

CITY OF COLLEGE STATION

2021 WATER AND WASTEWATER IMPACT FEE UPDATE STUDY

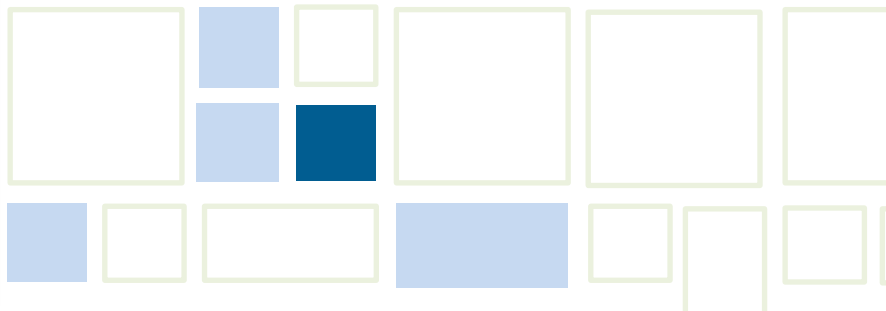


PREPARED FOR:
City of College Station

PREPARED BY:
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CITY OF COLLEGE STATION
Home of Texas A&M University®



2021 WATER AND WASTEWATER IMPACT FEE UPDATE STUDY

Prepared for:

City of College Station



Richard Weatherly

12/7/21

FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

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FNI Project Number: CCL20771

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1.0 BACKGROUND AND SCOPE

The City of College Station, Texas (City) authorized Freese and Nichols, Inc. (FNI) to perform an impact fee study for the City's water and wastewater systems. The purpose of this report is to document the land use assumptions and capital improvements plan which will be used in the development and calculation of water and wastewater impact fees for the City of College Station and also document the calculated maximum allowable impact fees. The methodology used herein satisfies the requirements of the Texas Local Government Code (TLGC) Section 395 (**Section 1.1**) for the update of impact fees.

1.1 TEXAS LOCAL GOVERNMENT CODE

Chapter 395 of the Texas Local Government Code (**Appendix A**) requires an impact fee analysis before impact fees can be created, updated, and assessed. Chapter 395 defines an impact fee as "a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development." In September 2001, Chapter 395 was amended creating the current procedure for implementing impact fees. Chapter 395 identifies the following items as impact fee eligible costs:

- Construction contract price
- Surveying and engineering fees
- Land acquisition costs
- Fees paid to the consultant preparing or updating the capital improvements plan (CIP)
- Projected interest charges and other finance costs for projects identified in the CIP

Chapter 395 also identifies items that impact fees cannot be used to pay for, such as:

- Construction, acquisition, or expansion of public facilities or assets other than those identified on the capital improvements plan
- Repair, operation, or maintenance of existing or new capital improvements
- Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards
- Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development
- Administrative and operating costs of the political subdivision as allowed above

As a funding mechanism for capital improvements, impact fees allow cities to recover the costs associated with new facilities or facility expansions in order to serve future development. Statutory requirements mandate that impact fees be based on a specific list of improvements identified in a capital improvements program and only the cost attributed (and necessitated) by new growth over a 10-year period may be considered. As projects in the program are completed, planned costs are updated with actual costs to reflect the capital expenditure of the program more accurately. Additionally, new capital improvement projects may be added to the system.

1.2 IMPACT FEE DEVELOPMENT

The impact fee update process included preparation of land use assumptions and development of impact fee eligible capital improvement plans (CIPs) and associated CIP costs. The impact fee calculation is limited to project recommendations within the next 10 years that will serve projected growth. The maximum allowable impact fee per living unit equivalent (LUE) was calculated using the identified eligible CIP projects. An analysis was performed to determine the credit based on utility service revenue and was included in the calculation to determine the maximum allowable impact fee.

As part of the impact fee update, FNI conducted workshops with the City's appointed Impact Fee Advisory Committee (IFAC) and City Council. The IFAC's role includes reviewing the land use assumptions and impact fee capital improvement plans (CIPs) and providing written comments on the proposed impact fees to the City Council. The City Council sets the impact fees to be collected.

1.3 LIST OF ABBREVIATIONS

The list of abbreviations used in this report are presented in **Table 1-1**.

Table 1-1: List of Abbreviations

| Abbreviation | Actual |
|--------------|--|
| CCN | Certificate of Convenience and Necessity |
| CIP | Capital Improvement Plan |
| EST | Elevated Storage Tank |
| ETJ | Extraterritorial Jurisdiction |
| FM | Farm-to-Market |
| FNI | Freese and Nichols, Inc. |
| gpm | Gallons per Minute |
| GST | Ground Storage Tank |
| IFAC | Impact Fee Advisory Committee |
| LUE | Living Unit Equivalent |
| MGD | Million Gallons per Day |
| OPCC | Opinion of Probable Construction Cost |
| SH | State Highway |
| TLGC | Texas Local Government Code |
| WWTP | Wastewater Treatment Plant |

2.0 LAND USE ASSUMPTIONS

Population and land use are important elements in the analysis of water and wastewater systems. To assist the City of College Station in determining the need and timing of capital improvements to serve future development, a reasonable estimation of future growth is required. Growth and development projections were formulated based on assumptions pertaining to the type, location, quantity, and timing of various future land uses within the community. These land use assumptions, which were utilized to develop living unit equivalent (LUE) projections, will become the basis for the preparation of impact fee capital improvement plans for water and wastewater facilities. A living unit equivalent is defined as the equivalent to a water or wastewater connection for a single-family residence.

2.1 PROJECTED FUTURE DEVELOPMENT

Comprehensive Plan

The City of College Station is currently undergoing a Comprehensive Plan update. FNI utilized information from the City's Planning and Development Services department to update the land use and LUE projections within the City's water and wastewater impact fee service areas. The City provided an expected LUE per acre density for each land use type. The updated future land use and expected LUE per acre density are shown on **Figure 2-1**.

Planned Development and Redevelopment

The City's Planning and Development Services Department identified specific areas where future residential and non-residential developments are expected to occur and an expected timeline of development. These areas are shown on **Figure 2-2**. The Planning Department also identified areas that are anticipated to be redeveloped at a higher density. These areas consist of existing single-family and multi-family residential and commercial units that would be demolished and replaced with larger complexes or mixed-use housing. The major redevelopment areas include Northgate, Research Valley BioCorridor, Midtown, and the University Drive East Corridor.

LUE projections were developed for these identified areas based on the City's future land use and any available information on anticipated lot counts provided by developers. FNI also identified vacant parcels that could be developed in the future, identified as infill, utilizing the City's land use and meter billing data.

FIGURE 2-1
CITY OF COLLEGE STATION
WATER AND WASTEWATER
IMPACT FEE UPDATE
FUTURE LAND USE

LEGEND

- | | |
|----------|----------------------|
| Road | Texas A&M University |
| Railroad | City Limit |
| Stream | ETJ Boundary |
| Lake | Other City Limit |
| | County Boundary |



LAND USE

- | | | |
|-------------------------|---------------------------|----------------------|
| Urban Center | Mixed Residential | Wellborn |
| Neighborhood Center | Suburban Residential | Institutional/Public |
| General Commercial | Estate Residential | Texas A&M University |
| Neighborhood Commercial | Rural | Parks & Greenways |
| Business Center | Neighborhood Conservation | Natural Areas |
| Urban Residential | Medical | Redevelopment Areas |

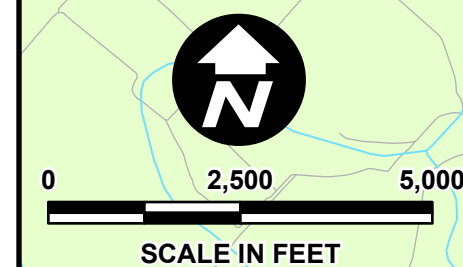
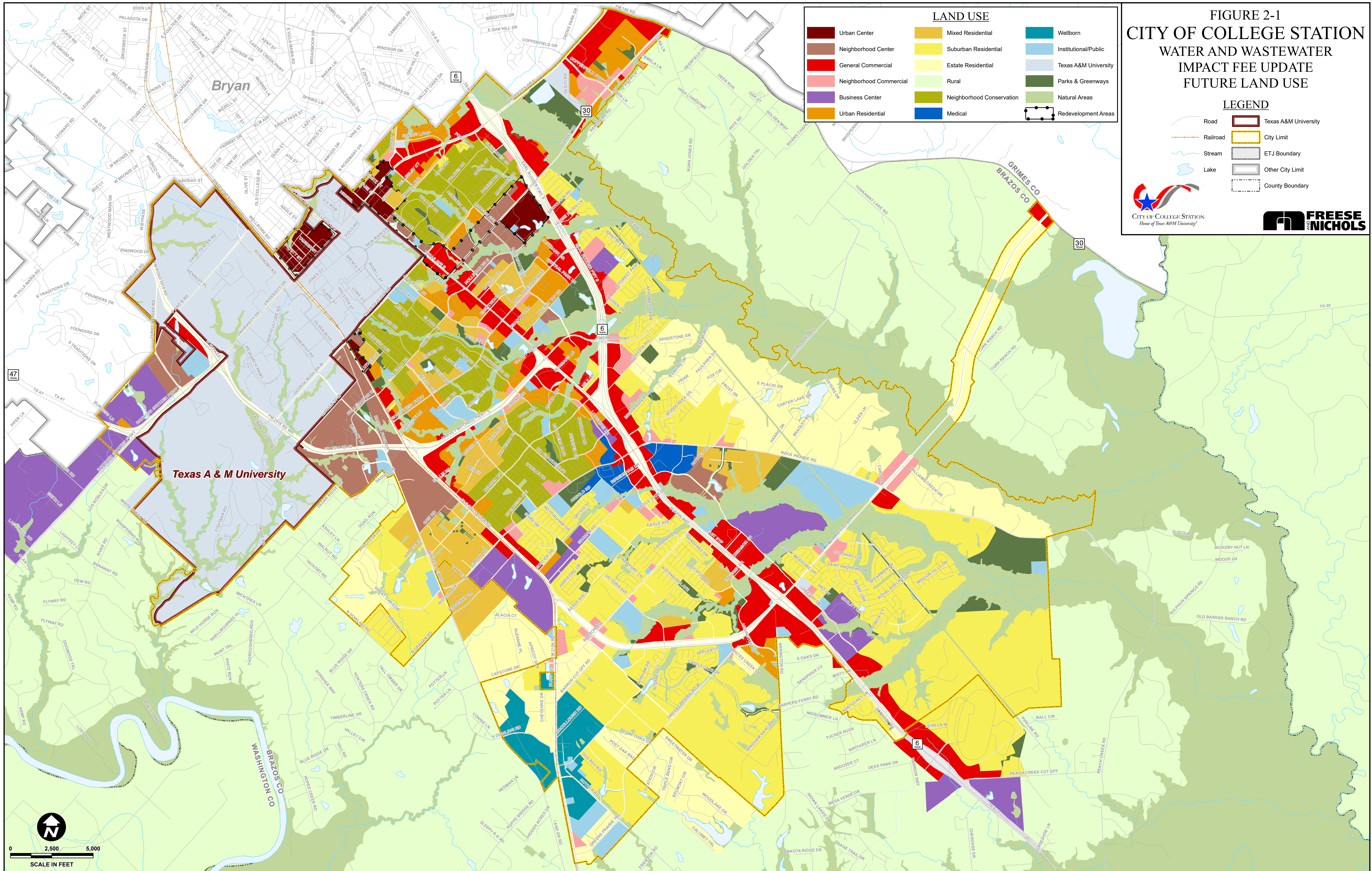















