Using the AWWA information, the total number of meter equivalents can be calculated for the period of 2017 to 2026. A breakdown of the projected meter equivalents for the different land uses is shown in Table 3.

TABLE 3

2026 Meter Equivalents						
Land Use Type	2026 Area (acre)	Density (conn/ac)	New Meters	Typ. Meter Size	Meter Equivalent	Total Meter Equivalents
Low Density Residential	720	2.5	1,800	3/4"	1	1,800
Medium Density Residential	138	6	828	3/4"	1	828
High Density Residential	47	16	752	3/4"	1	752
Commercial/Retail	743	0	149	1"	1.67	249
Industrial	635	0	108	2"	5.33	576
TOTAL	2,283		3,637			4,205

III. WATER AND WASTEWATER IMPACT FEES

Maximum Water and Wastewater Impact Fees

In calculating impact fees under Section 395 of the Local Government Code, the capital improvements needed for new development over the next ten (10) years were identified utilizing the approved Land Use Assumptions in the City's Comprehensive Plan. The costs to purchase right-of-way and to plan, design, construct and finance the needed improvements can be included in the costs used to calculate water and wastewater impact fees.

An equitable method for distributing the water and wastewater service demand from the properties being developed is to utilize the AWWA water meter equivalents. For impact fees, the single family residence meter size is established as the standard benefit unit. In Weatherford, the standard meter size for a single family residential property is a 3/4" meter.

Customers that require a larger water meter than the standard benefit unit meter place a greater demand on the system. Therefore, the rated flow for the larger meter size is compared to the rated flow for the standard meter to determine the share of the costs of capital improvements that should be allocated to these larger water users. For example, a commercial property on which a Target or Wal-Mart could be built may require a 2-inch meter which will place 5.33 times the demand on the water and wastewater system as that of a single family residence. A large industrial water user that may require a 6-inch meter will place 33.33 times the demand on the system as that of a single family residence.

For this impact fee program update, an analysis of the undeveloped properties that are expected to be developed by 2026 was made to determine the number and size of meters that can be anticipated for the designated land use classification and typical development densities.

The total meter equivalents calculated from these meter sizes were then divided into the costs for impact fee capital improvements projects to determine the allocation of costs for one (1) meter equivalent or a 3/4" single family meter. By state statute, water impact fees are calculated separately from wastewater impact fees. Because the revenues that will be collected each year varies with the level of development within the city, this methodology assumes that impact fee revenues collected will be applied directly to the principal costs of the authorized projects.

Additionally, the 2001 changes to Chapter 395 of the Local Government Code requires that the City of Weatherford project the ad valorem taxes and utility billing revenues that will be collected from future development and credit those revenues against the impact fee costs. As an alternative, the City can credit 50% of the maximum impact fee. This program update assumes that a 50% credit will be applied rather than attempt to project ad valorem tax rates and water and wastewater rates and usage for the next ten (10) years for specific properties that have not been platted or constructed.

Tables 4 and 5 below illustrate the calculations of the maximum impact fees that can be assessed. The calculations are based on the approved Land Use Assumptions and the proposed Impact Fee Water System Capital Improvements Plan and Wastewater System Capital Improvements Plan (Tables 6 and 7). These plans represent the improvements identified to serve new development occurring over the next ten (10) years. A graphical representation of the Impact Fee Water and Wastewater Capital Improvements Plan is shown on Figure 5.

