

**RESOLUTION NO. 2017-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS ADOPTING AMENDED IMPACT FEES FOR WATER AND WASTEWATER IMPROVEMENTS THAT ARE ATTRIBUTABLE TO NEW DEVELOPMENT IN THE CITY'S PROPOSED WATER AND WASTEWATER IMPACT FEE SERVICE AREAS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Oak Ridge North, Texas ("the City") adopted Resolution 2016-13 on August 8, 2016 which initially adopted impact fees for water and wastewater improvements that are attributable to new development in the City's proposed water and wastewater impact fee service areas, provided for impact fee collection and accounting for fees and interest and provided for semi-annual review of impact fees by the Capital Improvement Advisory Committee ("CIAC"); and

**WHEREAS**, Jones & Carter presented to the CIAC a report (the "Water and Wastewater Impact Fees Analysis") concerning certain tracts of land that have been excluded from the previously identified impact fee service areas due to amended certificates of convenience and necessity ("CCN") applicable to certain tracts of land which the CIAC considered on August 7, 2017; and

**WHEREAS**, the amended CCNs' impact on the size of the impact fee service areas created the need for the CIAC to consider the amendment of the impact fees for water and wastewater improvements originally adopted by Resolution 2016-13 on August 8, 2016; and

**WHEREAS**, Tex. Loc. Gov't Code Section 395.054 states that to amend water and wastewater impact fees, the City Council must hold a public hearing to discuss the proposed ordinance, order, or resolution amending the impact fees; 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 Capital Improvement Plan prior to holding public hearings on the proposed amended impact fees; and

**WHEREAS**, pursuant to Tex. Loc. Gov't Code Section 395.055, the City Secretary of the City of Oak Ridge North timely published on August 25, 2017, the notice of public hearing (attached as Exhibit "A") in the City of Oak Ridge North's official newspaper of general circulation concerning the public hearing to consider approval of the amendment of the City's current impact fees for water and wastewater infrastructure necessary to serve new development; and

**WHEREAS**, the Capital Improvements Advisory Committee convened on August 7, 2017, and recommended that the City Council approve the proposed amended impact fees as calculated and presented by Jones & Carter and directed the preparation and filing of its

preliminary written Comment 2017-01 recommending that the City Council approve the amended impact fees for water and wastewater improvements attributable to new development in the revised impact fee service areas pursuant to the final Water and Wastewater Impact Fee Analysis Report, Appendices 7 and 8; and

**WHEREAS**, the CIAC's preliminary written Comment 2017-01 was timely filed with the City Secretary on September 14, 2017; and

**WHEREAS**, the City Council held a public hearing on September 25, 2017, to consider the CIAC's preliminary Comment 2017-01 and the proposed amended impact fees attributable to new development in the revised impact fee service areas; and

**WHEREAS**, after the public hearing on September 25, 2017, the CIAC ratified and finalized its preliminary written Comment 2017-01 on October 2, 2017, recommending to City Council the approval of the proposed amended impact fee for water of \$1,579.00 per ESFC and for wastewater of \$2,690.00 per ESFC based on the amended CCNs applicable to certain tracts of land for water and wastewater improvements attributable to new development in the revised impact fee service.

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

**SECTION 1.** The facts and recitations found in the preamble of this Resolution are true and correct and incorporated herein for all purposes.

**SECTION 2. Amended Impact Fees Approved.** The amended impact fees recommended by the CIAC of \$1,579.00 per ESFC for water and \$2,690.00 per ESFC for wastewater of \$2,690.00 as reflected in Appendix 7 and 8 to the Water and Wastewater Impact Fee Analysis dated August 1, 2016, which is incorporated into this Resolution by reference for all purposes, are approved, levied and imposed as to the City's water and wastewater impact fee service areas.

**SECTION 3. Impact Fee Collection.** The City may collect the amended impact fees herein imposed or as may be later amended immediately upon adopting the Resolution. The amended impact fees herein imposed, or as may be later amended, may be collected on any service unit located in an impact fee service area for which a valid building permit is issued or as otherwise allowed by Texas Local Government Code Chapter 395.

**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.

**SECTION 5. Effective Date.** This Resolution is in full force and effect immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED** on this the 9<sup>th</sup> day of October, 2017.

  
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Jim Kuykendall, Mayor

ATTEST:

  
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Laura Calcote, City Secretary



# EXHIBIT "A"

## (Proof of Publication)

Order Confirmation			
<b>Ad Order Number</b> 0000150033	<b>Customer</b> CITY OF OAK RIDGE NORTH	<b>Pavor Customer</b> CITY OF OAK RIDGE NORTH	<b>PO Number</b>
<b>Sales Rep.</b> HC0261	<b>Customer Account</b> 10020123	<b>Pavor Account</b> 10020123	<b>Ordered By</b> Laura Calcote
<b>Order Taker</b> Ikee	<b>Customer Address</b> 27424 ROBINSON RD OAK RIDGE NORTH TX 773858957 USA	<b>Pavor Address</b> 27424 ROBINSON RD OAK RIDGE NORTH TX 773858957 USA	<b>Customer Fax</b>
<b>Order Source</b>	<b>Customer Phone</b> 2812924648	<b>Pavor Phone</b> 2812924648	<b>Customer Email</b>
			<b>Special Pricing</b>

Tear Sheets	Proofs	Affidavits	Blind Box	Promo Type	Materials
1	0	1			

**Invoice Text** **Ad Order Notes**

Net Amount	Tax Amount	Total Amount	Payment Method	Payment Amount	Amount Due
\$135.79	\$0.00	\$135.79	Invoice	\$0.00	\$135.79

Ad Number	Ad Type	Production Method	Production Notes
0000150033-01	CLS Liner	AdBooker	

External Ad Number	Ad Attributes	Ad Released	Pick Up
		No	

Ad Size	Color
2 X 21 1/2	

**CITY OF OAK RIDGE NORTH**  
**NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES**

The City of Oak Ridge North will hold a Public Hearing before the City Council. The public hearing will be held on the 25th day of September, 2017 at 7:00 o'clock p.m. at City Hall, 27424 Robinson Road, Oak Ridge North, Texas 77335 to discuss the amendment of an impact fee for water and wastewater infrastructure necessary to serve new development. The proposed amended impact fee for water is \$15,579.00 per equivalent single family connection (ESFC) and the proposed amended impact fee for wastewater is \$2,690.00 per equivalent single family connection (ESFC). An equivalent single family connection (ESFC) is defined as a 5/8" meter size. Any member of the public may appear and be heard and has the right to appear at the public hearing and present evidence for or against the plan and proposed amended fee.

If you have any questions concerning this joint public hearing, please contact City Secretary Laura Calcote at 281-292-4649, ext. 303.  
CC 8/25/17

Product	Placement	Position	First Run Date	Last Run Date
CNCC-The Courier Online	Legal-cn Legal-cn	Legal Notices Legal Notices	Friday, August 25, 2017 Friday, August 25, 2017	Friday, August 25, 2017 Friday, August 25, 2017