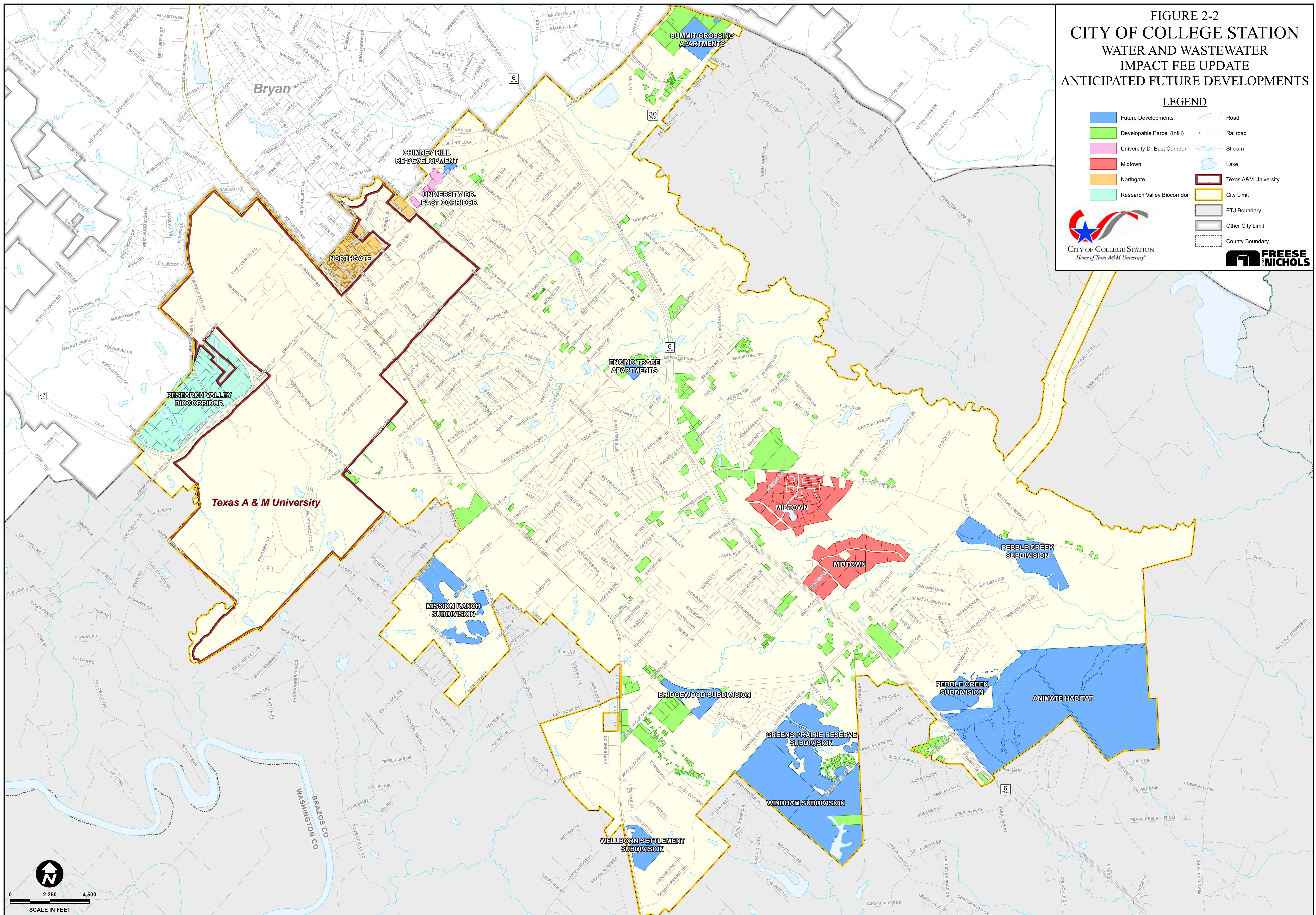


FIGURE 2-2
CITY OF COLLEGE STATION
WATER AND WASTEWATER
IMPACT FEE UPDATE
ANTICIPATED FUTURE DEVELOPMENTS

LEGEND

- | | | | |
|---|-----------------------------|---|----------------------|
|  | Future Developments |  | Road |
|  | Developable Parcel (Infill) |  | Railroad |
|  | University Dr East Corridor |  | Stream |
|  | Midtown |  | Lake |
|  | Northgate |  | Texas A&M University |
|  | Research Valley Biocorridor |  | City Limit |
| | |  | ETJ Boundary |
| | |  | Other City Limit |
| | |  | County Boundary |



2.2 LIVING UNIT EQUIVALENT (LUE)

According to Chapter 395 of the Texas Local Government Code, the maximum impact fee may not exceed the amount determined by subtracting the rate credit from the cost of the capital improvements required and dividing that amount by the total number of service units attributed to new development during the impact fee eligibility period. Water and wastewater service units are defined as living unit equivalents (LUEs), representing a typical connection for one single-family residence. The rate credit analysis is discussed in detail in **Section 4.2.1**.

The service associated with public, commercial, and industrial connections is converted into service units based upon the capacity of the meter used to provide service. The number of service units required to represent each meter size is based on the safe maximum operating capacity of the appropriate meter type. Water meter specifications including the safe maximum operating capacities for the specific meters utilized by the City were identified for each meter size. The service unit equivalent is the ratio of the safe maximum operating capacity of the meter in question to the safe maximum operating capacity of a 5/8" meter. The service unit equivalent for each meter size used by the City is listed in **Table 2-1**.

Table 2-1: Living Unit Equivalencies

| Meter Size | Meter Type | Safe Maximum Operating Capacity ⁽¹⁾⁽²⁾ (gpm) | Living Unit Equivalent ⁽³⁾ |
|-------------|--------------|---|---------------------------------------|
| 5/8" x 3/4" | Displacement | 15 | 1.0 |
| 1" | Displacement | 50 | 3.3 |
| 1-1/2" | Compound | 160 | 10.7 |
| 2" | Compound | 160 | 10.7 |
| 3" | Compound | 400 | 26.7 |
| 4" | Compound | 800 | 53.3 |
| 6" | Compound | 1,600 | 106.7 |
| 8" | Compound | 2,700 | 180.0 |
| 10" | Compound | 4,000 | 266.7 |

(1) City is currently using Badger Recordall Disc Meter (Model 25 for 5/8" x 3/4" and Model 70 for 1") and Sensus Omni C2 for 1.5" meters and larger.

(2) The 1-1/2" and 2" meters have similar operating capacity, however the meter headloss curves are different. Meter selection to be verified during the permit review process.

(3) Living unit equivalents shown as rounded to single decimal point.

2.3 IMPACT FEE SERVICE AREAS

The water and wastewater impact fee service areas were updated during this study as described below.

Water Service Area

The water impact fee service area is defined by the portion of the City's water Certificate of Convenience and Necessity (CCN) that falls within the existing City limits and is shown on **Figure 2-3**.

Wastewater Service Area

The wastewater impact fee service area is defined by the City's wastewater CCN and City limits. The service area excludes a portion of BioCorridor which is within City limits but is currently a part of the City of Bryan's CCN. The wastewater impact fee service area is shown on **Figure 2-4**.

Table 2-2 shows the existing and projected 10-year LUEs for the water and wastewater impact fee service areas based on the anticipated future developments discussed in **Section 2.1**.

Table 2-2: Water and Wastewater Impact Fee Service Area LUEs

| Year ⁽¹⁾ | Water LUEs | Wastewater LUEs |
|---------------------|------------|-----------------|
| 2021 | 55,780 | 58,423 |
| 2031 | 69,824 | 71,328 |
| Growth in LUEs | 14,044 | 12,905 |

(1) 2021 LUEs estimated based on water meter billing data and meters identified as water only or sewer only meters.