TABLE 4

Calculation of Water Impact Fee		
Cost of 2026 Water Capital Improvements		\$18,122,985
Impact Fee Program update		\$20,000
Total Water System Impact Project Costs		\$18,142,985
Total 2026 Meter Equivalents (Standard Benefit Units)		4,205
Maximum Assessable Water Impact Fee		
\$18,142,985 / 4,205	=	\$4,314
Credit for Ad Valorem Taxes and Utility Billing Revenues (50%)		(\$2,157)
Maximum Water Impact Fee for Standard Benefit Unit:		\$2,157

TABLE 5

Calculation of Wastewater Impact Fee		
Cost of 2026 Wastewater Capital Improvements		\$15,442,683
Impact Fee Program update		\$20,000
Total Wastewater System Impact Project Costs		\$15,462,683
Total 2026 Meter Equivalents (Standard Benefit Units)		4,205
Maximum Assessable Wastewater Impact Fee		
\$15,462,683 / 4,205	=	\$3,677
Credit for Ad Valorem Taxes and Utility Billing Revenues (50%)		(\$1,839)
Maximum Wastewater Impact Fee for Standard Benefit Unit:		\$1,839

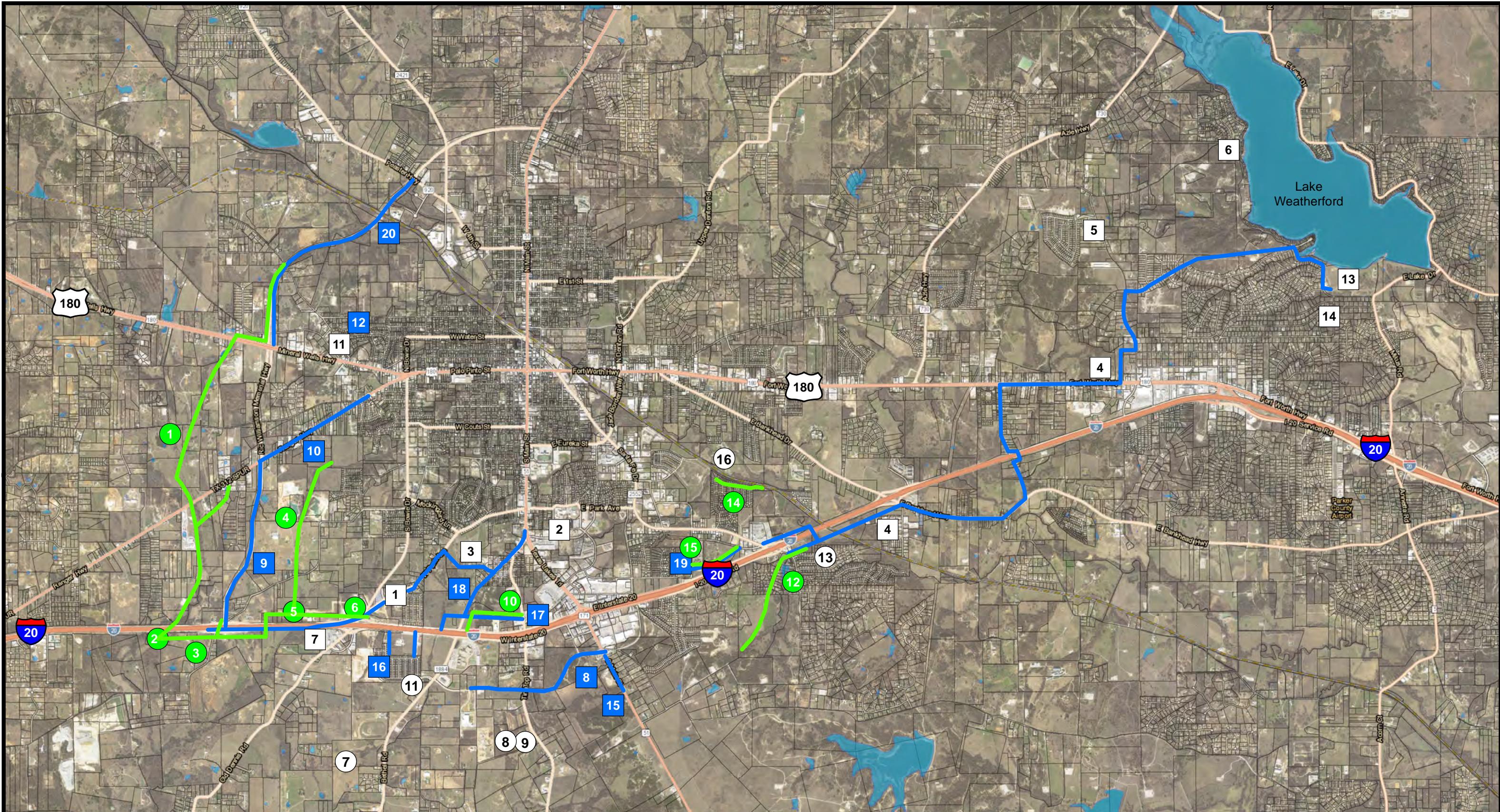
**CITY OF WEATHERFORD
IMPACT FEE STUDY**
PROPOSED WATER SYSTEM CAPITAL IMPROVEMENTS PLAN
For 2026 GROWTH

