



# City of San Antonio

## Agenda Memorandum

**File Number:**19-3283

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**Agenda Item Number:** 4B.

**Agenda Date:** 4/11/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Finance

**DEPARTMENT HEAD:** Troy Elliott

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Briefing on impact fees and an ordinance establishing a public hearing date

**SUMMARY:**

SAWS will provide a briefing on the impact fee update process and will propose an ordinance establishing a public hearing date of May 16, 2019, at which time council will consider adopting an update of the Land Use Assumptions Plan (LUAP), the Capital Improvements Plan (CIP), and updated impact fees for the service territory of the San Antonio Water System (SAWS).

**BACKGROUND INFORMATION:**

Chapter 395 of the Local Government Code establishes the requirements and the process that must be followed if a municipality is to assess and collect impact fees. One of the requirements is that the LUAP and CIP be updated every five years. The LUAP sets out a description of the service area and forecasts changes in land uses, densities, intensities, and population in the service area over the next 10 year period. Generally, the CIP describes the parts of the capital improvements or facility expansions and their costs necessitated by and attributed to new development in the service area based on the approved land use assumptions. The current LUAP, CIP, and impact fees for water delivery, water supply and wastewater were approved by City Council on May 29, 2014 to be effective in June of 2014.

An impact fee is a one-time charge imposed on new development to help recover capital costs associated with infrastructure and facility expansions necessary to provide service to that new development. Impact fees provide SAWS with a mechanism to have new development pay its equitable portion of required capital costs

with these infrastructure projects. The goal of impact fees is to protect ratepayers from subsidizing new growth.

SAWS began the current process to update all of its impact fees by engaging Carollo Engineers, a professional engineering firm, to conduct an Impact Fee Study. SAWS staff and Carollo Engineers have been providing technical support to the City Council appointed Capital Improvements Advisory Committee (CIAC) since last year. The CIAC held numerous meetings to review the updated LUAP, CIP, and impact fees. The CIAC will make its independent written recommendations to the City Council on the updated LUAP, CIP, and impact fees. Separately, the SAWS Board of Trustees is expected to approve a resolution adopting an updated LUAP, CIP and impact fees on April 2, 2019.

Chapter 395 requires the establishment of a public hearing to consider the LUAP, CIP, and impact fees. The proposed ordinance establishes May 16, 2019, as the public hearing date for LUAP, CIP, and impact fee consideration. Notice by publication of the hearing will take place on April 13, 2019, in the San Antonio Express News.

#### **ISSUE:**

Chapter 395 of the Local Government Code establishes the requirements and the process that must be followed if a municipality is to assess and collect impact fees. Chapter 395 requires the establishment of a public hearing to consider the LUAP, CIP, and impact fees. The proposed ordinance establishes May 16, 2019, as the public hearing date for LUAP, CIP, and impact fee consideration.

#### **ALTERNATIVES:**

Another date could be selected for the public hearing to consider the LUAP, CIP, and impact fees; however, the May 16, 2019, date complies with the five year update requirement of Chapter 395.

#### **FISCAL IMPACT:**

The proposed ordinance establishes a date for a public hearing. As such, there is no fiscal impact to the City.

#### **RECOMMENDATION:**

Staff recommends approval of the proposed ordinance establishing May 16, 2019 as the public hearing date to consider adopting the LUAP, CIP, and impact fees for the service territory of SAWS.