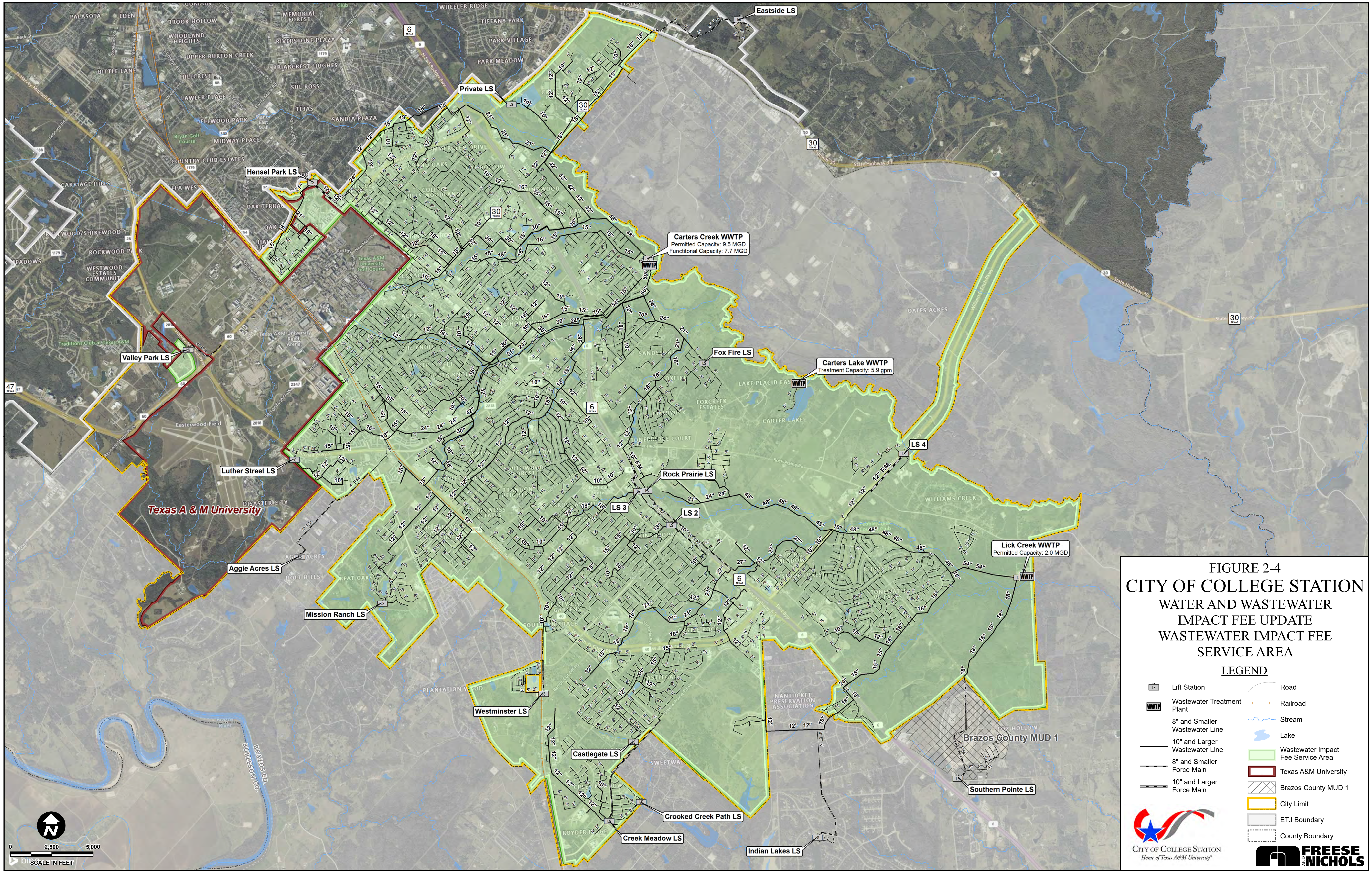


FIGURE 2-4
CITY OF COLLEGE STATION
WATER AND WASTEWATER
IMPACT FEE UPDATE
WASTEWATER IMPACT FEE
SERVICE AREA

LEGEND

- | | | | |
|--|--------------------------------|--|------------------------------------|
| | Lift Station | | Road |
| | Wastewater Treatment Plant | | Railroad |
| | 8" and Smaller Wastewater Line | | Stream |
| | 10" and Larger Wastewater Line | | Lake |
| | 8" and Smaller Force Main | | Wastewater Impact Fee Service Area |
| | 10" and Larger Force Main | | Texas A & M University |
| | | | Brazos County MUD 1 |
| | | | City Limit |
| | | | ETJ Boundary |
| | | | County Boundary |



3.0 CAPITAL IMPROVEMENTS PLAN

As part of the City's 2016 Water Master Plan Update and 2016 Wastewater Master Plan Update, the City developed water and wastewater capital improvement plans (CIPs). For this impact update study, the water and wastewater capacity projects were reviewed and updated per the updated land use assumptions. The recommended improvements will provide the required capacity to meet projected water demands and wastewater flows through buildout. The existing and future water and wastewater CIP projects that are required to serve projected growth within the next 10 years were identified for inclusion in the water and wastewater impact fee analysis.

3.1 WATER DEMAND AND WASTEWATER FLOW PROJECTIONS

The projected population and land use discussed in **Section 2.1** were utilized along with planning criteria to develop future water demand and wastewater flow projections. Historical water demands and wastewater flows were analyzed to develop and update the planning criteria from the 2016 Master Plans. **Table 3-1** presents the projected water demands and **Table 3-2** presents the projected wastewater flows for the City of College Station.

Table 3-1: Projected Water Demands

| Year | Average Day Demand (MGD) | Maximum Day Demand (MGD) | Peak Hourly Demand (MGD) |
|----------|--------------------------|--------------------------|--------------------------|
| 2021 | 12.7 | 26.4 | 47.5 |
| 2031 | 16.2 | 33.1 | 59.6 |
| Buildout | 18.2 | 37.4 | 67.3 |

Table 3-2: Projected Wastewater Flows

| Basin | Year | Total Average Daily Flow ⁽¹⁾ (MGD) | Total Average Daily Flow After Flow Diversion Projects ⁽²⁾ (MGD) |
|--------------------|----------|---|---|
| Carters Creek WWTP | 2021 | 7.51 | 7.51 |
| | 2031 | 9.16 | 7.40 |
| | Buildout | 10.09 | 7.32 |
| Lick Creek WWTP | 2021 | 1.92 | 1.92 |
| | 2031 | 2.83 | 4.59 |
| | Buildout | 3.78 | 6.55 |

(1) ADF includes total projected flow within each existing WWTP basin and does not include any proposed flow diversions

(2) ADF includes proposed CC WWTP to LC WWTP flow diversion projects identified in the wastewater CIP

3.2 WATER AND WASTEWATER SYSTEM IMPROVEMENTS

During this study, FNI updated the City's existing water and wastewater system hydraulic models. The hydraulic models along with the future demand and flow projections were utilized to update the proposed water and wastewater capital improvement plans and identify impact fee eligible CIP projects. The impact fee eligible water system projects are shown on **Figure 3-1** and the impact fee eligible wastewater system projects are shown on **Figure 3-2**.

Planning level capital cost estimates were calculated for all recommended improvements. A summary of the costs for all impact fee eligible water and wastewater CIP projects are shown in **Table 3-3** and **Table 3-4** respectively. Detailed water and wastewater project costs for all proposed projects are also included in **Appendix B** and **Appendix C**, respectively. The planning level capital cost estimates do not include individual service connections or subdivision lines. The costs are provided as estimates based on previous similar engineering experience in 2021 dollars and include an allowance for engineering, surveying, and contingencies.

Ongoing and recently completed capital improvement projects that are projected to serve growth within the next 10-years are also considered impact fee eligible. The costs for these projects shown in **Table 3-3** and **Table 3-4** are based on actual and projected design and construction costs provided by the City.

Table 3-3: Impact Fee Eligible Water System Capital Projects

| Project Type | Impact Fee Eligible CIP No. | Description of Project ⁽¹⁾ | Total Capital Cost (2021 Dollars) |
|---|-------------------------------------|---|-----------------------------------|
| Recently Completed Projects | A | High Service Pumping Improvements | \$ 3,597,227 |
| | B | BioCorridor Water Line | \$ 998,884 |
| | C | Area 2 Water Line Extension | \$ 1,000,000 |
| | D | Cooling Tower Expansion | \$ 3,795,667 |
| | E | Well No. 10 Land Acquisition | \$ 1,048,633 |
| | F | Well No. 9 and Collection Line | \$ 7,623,202 |
| | G | Midtown Drive 12-inch Water Line | \$ 920,000 |
| | H | The Crossing at Lick Creek Phase 1 - 3 Oversize Participation | \$ 45,233 |
| | I | Embassy Suites Water Line Oversize Participation | \$ 15,030 |
| | J | Brazos Valley Auto Complex Oversize Participation | \$ 84,791 |
| | K | Castlegate II Oversize Participation | \$ 50,871 |
| | L | Greens Prairie Oversize Participation | \$ 96,498 |
| | M | Summit Crossing Phase 3A Oversize Participation | \$ 32,550 |
| | N | SH 6 Water Line Phase 1 and 2 | \$ 1,036,568 |
| | Recently Completed Project Subtotal | | \$ 20,345,154 |
| | Ongoing Projects | O | SH 6 Water Line Phase 3 |
| P | | 3.0 MG Elevated Storage Tank and Pressure Reducing Valves | \$ 8,690,000 |
| Q | | SH 40 Water Line Phase 1 and 2 | \$ 4,200,000 |
| R | | 2021 Impact Fee Study | \$ 150,000 |
| Ongoing Project Subtotal | | \$ 16,090,000 | |
| Proposed Projects | 1 | New and Replacement 12-inch Rock Prairie Road Water Line | \$ 2,289,500 |
| | 2 | New 18-Inch Midtown Business Center Water Line | \$ 2,796,400 |
| | 3 | BioCorridor Water Line Improvements | \$ 2,741,200 |
| | 4 | Water Supply Well No. 10 | \$ 19,223,900 |
| | 5 | Harvey Mitchel Parkway Water Line Replacement | \$ 4,236,400 |
| | Proposed Future Project Subtotal | | \$ 31,287,400 |
| Total Impact Fee Eligible Water Capital Improvements Cost | | | \$67,722,554 |

(1) Oversize participation projects include only the portion of costs paid for by the City.