Project No.	Description	Eligible Capacity	Eligible Cost	Reimb. to Date	Projected 2026 Demand	Eligible Cost of 2026 Demand
1	Increase use of West Park elevated storage tank (Dubellette PP)	350,000 gal	\$1,300,000	*	232,000 gal	\$862,000
2	Increase use of College Hill pump station	4 mgd	\$660,000	*	3.1 mgd	\$511,500
3	Increase use of 16" West Park Ave. water line	3,000 gpm	\$1,125,000	*	2170 gpm	\$813,750
4	Increase use of 20" water transfer line between Santa Fe and WTP	5 mgd	\$3,570,000	*	5.1 mgd	\$3,570,000
5	Increase use of Oakridge elevated storage tank (Oakridge PP)	200,000 gal	\$370,000	*	19,300 gal	\$35,705
6	Increase use of existing West Lake pump station	1 mgd	\$270,000	*	0.13 mgd	\$35,100
7	Increase use of 16" water line along I-20 between Bowie Drive and Ric Williamson Hwy.	3,000 gpm	\$1,195,700	*	\$678,849	202 gpm
8	Construct 8" water line along BB Fielder between Patriot Dr. and S. Main St.				666 gpm	\$757,000 **
9	Construct 8" water line along Ric Williamson Hwy between I-20 and Ranger Hwy.				394 gpm	\$838,000 **
10	Construct 8" water line along Ranger Hwy. between Greenwood Rd. and Ric Williamson Hwy				119 gpm	\$616,000 **
11	Increase use of Miller elevated storage tank (Miller PP)	110,000 gal	\$205,000	*	110,000 gal	\$205,000
12	Increase capacity of Miller Pressure Plane elevated storage				153,000 gal	\$669,375 **
13	Increase water plant capacity	4.9 mgd	\$4,900,000	*	\$3,000,000	5.1 mgd
14	Increase raw water supply	12.6 mgd	\$10,811,405	*		5.1 mgd
15	Construct 8" water line along S. Main Street south of BB Fielder Rd.				76 gpm	\$255,000 **
16	Construct 8" water lines from I-20 to Vaughna Dr. and Kaitlyn Dr.				89 gpm	\$224,000 **
17	Construct 8" water line along Bethel Road Backage Road to I-20.				228 gpm	\$456,000 **
18	Construct 8" water line along Bethel Road north of I-20.				52 gpm	\$279,000 **
19	Construct 8" water line from Santa Fe Dr. to Holland Lake Dr.				67 gpm	\$258,000 **
20	Construct 8"water line along Ric Williamson Hwy. from Mineral Wells Hwy. to Peaster Hwy.				479 gpm	\$1,181,000 **
						Sub-total <u>\$18,122,985</u>
TOTAL COST OF 2026 WATER CAPITAL IMPROVEMENTS						<u>\$18,122,985</u>
<small>* Actual project cost ** Estimated project cost including construction, engineering, surveying, land acquisition and contingencies</small>						

TABLE 6

CITY OF WEATHERFORD
IMPACT FEE STUDY

TABLE 7



0 2,000 4,000
1 inch = 4,000 feet

Figure 4

- San. Sewer
- Water
- Prop San. Sewer Project
- Prop Water Project
- Existing Sewer Facility
- Existing Water Facility



Figure 5
City of Weatherford
2026 Impact Fee Capital Improvement
Plans for Water & Wastewater

Assessed Water and Wastewater Impact Fees

On February 14, 2017, the City Council approved an assessment of 50% of the maximum assessable water and wastewater impact fee. The resulting water and wastewater impact fees that will be assessed by the City of Weatherford against new development in the City are as shown below in Table 8.

