

## RESOLUTION 2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS APPROVING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR THE CITY'S PROPOSED WATER AND WASTEWATER IMPACT FEE SERVICE AREA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, Tex. Loc. Gov't Code Section 395.045 states that to impose water and wastewater impact fees, the City Council must, after holding a public hearing, approve land use assumptions and a capital improvements plan for the City's proposed water and wastewater impact fee service area; and

**WHEREAS**, a professional engineering report (the "Water and Wastewater Impact Fees Analysis") on land use assumptions and a capital improvements plan for the implementation of impact fees for the City's proposed water and wastewater impact fee service area (the "Wastewater Impact Fee Capital Improvement Plan") was prepared for the City by Jones & Carter; and

**WHEREAS**, the City Council finds and determines that the City has complied with the requirements in Tex. Loc. Gov't Code Sections 395.042 and 395.043 for publicizing the Water and Wastewater Impact Fees Analysis and Water Impact Fee Capital Improvement Plan before the public hearing on those reports; and

**WHEREAS**, the Capital Improvements Advisory Committee met on June 6, 2016, and recommended that the City Council approve the Water and Wastewater Impact Fee Analysis and Water Impact Fee Capital Improvement Plan which is memorialized in its Comment 2016-01 filed with the City Secretary on or about June 16, 2016; and

**WHEREAS**, the City Council held a public hearing on June 27, 2016 to consider the land use assumptions and capital improvement plan associated with the Water and Wastewater Impact Fee Analysis and Water Impact Fee Capital Improvement Plan for the possible imposition of impact fees for water and wastewater improvements attributable to new development in the impact fee service area.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS:**

**SECTION 1. Land Use Assumptions.** The land use assumptions contained within the Water and Wastewater Impact Fee Analysis (a copy of which is attached to this Resolution as Exhibit "A" and incorporated into this Resolution for all purposes) is approved as to the City's system-wide land use assumptions for the City's proposed water and wastewater impact fee service area.

**SECTION 2. Capital Improvement Plan.** The Water Impact Fee Capital Improvement Plan (a copy of which is attached to this Resolution as Exhibit "B" and incorporated into this Resolution for all purposes) is approved as to the City's capital improvements plan for the City's proposed water and wastewater impact fee service area.

**SECTION 3. Effective Date.** This Resolution is in full force and effect immediately upon its adoption.

**SECTION 4. Severability.** In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Oak Ridge, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**PASSED, APPROVED, AND ADOPTED** on this the 27<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
Jim Kuykendall, Mayor

ATTEST:

  
\_\_\_\_\_  
Laura Calcote, City Secretary