Table 3-4: Impact Fee Eligible Wastewater System Capital Projects

| Project Type | Impact Fee Eligible CIP No. | Description of Project ⁽¹⁾ | Total Capital Cost (2021 Dollars) |
|--|-------------------------------------|--|-----------------------------------|
| Recently Completed Projects | A | Royder/Live Oak Sewer Service | \$ 1,691,256 |
| | B | Bee Creek Interceptor Phase 1 and 2 | \$ 8,472,421 |
| | C | Lick Creek Trunk Line | \$ 14,020,058 |
| | D | Medical District Trunk Line Phase 1 (Participation Agreement) | \$ 1,770,375 |
| | E | Northeast Trunk Line Phase 1 and 2 | \$ 6,558,738 |
| | F | Southwood Valley Trunk Line Phase 1 | \$ 1,518,488 |
| | G | 18-Inch Harvey Road Gravity Line | \$ 188,790 |
| | H | Creek Meadows Lift Station Upsizing and Force Main | \$ 212,587 |
| | I | Nagle Street Student Housing Oversize Participation | \$ 26,854 |
| | Recently Completed Project Subtotal | | \$ 34,459,567 |
| Ongoing Projects | J | Bee Creek Interceptor Phase 3 | \$ 3,900,000 |
| | K | Medical District Trunk Line Phase 2 and 3 | \$ 3,250,000 |
| | L | Northeast Trunk Line Phase 3 and 4 | \$ 13,861,000 |
| | M | Carters Creek Diversion Lift Station Phase 1 | \$ 13,900,000 |
| | N | Lick Creek WWTP Phase 1 Expansion | \$ 39,014,049 |
| | O | 2021 Impact Fee Update | \$ 174,150 |
| | Ongoing Project Subtotal | | \$ 74,099,199 |
| Proposed Projects | 1 | 15/18/24/30/36-inch Southwood Valley Interceptor Phase 2 | \$ 7,314,800 |
| | 2 | 18/21/24-Inch Bee Creek Trunk Line Phase 4 | \$ 5,357,800 |
| | 3 | 18/21-Inch Alum Creek Sewer Trunk Line | \$ 11,136,600 |
| | 4 | 8-Inch Creek Meadows Force Main Re-Routed to Alum Creek Trunk Line | \$ 2,517,900 |
| | 5 | Lick Creek WWTP Phase 2 Expansion (to 8.0 MGD) | \$ 49,946,000 |
| | 6 | 21/24-Inch Harvey Road Replacement Gravity Line | \$ 4,916,300 |
| | Proposed Project Subtotal | | \$ 81,189,400 |
| Total Impact Fee Eligible Wastewater Capital Improvements Cost | | | \$ 189,748,166 |

(1) Oversize participation projects include only the portion of costs paid for by the City.

FIGURE 3-1
CITY OF COLLEGE STATION
WATER IMPACT FEE UPDATE
CAPITAL IMPROVEMENTS PLAN

LEGEND

Impact Fee Eligible Project

Water Line

Ongoing/Recently Completed Improvements

Pressure Relief Valve

Water Tank

Water Line

Existing Water System

Interconnect

Elevated

Ground

Pump Station

8" and Smaller Water Line

10" and Larger Water Line

Road

Railroad

Stream

Lake

Water Impact Fee Service Area

Brazos County MUD 1

Texas A&M University

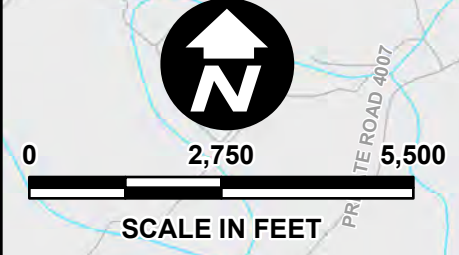
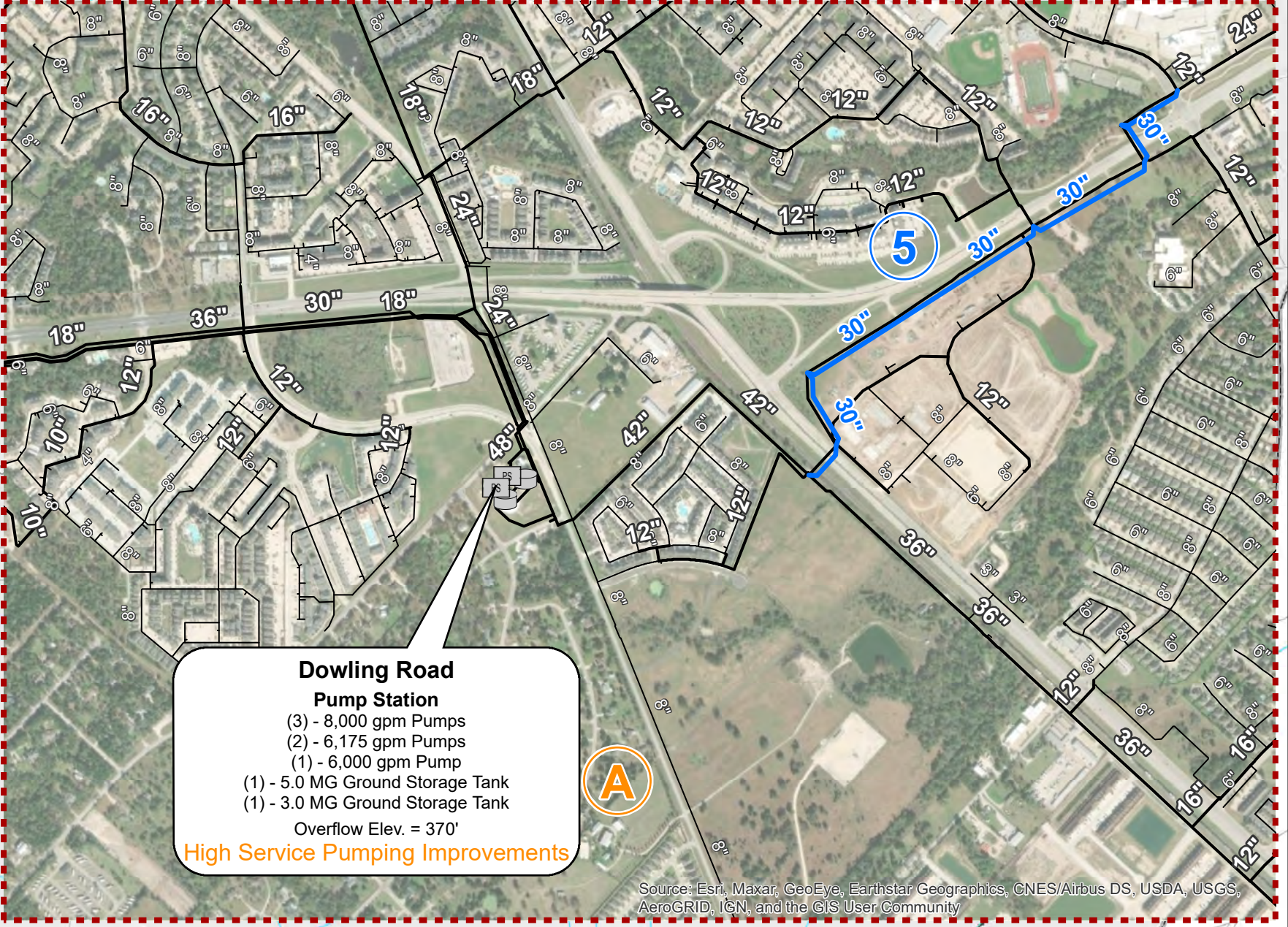
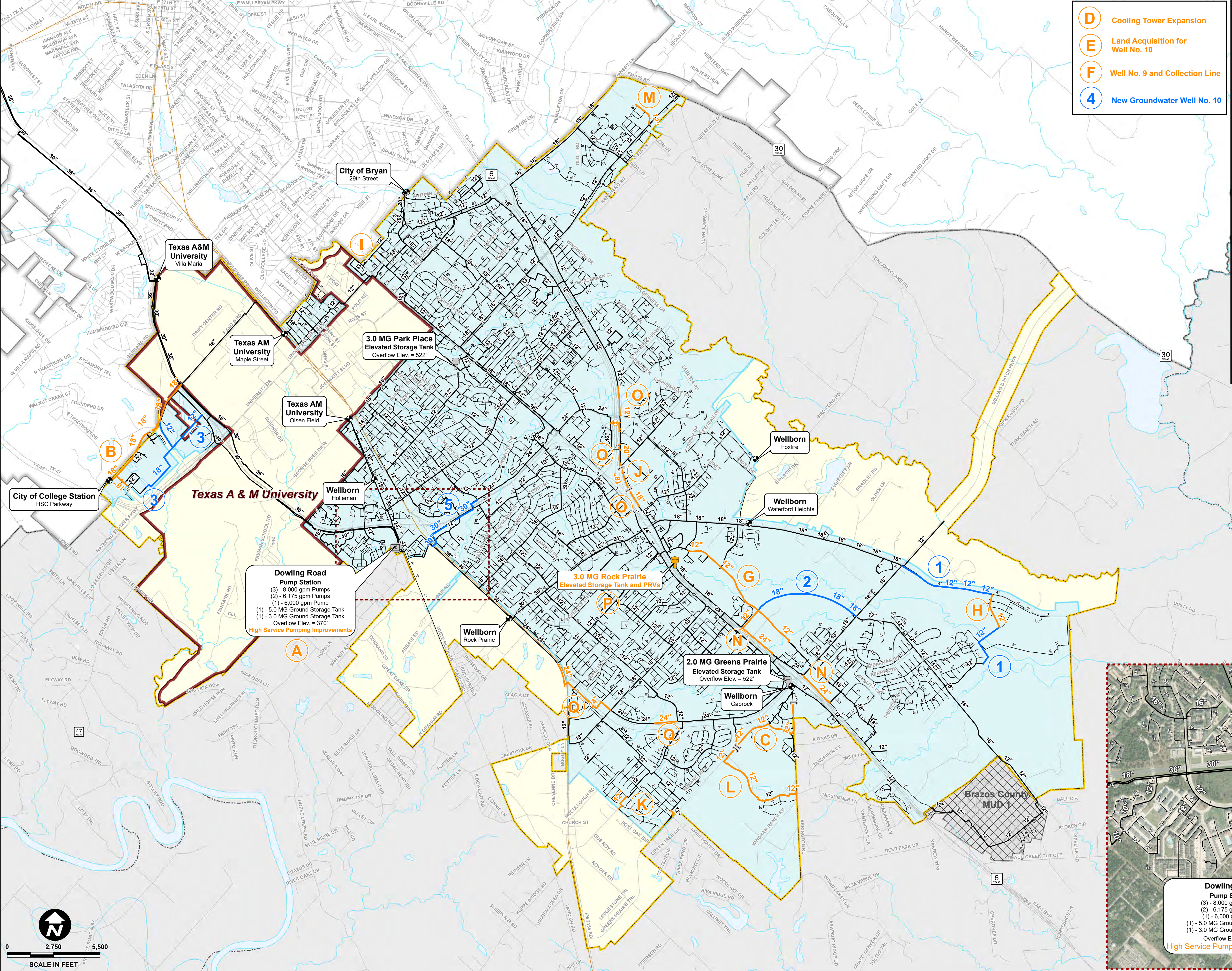
City Limit

ETJ Boundary

Other City Limit

County Boundary

The timing of projects shown is subject to change based on development patterns. The utility alignments shown in this figure are for illustration purposes only and do not set the alignments. The alignment of each utility will be determined at the time of the engineering design.