TABLE 8
IMPACT FEE RATE SCHEDULE (BY METER SIZE)

Meter Size	Meter Equivalents	50% Assessment Rate	
		Water	Sewer
3/4"	1	\$2,157	\$1,839
1"	1.67	\$3,602	\$3,071
1 1/2"	3.33	\$7,183	\$6,124
2"	5.33	\$11,497	\$9,802
3"	10	\$21,570	\$18,390
4"	16.7	\$36,022	\$30,711
6"	33.3	\$71,828	\$61,239
8"	53.3	\$114,968	\$98,019

Impact Fee Project Accounting and Management

Chapter 395 of the Local Government Code requires that the revenues collected from impact fees be accounted separately from other funds within the City. Funds accumulated may only be used toward eligible expenditures on projects authorized through the approved Impact Fee Program.

Impact fee revenues may only be imposed to pay the costs of constructing capital improvements or facility expansions that are directly identified as authorized impact fee projects, including and limited to:

- Preparation of capital improvement plans and impact fee studies by an independent engineer or financial consultant,
- Surveying and engineering fees,
- Land acquisition costs,
- Construction contract price, and
- Interest charges and finance costs for authorized projects.

Impact fee revenues cannot be used to:

- Construct, acquire or expand facilities or assets other than authorized impact fee projects,
- Repair, operate or maintain existing or new capital improvements or facilities,
- Upgrade or expand facilities to better serve existing development,
- Administer and operate capital improvements or other programs, or
- Pay debt service or other finance charges except for authorized projects.

Additionally, an owner of property cannot be required to construct or dedicate facilities and to pay impact fees for those same facilities. The code also requires that impact fees be credited against costs for authorized impact projects that are directly paid by a developer or owner. A breakdown of the anticipated average yearly impact fee revenues is shown on Table 9. The column for connections per year is the average number of connections for the 10-year planning period (i.e. 4,205 connections divided by 10 years).

TABLE 9
PROJECTED IMPACT FEE REVENUE AT 50% ASSESSMENT

WATER			WASTEWATER			YEARLY TOTAL
Year	Conn.	Revenue	Year	Conn.	Revenue	
2017	421	\$908,097	2017	421	\$774,219	\$1,682,316
2018	421	\$908,097	2018	421	\$774,219	\$1,682,316
2019	421	\$908,097	2019	421	\$774,219	\$1,682,316
2020	421	\$908,097	2020	421	\$774,219	\$1,682,316
2021	421	\$908,097	2021	421	\$774,219	\$1,682,316
2022	421	\$908,097	2022	421	\$774,219	\$1,682,316
2023	421	\$908,097	2023	421	\$774,219	\$1,682,316
2024	421	\$908,097	2024	421	\$774,219	\$1,682,316
2025	421	\$908,097	2025	421	\$774,219	\$1,682,316
2026	421	\$908,097	2026	421	\$774,219	\$1,682,316
10 Year Total		\$9,080,970	10 Year Total		\$7,742,190	\$16,823,160

The presiding officer of the governing body (i.e. Weatherford's Mayor) is required to certify to the State's Attorney General by September 30th of each year that the City's impact fee program is managed in accordance with state statutes.

