

ORDINANCE NO. 21-12-02-01

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, TO ADOPT UPDATED LAND USE ASSUMPTIONS, AN UPDATED CAPITAL IMPROVEMENTS PLAN, AN UPDATED IMPACT FEE STUDY, AND UPDATED IMPACT FEES FOR WATER AND WASTEWATER UTILITY INFRASTRUCTURE IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 395; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is responsible for and committed to the provision of public facilities to ensure the provision of adequate facilities in the future; and

WHEREAS, new development causes and imposes increased demands for City public water and wastewater utility infrastructure; and

WHEREAS, Texas Local Government Code, Chapter 395, authorizes cities to adopt and amend impact fees for the purpose of financing capital improvements for public infrastructure required by new development; and

WHEREAS, to the extent new development places demands upon public infrastructure, those demands should be satisfied by sharing the responsibility for financing these facilities from the public at large to the developments creating the demands; and

WHEREAS, the City Council of the City of the City of Lago Vista, Texas, after careful consideration of the matter, hereby finds and declares that water and wastewater utility infrastructure impact fees imposed upon development to finance specific public infrastructure projects that are needed to meet the demands of the development are in the best interests of the general welfare of the City and its residents, are proportionate, and do not impose an unfair burden on such development; and

WHEREAS, the amount of the water and wastewater utility infrastructure impact fees imposed on new development shall be determined by the cost of the additional public infrastructure needed to support such new development as identified in Capital Improvements Plan; and

WHEREAS, the Impact Fee Advisory Committee has filed written comments regarding the proposed water and wastewater utility infrastructure impact fees with the City Council; and

WHEREAS, on December 2, 2021, the City Council held a public hearing at the Council Chambers, 5803 Thunderbird Street, Lago Vista, Texas to consider updated Land Use Assumptions, an updated Capital Improvements Plan, and an updated Impact Fee Study upon which updated water and wastewater utility infrastructure impact fees might be imposed; and

WHEREAS, the updated Land Use Assumptions, updated Capital Improvements Plan and updated Impact Fee Study for water and wastewater utility infrastructure were developed by qualified professionals using generally accepted engineering and planning practices in accordance with Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Lago Vista, Texas finds that they have complied with Chapter 395 regarding the notice, adoption, promulgation, and methodology necessary to adopt impact fees.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS OF FACT. All the above clauses and the premises stated in them are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. In accordance with Chapter 395 of the Texas Local Government Code, the City Council has employed qualified professionals to prepare updated Land Use Assumptions and an updated Capital Improvements Plan for the imposition of water and wastewater utility infrastructure impact fees. The updated Land Use Assumptions and updated Capital Improvements Plan were approved after a public hearing in accordance with Chapter 395 of the Texas Local Government Code.

SECTION 3. The document titled “Lago Vista Impact Fee Study”, dated November 1, 2021, is hereby adopted, and incorporated into this Ordinance by reference.

SECTION 4. The provisions in this Ordinance apply to all new development within the corporate boundaries of the City of Lago Vista, Texas for water and wastewater utility infrastructure impact fees.

SECTION 5. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Article 3.000 and Article 6.000 of Appendix A of the Lago Vista Code of Ordinances as shown in **Exhibit “A.”**

SECTION 6. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 7. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.


SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

SECTION 9. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 2nd day of December, 2021.





Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Mayor Pro Tem Sullivan, seconded by Councilor Hunt, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

APPENDIX A

FEE SCHEDULE

ARTICLE 3.000 BUILDING RELATED FEES

Section 3.500 Impact Fees

- (a) Wastewater: \$2,360.00 per Service Unit
- (b) Water: \$3,486.00 per Service Unit
- (c) Water and Wastewater Service Unit Equivalences

Meter Size	Service Unit Equivalent
3/4" x 5/8"	1.0
3/4" x 3/4"	1.0
1"	2.5
2"	8.0
3"*	16.0
4"	25.0
6"	50.0
8"	160

*Uncommon size; requires prior approval

ARTICLE 6.000 UTILITY RELATED FEES

Section 6.100 Tap Fees

- (a) Standard water, wastewater, or reclaimed water connection fees (3/4" by 5/8" water or reclaimed water tap), where service lines must be installed and for a water meter set by the City, are as follows:

	Short Service Tap**	Long Service Tap**
Pressure Sewer (2")	\$3,000.00*	\$4,500.00*
Gravity Sewer (4")	\$3,400.00*	\$5,200.00*
Water (3/4" Meter)	\$3,000.00*	\$4,500.00*
Reclaimed (3/4" Meter)	\$3,000.00*	\$4,500.00*
*Indicates minimum cost; actual charges may be recalculated by the City before utility account set-up.		
**Long service is defined as a service line that crosses the road (whole or in part) from the main to provide a connection. Short service is defined as a service line that does not have to cross the road from the main to provide a connection.		