LEGEND



4.0 WATER AND WASTEWATER IMPACT FEE ANALYSIS

The water and wastewater impact fee analysis involves determining the utilization of existing and proposed projects within the capital improvement plans (**Section 3.0**) required to serve new development over the next 10-year period. For these projects, the impact fee is calculated as a percentage of the project cost, based upon the percentage of the project's capacity required to serve development projected to occur between 2021 and 2031. Capacity serving existing development and development projected to occur beyond the 10-year period is not impact fee eligible.

4.1 WATER AND WASTEWATER CAPACITY ANALYSIS

The impact fee eligible water and wastewater projects were evaluated to determine the proportion of the project that will be utilized within the next 10 years. The 10-year utilization will define the percentage of the project cost that is impact fee eligible. A summary of the project costs required for the 10-year growth period used in the impact fee analysis for both the water and wastewater systems are shown in **Table 4-1** and **Table 4-2**, respectively. The 2021 percent utilization is the portion of a project's capacity required to serve existing development and is therefore not included in the impact fee eligible cost. The 2031 percent utilization is the portion of the project's capacity that will be utilized by 2031. The 2021 - 2031 percent utilization is the portion of the project's capacity required to serve growth from 2021 to 2031. The portion of a project's total cost that is used to serve growth projected to occur from 2021 through 2031 is calculated as the total project cost multiplied by the 2021 - 2031 percent utilization. Only this portion of the cost is used in the impact fee analysis.

Table 4-1: Cost Allocation for Water Impact Fee Calculation

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|---|--|---------------------|------|-------------|-----------------------------|----------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A High Service Pumping Improvements | 20% | 60% | 40% | \$ 3,597,227 | \$ 1,438,891 |
| | B BioCorridor Water Line | 25% | 100% | 75% | \$ 998,884 | \$ 749,163 |
| | C Area 2 Water Line Extension | 10% | 35% | 25% | \$ 1,000,000 | \$ 250,000 |
| | D Cooling Tower Expansion | 25% | 100% | 75% | \$ 3,795,667 | \$ 2,846,750 |
| | E Well No. 10 Land Acquisition | 0% | 95% | 95% | \$ 1,048,633 | \$ 996,201 |
| | F Well No. 9 and Collection Line | 25% | 100% | 75% | \$ 7,623,202 | \$ 5,717,402 |
| | G Midtown Drive 12-inch Water Line | 20% | 70% | 50% | \$ 920,000 | \$ 460,000 |
| | H The Crossing at Lick Creek Phase 1 - 3 Oversize Participation | 45% | 90% | 45% | \$ 45,233 | \$ 20,355 |
| | I Embassy Suites Water Line Oversize Participation | 10% | 100% | 90% | \$ 15,030 | \$ 13,527 |
| | J Brazos Valley Auto Complex Oversize Participation | 40% | 70% | 30% | \$ 84,791 | \$ 25,437 |
| | K Castlegate II Oversize Participation | 45% | 100% | 55% | \$ 50,871 | \$ 27,979 |
| | L Greens Prairie Oversize Participation | 10% | 35% | 25% | \$ 96,498 | \$ 24,125 |
| | M Summit Crossing Phase 3A Oversize Participation | 15% | 100% | 85% | \$ 32,550 | \$ 27,668 |
| | N SH 6 Water Line Phase 1 and 2 | 40% | 70% | 30% | \$ 1,036,568 | \$ 310,970 |
| Recently Completed Project Subtotal | | | | | \$ 20,345,154 | \$ 12,908,468 |
| Ongoing | O SH 6 Water Line Phase 3 | 40% | 70% | 30% | \$ 3,050,000 | \$ 915,000 |
| | P 3.0 MG Elevated Storage Tank and Pressure Reducing Valves | 40% | 70% | 30% | \$ 8,690,000 | \$ 2,607,000 |
| | Q SH 40 Water Line Phase 1 and 2 | 35% | 100% | 65% | \$ 4,200,000 | \$ 2,730,000 |
| | R 2021 Impact Fee Study | 0% | 100% | 100% | \$ 150,000 | \$ 150,000 |
| Ongoing Project Subtotal | | | | | \$ 16,090,000 | \$ 6,402,000 |
| Proposed | 1 New and Replacement 12-inch Rock Prairie Road Water Line | 45% | 85% | 40% | \$ 2,289,500 | \$ 915,800 |
| | 2 New 18-Inch Midtown Business Center Water Line | 20% | 90% | 70% | \$ 2,796,400 | \$ 1,957,480 |
| | 3 BioCorridor Water Line Improvements | 10% | 100% | 90% | \$ 2,741,200 | \$ 2,467,080 |
| | 4 Water Supply Well No. 10 | 0% | 95% | 95% | \$ 19,223,900 | \$ 18,262,705 |
| | 5 Harvey Mitchel Parkway Water Line Replacement | 70% | 90% | 20% | \$ 4,236,400 | \$ 847,280 |
| Proposed Future Project Subtotal | | | | | \$ 31,287,400 | \$ 24,450,345 |
| Total Impact Fee Eligible Water Capital Improvements Cost | | | | | \$ 67,722,554 | \$ 43,760,813 |

Table 4-2: Cost Allocation for Wastewater Impact Fee Calculation

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|--|---|---------------------|------|-------------|-----------------------------|----------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A Royder/Live Oak Sewer Service | 15% | 25% | 10% | \$ 1,691,256 | \$ 169,126 |
| | B Bee Creek Interceptor Phase 1 and 2 | 75% | 95% | 20% | \$ 8,472,421 | \$ 1,694,484 |
| | C Lick Creek Trunk Line | 40% | 75% | 35% | \$ 14,020,058 | \$ 4,907,020 |
| | D Medical District Trunk Line Phase 1 (Participation Agreement) | 30% | 65% | 35% | \$ 1,770,375 | \$ 619,631 |
| | E Northeast Trunk Line Phase 1 and 2 | 75% | 90% | 15% | \$ 6,558,738 | \$ 983,811 |
| | F Southwood Valley Trunk Line Phase 1 | 95% | 100% | 5% | \$ 1,518,488 | \$ 75,924 |
| | G 18-Inch Harvey Road Gravity Line | 5% | 30% | 25% | \$ 188,790 | \$ 47,198 |
| | H Creek Meadows Lift Station Upsizing and Force Main | 0% | 60% | 60% | \$ 212,587 | \$ 127,552 |
| | I Nagle Street Student Housing Oversize Participation | 75% | 100% | 25% | \$ 26,854 | \$ 6,714 |
| Recently Completed Project Subtotal | | | | | \$ 34,459,567 | \$ 8,631,460 |
| Ongoing | J Bee Creek Interceptor Phase 3 | 75% | 95% | 20% | \$ 3,900,000 | \$ 780,000 |
| | K Medical District Trunk Line Phase 2 and 3 | 85% | 95% | 10% | \$ 3,250,000 | \$ 325,000 |
| | L Northeast Trunk Line Phase 3 and 4 | 75% | 95% | 20% | \$ 13,861,000 | \$ 2,772,200 |
| | M Carters Creek Diversion Lift Station Phase 1 | 0% | 75% | 75% | \$ 13,900,000 | \$ 10,425,000 |
| | N Lick Creek WWTP Phase 1 Expansion | 10% | 100% | 90% | \$ 39,014,049 | \$ 35,112,644 |
| | O 2021 Impact Fee Update | 0% | 100% | 100% | \$ 174,150 | \$ 174,150 |
| Ongoing Project Subtotal | | | | | \$ 74,099,199 | \$ 49,588,994 |
| Proposed | 1 15/18/24/30/36-inch Southwood Valley Interceptor Phase 1 and 2 | 95% | 100% | 5% | \$ 7,314,800 | \$ 365,740 |
| | 2 18/21/24-Inch Bee Creek Trunk Line Phase 4 | 80% | 95% | 15% | \$ 5,357,800 | \$ 803,670 |
| | 3 18/21-Inch Alum Creek Sewer Trunk Line | 45% | 60% | 15% | \$ 11,136,600 | \$ 1,670,490 |
| | 4 8-Inch Creek Meadows Force Main Re-Routed to Alum Creek Trunk Line | 80% | 100% | 20% | \$ 2,517,900 | \$ 503,580 |
| | 5 Lick Creek WWTP Phase 2 Expansion (to 8.0 MGD) | 0% | 5% | 5% | \$ 49,946,000 | \$ 2,497,300 |
| | 6 21/24-Inch Harvey Road Replacement Gravity Line | 20% | 45% | 25% | \$ 4,916,300 | \$ 1,229,075 |
| Proposed Future Project Subtotal | | | | | \$ 81,189,400 | \$ 7,069,855 |
| Total Impact Fee Eligible Wastewater Capital Improvements Cost | | | | | \$ 189,748,166 | \$ 65,290,309 |

4.2 MAXIMUM IMPACT FEE CALCULATION

Chapter 395 of the Texas Local Government Code states that the maximum impact fee may not exceed the amount determined by subtracting a credit from the cost of the capital improvements required and dividing that amount by the total number of service units attributed to new development during the impact fee eligibility period. Chapter 395 defines two different methods for determining the credit:

1. A credit for ad valorem tax and utility service revenues generated by new service units that is used for the payment of improvements included in the CIP, or
2. A credit equal to 50% of the total projected cost of implementing the CIP

The City of College Station elected to calculate the credit for ad valorem tax and utility service revenues generated by new service units and performed a service revenue rate credit analysis, described in **Section 4.2.1**. The maximum allowable water and wastewater impact fees are calculated in **Section 4.2.2** and **Section 4.2.3**.