IV. IMPACT FEE ORDINANCE

ORDINANCE NO. 821-2017-05

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WEATHERFORD, TEXAS IMPOSING WATER AND WASTEWATER IMPACT FEES FOR FINANCING CAPITAL IMPROVEMENTS IN THE CITY OF WEATHERFORD, TEXAS PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 395 of the Texas Local Government Code provides for the financing of capital improvements required by new development in the City of Weatherford, Texas through the enactment of impact fees;

WHEREAS, the City Council of the City of Weatherford, Texas along with city staff, has extensively reviewed Chapter 395 of the Texas Local Government Code concerning updating impact fees to finance capital improvements;

WHEREAS, the City Council of the City of Weatherford, Texas has retained the professional engineering firm of Teague Nall and Perkins to prepare a Capital Improvements Plan, land use assumptions plan, and service area plan to update impact fees to finance capital improvements pursuant to Chapter 395 of the Texas Local Government Code;

WHEREAS, on February 25, 2016, the Weatherford Municipal Utility Board of the City of Weatherford recommended appointing an Advisory Committee as required by Local Government Code, Chapter 395;

WHEREAS, on March 8, 2016, the City Council of the City of Weatherford, Texas approved the appointment of this committee;

WHEREAS, on December 13, 2016, a meeting was held with the Advisory Committee to review information related to the proposed amendments to the land use assumptions, capital improvements plan, and impact fees; and comments were received from the Advisory Committee by January 12, 2017;

WHEREAS, on January 17, 2017 the Advisory Committee recommended to the Weatherford Municipal Utility Board that the impact fees be set at 50% of the maximum amount as determined in the study;

WHEREAS, on January 26, 2017, a public hearing was conducted to receive citizen input concerning the adoption of amendments to the Capital Improvements Plan, land use assumptions plan, and the imposition of an impact fee for the City of Weatherford, Texas;

WHEREAS, on January 26, 2017, the City of Weatherford Municipal Utility Board recommended to the City Council that the impact fees be set at \$2,157 per average residential service unit (3/4" water meter) for water and \$1,839 per average residential service unit (3/4" water meter) for wastewater;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Weatherford, Texas as follows:

I.

The City Council of the City of Weatherford, Texas hereby imposes impact fees for the financing of capital improvements at \$2,157 per average residential service unit (3/4" water meter) for water and \$1,839 per average residential service unit (3/4" water meter) for wastewater, as set forth in the Capital Improvements Plan previously approved by the City Council of the City of Weatherford.

II.

For the purposes of this Ordinance, the date of approval of a Construction Plat by the City Council shall be deemed the date of approval of a plat pursuant to Subsection 395.016(c) of the Local Government Code, unless a final plat was approved prior to effective date of this Ordinance, in which event the date of the approval of the final plat will control.

III.

This Ordinance shall be and is hereby cumulative of all other Ordinances of the City of Weatherford, Texas, and this Ordinance shall not operate to repeal or affect any of such other Ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinance or Ordinances are hereby repealed.

IV.

If any section, subsection, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

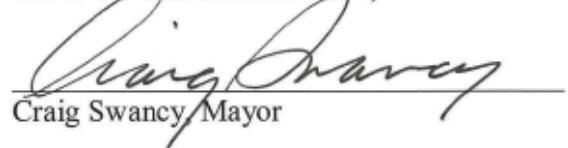
V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Weatherford,

Texas and upon approval thereof by the Mayor of the City of Weatherford, Texas and publication hereof as prescribed by law.

The foregoing ordinance was introduced, read, approved, and passed by a vote of 5 ayes and 0 no of the City Council of the City of Weatherford, Texas, at its meeting on the 14th day of February, 2017.

CITY OF WEATHERFORD, TEXAS



Craig Swancy
Mayor

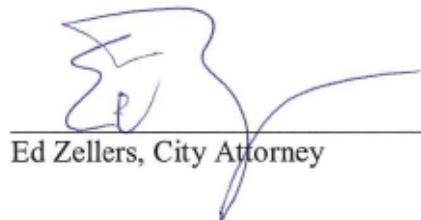
ATTEST:



Malinda Nowell

Malinda Nowell, City Secretary

APPROVED AS TO FORM:



Ed Zellers

Ed Zellers, City Attorney