4.2.1 Rate Credit Analysis

The purpose of the rate credit is to ensure that new growth is not charged both through the impact fee and then again through future rate increases to pay for the impact fee capital improvement projects. Each utility should calculate the credit in a way that is consistent with the operation of their fund, the way they finance their capital improvements, and the way these capital improvements costs are represented in their utility rates.

FNI utilized the projected LUEs, discussed in **Section 2.0**, to determine the pro rata share of the existing debt (interest and principal) attributable to each LUE on the system for each year of the impact fee period. Eligible debt on existing projects was calculated based on total existing debt provided by the City, the financing method of the impact fee eligible projects already constructed (or partially constructed), and the percent utilization of each project as calculated in the impact fee analysis. Ad valorem taxes weren't considered since there are no water and wastewater projects funded through ad valorem taxes. The resulting cost per LUE was multiplied by the cumulative growth in LUEs for each year of the impact fee period, resulting in the portion of the existing debt (interest and principal) that future customers will pay for in water/wastewater rates. This represents the credit to the impact fees required to avoid 'double counting' and this credit was subtracted from the total impact fee eligible. The calculation of the rate credit is shown in **Appendix D**.

4.2.2 Maximum Allowable Water Impact Fee

The total maximum allowable water impact fee calculation per LUE is summarized in **Table 4-3**. The total eligible impact fee costs include the projected capital improvement costs to serve 10-year development and the projected finance cost for the capital improvements.

Table 4-3: Water Impact Fee Calculation

| Water Impact Fee | |
|---|---------------------|
| Total Eligible Capital Improvement Costs | \$43,760,813 |
| Total Eligible Financing Costs | \$12,663,228 |
| Rate Credit | (\$1,966,603) |
| Total Impact Fee Eligible Cost⁽¹⁾ | \$54,457,437 |
| 10-Year Growth in Water LUEs | 14,044 |
| Maximum Allowable Water Impact Fee per LUE⁽²⁾ | \$3,877 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

4.2.3 Maximum Allowable Wastewater Impact Fee

The total maximum allowable wastewater impact fee calculation per LUE is summarized in **Table 4-4**. The total eligible impact fee costs include the projected capital improvement costs to serve 10-year development and the projected finance cost for the capital improvements.

Table 4-4: Wastewater Impact Fee Calculation

| Wastewater Impact Fee | |
|--|---------------------|
| Total Eligible Capital Improvement Costs | \$65,290,309 |
| Total Eligible Financing Costs | \$9,135,832 |
| Rate Credit | (\$2,507,952) |
| Total Eligible Impact Fee Cost⁽¹⁾ | \$71,918,188 |
| 10-Year Growth in Wastewater LUEs | 12,905 |
| Maximum Allowable Wastewater Impact Fee per LUE⁽²⁾ | \$5,572 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

4.2.4 Schedule of Maximum Allowable Water and Wastewater Impact Fees

Table 4-5 shows the schedule of maximum allowable water and wastewater impact fees by water meter size, based on the living unit equivalents discussed in **Section 2.2**.

Table 4-5: Schedule of Maximum Allowable Water and Wastewater Impact Fees

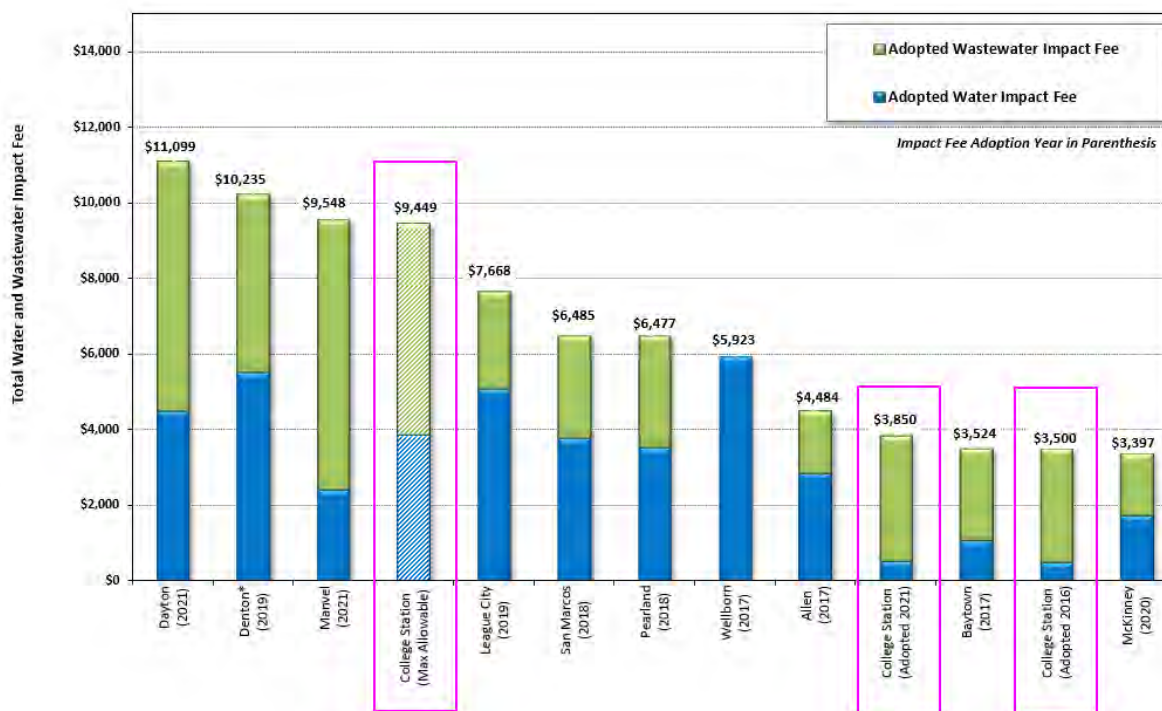
| Meter Size | Living Unit Equivalent ⁽¹⁾ | Maximum Allowable Impact Fees | | |
|-------------|---------------------------------------|-------------------------------|--------------|--------------|
| | | Water | Wastewater | Total |
| 5/8" x 3/4" | 1.0 | \$ 3,877 | \$ 5,572 | \$ 9,449 |
| 1" | 3.3 | \$ 12,923 | \$ 18,573 | \$ 31,496 |
| 1-1/2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 3" | 26.7 | \$ 103,386 | \$ 148,586 | \$ 251,972 |
| 4" | 53.3 | \$ 206,773 | \$ 297,173 | \$ 503,946 |
| 6" | 106.7 | \$ 413,546 | \$ 594,346 | \$ 1,007,892 |
| 8" | 180.0 | \$ 697,860 | \$ 1,002,960 | \$ 1,700,820 |
| 10" | 266.7 | \$ 1,033,866 | \$ 1,485,866 | \$ 2,519,732 |

(1) Living unit equivalents shown as rounded to single decimal point.

4.3 WATER AND WASTEWATER IMPACT FEE COMPARISON

A comparison graph showing adopted water and wastewater impact fees in benchmark cities is presented on **Figure 4-1**. The graph also shows where College Station compares using the maximum allowable impact fee, the adopted residential impact fee (adopted 2021), and the existing impact fee (adopted 2016). **Table 4-6** shows the adopted 2021 impact fee schedule.

Figure 4-1: Benchmark of Adopted Water and Wastewater Impact Fees



*Water Impact Fee based on average of impact fee service areas

Table 4-6: Schedule of 2021 Adopted Water and Wastewater Impact Fees

| Meter Size | Living Unit Equivalent (LUE) | Residential ⁽¹⁾ | | Non-Residential ⁽¹⁾ | |
|-------------|------------------------------|----------------------------|------------|--------------------------------|------------|
| | | Water | Wastewater | Water | Wastewater |
| 5/8" x 3/4" | 1 | \$550 | \$3,300 | \$500 | \$3,000 |
| 1" | 3.3 | \$935 | \$5,610 | \$850 | \$5,100 |
| 1-1/2" | 10.7 | \$5,885 | \$17,655 | \$5,350 | \$16,050 |
| 2" | 10.7 | \$5,885 | \$17,655 | \$5,350 | \$16,050 |
| 3" | 26.7 | \$14,685 | \$44,055 | \$1,350 | \$40,050 |
| 4" | 53.3 | \$29,315 | \$87,945 | \$26,650 | \$79,950 |
| 6" | 106.7 | \$58,685 | \$176,055 | \$53,350 | \$160,050 |
| 8" | 180 | \$99,000 | \$297,000 | \$90,000 | \$270,000 |
| 10" | 266.7 | \$146,685 | \$440,055 | \$133,350 | \$400,050 |

(1) Effective 3/1/2022

5.0 IMPACT FEE ADOPTION

5.1 PUBLIC HEARING

The amended Chapter 395 of the Texas Local Government Code requires one public hearing to be held to update an existing impact fee. The presentation shall include a discussion of the land use assumptions and capital improvements plan and the proposed ordinance, order or resolution imposing an impact fee. The required public hearing was held on November 22, 2021 at the City of College Station City Hall. Public hearing dates were set by Council and advertised more than 30 days prior to the public hearing. The presentations by Freese and Nichols, Inc. at the public hearings are included in **Appendix E**.

5.2 ORDINANCE

Once the public hearing is held, the political subdivision shall approve or disapprove the land use assumptions and capital improvements plan and the proposed ordinance, order or resolution imposing an impact fee within 30 days of the public hearing. Copies of the City Ordinances approving the land use assumptions and capital improvements plan and adopting the impact fee assessment are included in **Appendix F**.

APPENDIX A

Chapter 395, Texas Local Government Code

**CHAPTER 395. FINANCING CAPITAL IMPROVEMENTS REQUIRED BY NEW
DEVELOPMENT IN MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL
GOVERNMENTS**

SUBCHAPTER A. GENERAL PROVISIONS

§ 395.001. Definitions

In this chapter:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and

(B) roadway facilities.

(2) "Capital improvements plan" means a plan required by this chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

(3) "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

(4) "Impact fee" means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;

(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;

(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or

(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

However, an item included in the capital improvements plan may not be required to be constructed except in accordance with Section 395.019(2), and an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities.

(5) "Land use assumptions" includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a 10-year period.

(6) "New development" means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

(7) "Political subdivision" means a municipality, a district or authority created under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, or, for the purposes set forth by Section 395.079, certain counties described by that section.

(8) "Roadway facilities" means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

(9) "Service area" means the area within the corporate boundaries or extraterritorial jurisdiction, as determined under Chapter 42, of the political subdivision to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except roadway facilities and storm water, drainage, and flood control facilities. The service area, for the purposes of this chapter, may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, except for roadway facilities and storm water, drainage, and flood control facilities. For roadway facilities, the service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the capital improvements plan and shall not extend across watershed boundaries.

(10) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 566, § 1(e), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 1, eff. Sept. 1, 2001.

SUBCHAPTER B. AUTHORIZATION OF IMPACT FEE

§ 395.011. Authorization of Fee

(a) Unless otherwise specifically authorized by state law or this chapter, a governmental entity or political subdivision may not enact or impose an impact fee.

(b) Political subdivisions may enact or impose impact fees on land within their corporate boundaries or extraterritorial jurisdictions only by complying with this chapter, except that impact fees may not be enacted or imposed in the extraterritorial jurisdiction for roadway facilities.

(c) A municipality may contract to provide capital improvements, except roadway facilities, to an area outside its corporate boundaries and extraterritorial jurisdiction and may charge an impact fee under the contract, but if an impact fee is charged in that area, the municipality must comply with this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.012. Items Payable by Fee

(a) An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to the:

(1) construction contract price;

(2) surveying and engineering fees;

(3) land acquisition costs, including land purchases, court awards and costs, attorney's fees, and expert witness fees; and

(4) fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision.

(b) Projected interest charges and other finance costs may be included in determining the amount of impact fees only if the impact fees are used for the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan and are not used to reimburse bond funds expended for facilities that are not identified in the capital improvements plan.

(c) Notwithstanding any other provision of this chapter, the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay a staff engineer who prepares or updates a capital improvements plan under this chapter.

(d) A municipality may pledge an impact fee as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or public facility expansion if:

(1) the improvement or expansion is identified in a capital improvements plan; and

(2) at the time of the pledge, the governing body of the municipality certifies in a written order, ordinance, or resolution that none of the impact fee will be used or expended for an improvement or expansion not identified in the plan.

(e) A certification under Subsection (d)(2) is sufficient evidence that an impact fee pledged will not be used or expended for an improvement or expansion that is not identified in the capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 90, § 1, eff. May 16, 1995.

§ 395.013. Items Not Payable by Fee

Impact fees may not be adopted or used to pay for:

(1) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(2) repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(4) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(5) administrative and operating costs of the political subdivision, except the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay its administrative and operating costs;

(6) principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.014. Capital Improvements Plan

(a) The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:

(1) a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(3) a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(4) a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;

(5) the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(6) the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and

(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

(b) The analysis required by Subsection (a)(3) may be prepared on a systemwide basis within the service area for each major category of capital improvement or facility expansion for the designated service area.

(c) The governing body of the political subdivision is responsible for supervising the implementation of the capital improvements plan in a timely manner.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 2, eff. Sept. 1, 2001.

§ 395.015. Maximum Fee Per Service Unit

(a) The impact fee per service unit may not exceed the amount determined by subtracting the amount in Section 395.014(a)(7) from the costs of the capital improvements described by Section 395.014(a)(3) and dividing that amount by the total number of projected service units described by Section 395.014(a)(5).

(b) If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to projected new service units described by Section 395.014(a)(6) by the projected new service units described in that section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 3, eff. Sept. 1, 2001.

§ 395.016. Time for Assessment and Collection of Fee

(a) This subsection applies only to impact fees adopted and land platted before June 20, 1987. For land that has been platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before June 20, 1987, or land on which new development occurs or is proposed without platting, the political subdivision may assess the impact fees at any time during the development approval and building process. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(b) This subsection applies only to impact fees adopted before June 20, 1987, and land platted after that date. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after June 20, 1987, the political subdivision may assess the impact fees before or at the time of recordation. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(c) This subsection applies only to impact fees adopted after June 20, 1987. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before the adoption of an impact fee, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

(d) This subsection applies only to land platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after adoption of an impact fee adopted after June 20, 1987. The political subdivision shall assess the impact fees before or at the time of recordation of a subdivision plat or other plat under Subchapter A, Chapter 212, or the subdivision or platting ordinance or procedures of any political subdivision in the official records of the county clerk of the county in which the tract is located. Except as provided by Section 395.019, if the political subdivision has water and wastewater capacity available:

(1) the political subdivision shall collect the fees at the time the political subdivision issues a building permit;

(2) for land platted outside the corporate boundaries of a municipality, the municipality shall collect the fees at the time an application for an individual meter connection to the municipality's water or wastewater system is filed; or

(3) a political subdivision that lacks authority to issue building permits in the area where the impact fee applies shall collect the fees at the time an application is filed for an individual meter connection to the political subdivision's water or wastewater system.

(e) For land on which new development occurs or is proposed to occur without platting, the political subdivision may assess the impact fees at any time during the development and building process and may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(f) An "assessment" means a determination of the amount of the impact fee in effect on the date of occurrence provided in this section and is the maximum amount that can be charged per service unit of such development. No specific act by the political subdivision is required.

(g) Notwithstanding Subsections (a)-(e) and Section 395.017, the political subdivision may reduce or waive an impact fee for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the political subdivision may reverse its decision to waive or reduce the impact fee, and the political subdivision may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 980, § 52, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 345, § 4, eff. Sept. 1, 2001.

§ 395.017. Additional Fee Prohibited; Exception

After assessment of the impact fees attributable to the new development or execution of an agreement for payment of impact fees, additional impact fees or increases in fees may not be assessed against the tract for any reason unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.018. Agreement With Owner Regarding Payment

A political subdivision is authorized to enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.019. Collection of Fees if Services Not Available

Except for roadway facilities, impact fees may be assessed but may not be collected in areas where services are not currently available unless:

(1) the collection is made to pay for a capital improvement or facility expansion that has been identified in the capital improvements plan and the political subdivision commits to commence construction within two years, under duly awarded and executed contracts or commitments of staff time covering substantially all of the work required to provide service, and to have the service available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event longer than five years;

(2) the political subdivision agrees that the owner of a new development may construct or finance the capital improvements or facility expansions and agrees that the costs incurred or funds advanced will be credited against the impact fees otherwise due from the new development or agrees to reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions, which fees shall be collected and reimbursed to the owner at the time the other new development records its plat; or

(3) an owner voluntarily requests the political subdivision to reserve capacity to serve future development, and the political subdivision and owner enter into a valid written agreement.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.020. Entitlement to Services

Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive immediate service from any existing facilities with actual capacity to serve the new service units, subject to compliance with other valid regulations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.021. Authority of Political Subdivisions to Spend Funds to Reduce Fees

Political subdivisions may spend funds from any lawful source to pay for all or a part of the capital improvements or facility expansions to reduce the amount of impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.022. Authority of Political Subdivision to Pay Fees

Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.023. Credits Against Roadway Facilities Fees

Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.024. Accounting For Fees and Interest

(a) The order, ordinance, or resolution levying an impact fee must provide that all funds collected through the adoption of an impact fee shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of impact fees under this chapter.

(c) Impact fee funds may be spent only for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by this chapter.

(d) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.025. Refunds

(a) On the request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund the impact fee if existing facilities are available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment under Section 395.019(1).

(b) Repealed by Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

(c) The political subdivision shall refund any impact fee or part of it that is not spent as authorized by this chapter within 10 years after the date of payment.

(d) Any refund shall bear interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.

(e) All refunds shall be made to the record owner of the property at the time the refund is paid. However, if the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

(f) The owner of the property on which an impact fee has been paid or another political subdivision or governmental entity that paid the impact fee has standing to sue for a refund under this section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 1396, § 37, eff. Sept. 1, 1997.

Amended by Acts 1999, 76th Leg., ch. 62, § 7.82, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

SUBCHAPTER C. PROCEDURES FOR ADOPTION OF IMPACT FEE

§ 395.041. Compliance With Procedures Required

Except as otherwise provided by this chapter, a political subdivision must comply with this subchapter to levy an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.0411. Capital Improvements Plan

The political subdivision shall provide for a capital improvements plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with Section 395.014.

Added by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.042. Hearing on Land Use Assumptions and Capital Improvements Plan

To impose an impact fee, a political subdivision must adopt an order, ordinance, or resolution establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.043. Information About Land Use Assumptions and Capital Improvements Plan Available to Public

On or before the date of the first publication of the notice of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall make available to the public its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.044. Notice of Hearing on Land Use Assumptions and Capital Improvements Plan

(a) Before the 30th day before the date of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order, ordinance, or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL
IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.045. Approval of Land Use Assumptions and Capital Improvements Plan Required

(a) After the public hearing on the land use assumptions and capital improvements plan, the political subdivision shall determine whether to adopt or reject an ordinance, order, or resolution approving the land use assumptions and capital improvements plan.

(b) The political subdivision, within 30 days after the date of the public hearing, shall approve or disapprove the land use assumptions and capital improvements plan.

(c) An ordinance, order, or resolution approving the land use assumptions and capital improvements plan may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.0455. Systemwide Land Use Assumptions

(a) In lieu of adopting land use assumptions for each service area, a political subdivision may, except for storm water, drainage, flood control, and roadway facilities, adopt systemwide land use assumptions, which cover all of the area subject to the jurisdiction of the political subdivision for the purpose of imposing impact fees under this chapter.

(b) Prior to adopting systemwide land use assumptions, a political subdivision shall follow the public notice, hearing, and other requirements for adopting land use assumptions.

(c) After adoption of systemwide land use assumptions, a political subdivision is not required to adopt additional land use assumptions for a service area for water supply, treatment, and distribution facilities or wastewater collection and treatment facilities as a prerequisite to the adoption of a capital improvements plan or impact fee, provided the capital improvements plan and impact fee are consistent with the systemwide land use assumptions.

Added by Acts 1989, 71st Leg., ch. 566, § 1(b), eff. Aug. 28, 1989.

§ 395.047. Hearing on Impact Fee

On adoption of the land use assumptions and capital improvements plan, the governing body shall adopt an order or resolution setting a public hearing to discuss the imposition of the impact fee. The public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution imposing an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.049. Notice of Hearing on Impact Fee

(a) Before the 30th day before the date of the hearing on the imposition of an impact fee, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES"

- (2) the time, date, and location of the hearing;
- (3) a statement that the purpose of the hearing is to consider the adoption of an impact fee;
- (4) the amount of the proposed impact fee per service unit; and
- (5) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.050. Advisory Committee Comments on Impact Fees

The advisory committee created under Section 395.058 shall file its written comments on the proposed impact fees before the fifth business day before the date of the public hearing on the imposition of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.051. Approval of Impact Fee Required

(a) The political subdivision, within 30 days after the date of the public hearing on the imposition of an impact fee, shall approve or disapprove the imposition of an impact fee.

(b) An ordinance, order, or resolution approving the imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.052. Periodic Update of Land Use Assumptions and Capital Improvements Plan Required

(a) A political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years. The initial five-year period begins on the day the capital improvements plan is adopted.

(b) The political subdivision shall review and evaluate its current land use assumptions and shall cause an update of the capital improvements plan to be prepared in accordance with Subchapter B.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 6, eff. Sept. 1, 2001.

§ 395.053. Hearing on Updated Land Use Assumptions and Capital Improvements Plan

The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.054. Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.055. Notice of Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

(a) The notice and hearing procedures prescribed by Sections 395.044(a) and (b) apply to a hearing on the amendment of land use assumptions, a capital improvements plan, or an impact fee.

(b) The notice of a hearing under this section must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 7, eff. Sept. 1, 2001.

§ 395.056. Advisory Committee Comments on Amendments

The advisory committee created under Section 395.058 shall file its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing on the amendments.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.057. Approval of Amendments Required

(a) The political subdivision, within 30 days after the date of the public hearing on the amendments, shall approve or disapprove the amendments of the land use assumptions and the capital improvements plan and modification of an impact fee.

(b) An ordinance, order, or resolution approving the amendments to the land use assumptions, the capital improvements plan, and imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.0575. Determination That No Update of Land Use Assumptions, Capital Improvements Plan or Impact Fees is Needed

(a) If, at the time an update under Section 395.052 is required, the governing body determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may, as an alternative to the updating requirements of Sections 395.052-395.057, do the following:

(1) The governing body of the political subdivision shall, upon determining that an update is unnecessary and 60 days before publishing the final notice under this section, send notice of its determination not to update the land use assumptions, capital improvements plan, and impact fee by certified mail to any person who has, within two years preceding the date that the final notice of this matter is to be published, give written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of hearings related to impact fees. The notice must contain the information in Subsections (b)(2)-(5).

(2) The political subdivision shall publish notice of its determination once a week for three consecutive weeks in one or more newspapers with general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies. The notice of public hearing may not be in the part of the paper in which legal notices and classified ads appear and may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper, and the headline on the notice must be in 18-point or larger type.

(b) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF DETERMINATION NOT TO UPDATE
LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS
PLAN, OR IMPACT FEES";

(2) a statement that the governing body of the political subdivision has determined that no change to the land use assumptions, capital improvements plan, or impact fee is necessary;

(3) an easily understandable description and a map of the service area in which the updating has been determined to be unnecessary;

(4) a statement that if, within a specified date, which date shall be at least 60 days after publication of the first notice, a person makes a written request to the designated official of the political subdivision requesting that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body must comply with the request by following the requirements of Sections 395.052-395.057; and

(5) a statement identifying the name and mailing address of the official of the political subdivision to whom a request for an update should be sent.

(c) The advisory committee shall file its written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee before the fifth business day before the earliest notice of the government's decision that no update is necessary is mailed or published.

(d) If, by the date specified in Subsection (b)(4), a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body shall cause an update of the land use assumptions and capital improvements plan to be prepared in accordance with Sections 395.052-395.057.

(e) An ordinance, order, or resolution determining the need for updating land use assumptions, a capital improvements plan, or an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 566, § 1(d), eff. Aug. 28, 1989.

§ 395.058. Advisory Committee

(a) On or before the date on which the order, ordinance, or resolution is adopted under Section 395.042, the political subdivision shall appoint a capital improvements advisory committee.

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity.

If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

(c) The advisory committee serves in an advisory capacity and is established to:

(1) advise and assist the political subdivision in adopting land use assumptions;

(2) review the capital improvements plan and file written comments;

(3) monitor and evaluate implementation of the capital improvements plan;

(4) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and

(5) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(d) The political subdivision shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

(e) The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

SUBCHAPTER D. OTHER PROVISIONS

§ 395.071. Duties to be Performed Within Time Limits

If the governing body of the political subdivision does not perform a duty imposed under this chapter within the prescribed period, a person who has paid an impact fee or an owner of land on which an impact fee has been paid has the right to present a written request to the governing body of the political subdivision stating the nature of the unperformed duty and requesting that it be performed within 60 days after the date of the request. If the governing body of the political subdivision finds that the duty is required under this chapter and is late in being performed, it shall cause the duty to commence within 60 days after the date of the request and continue until completion.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.072. Records of Hearings

A record must be made of any public hearing provided for by this chapter. The record shall be maintained and be made available for public inspection by the political subdivision for at least 10 years after the date of the hearing.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.073. Cumulative Effect of State and Local Restrictions

Any state or local restrictions that apply to the imposition of an impact fee in a political subdivision where an impact fee is proposed are cumulative with the restrictions in this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.074. Prior Impact Fees Replaced by Fees Under This Chapter

An impact fee that is in place on June 20, 1987, must be replaced by an impact fee made under this chapter on or before June 20, 1990. However, any political subdivision having an impact fee that has not been replaced under this chapter on or before June 20, 1988, is liable to any party who, after June 20, 1988, pays an impact fee that exceeds the maximum permitted under Subchapter B by more than 10 percent for an amount equal to two times the difference between the maximum impact fee allowed and the actual impact fee imposed, plus reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.075. No Effect on Taxes or Other Charges

This chapter does not prohibit, affect, or regulate any tax, fee, charge, or assessment specifically authorized by state law.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.076. Moratorium on Development Prohibited

A moratorium may not be placed on new development for the purpose of awaiting the completion of all or any part of the process necessary to develop, adopt, or update land use assumptions, a capital improvements plan, or an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 441, § 2, eff. Sept. 1, 2001.

§ 395.077. Appeals

(a) A person who has exhausted all administrative remedies within the political subdivision and who is aggrieved by a final decision is entitled to trial de novo under this chapter.

(b) A suit to contest an impact fee must be filed within 90 days after the date of adoption of the ordinance, order, or resolution establishing the impact fee.

(c) Except for roadway facilities, a person who has paid an impact fee or an owner of property on which an impact fee has been paid is entitled to specific performance of the services by the political subdivision for which the fee was paid.

(d) This section does not require construction of a specific facility to provide the services.

(e) Any suit must be filed in the county in which the major part of the land area of the political subdivision is located. A successful litigant shall be entitled to recover reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.078. Substantial Compliance With Notice Requirements

An impact fee may not be held invalid because the public notice requirements were not complied with if compliance was substantial and in good faith.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.079. Impact Fee for Storm Water, Drainage, and Flood Control in Populous County

(a) Any county that has a population of 3.3 million or more or that borders a county with a population of 3.3 million or more, and any district or authority created under Article XVI, Section 59, of the Texas Constitution within any such county that is authorized to provide storm water, drainage, and flood control facilities, is authorized to impose impact fees to provide storm water, drainage, and flood control improvements necessary to accommodate new development.

(b) The imposition of impact fees authorized by Subsection (a) is exempt from the requirements of Sections 395.025, 395.052-395.057, and 395.074 unless the political subdivision proposes to increase the impact fee.

(c) Any political subdivision described by Subsection (a) is authorized to pledge or otherwise contractually obligate all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued or incurred by or on behalf of the political subdivision and to the payment of any other contractual obligations.

(d) An impact fee adopted by a political subdivision under Subsection (a) may not be reduced if:

(1) the political subdivision has pledged or otherwise contractually obligated all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision; and

(2) the political subdivision agrees in the pledge or contract not to reduce the impact fees during the term of the bonds, notes, or other contractual obligations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 669, § 107, eff. Sept. 1, 2001.

§ 395.080. Chapter Not Applicable to Certain Water-Related Special Districts

(a) This chapter does not apply to impact fees, charges, fees, assessments, or contributions:

(1) paid by or charged to a district created under Article XVI, Section 59, of the Texas Constitution to another district created under that constitutional provision if both districts are required by law to obtain approval of their bonds by the Texas Natural Resource Conservation Commission; or

(2) charged by an entity if the impact fees, charges, fees, assessments, or contributions are approved by the Texas Natural Resource Conservation Commission.

(b) Any district created under Article XVI, Section 59, or Article III, Section 52, of the Texas Constitution may petition the Texas Natural Resource Conservation Commission for approval of any proposed impact fees, charges, fees, assessments, or contributions. The commission shall adopt rules for reviewing the petition and may charge the petitioner fees adequate to cover the cost of processing and considering the petition. The rules shall require notice substantially the same as that required by this chapter for the adoption of impact fees and shall afford opportunity for all affected parties to participate.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 76, § 11.257, eff. Sept. 1, 1995.

§ 395.081. Fees for Adjoining Landowners in Certain Municipalities

(a) This section applies only to a municipality with a population of 105,000 or less that constitutes more than three-fourths of the population of the county in which the majority of the area of the municipality is located.

(b) A municipality that has not adopted an impact fee under this chapter that is constructing a capital improvement, including sewer or waterline or drainage or roadway facilities, from the municipality to a development located within or outside the municipality's boundaries, in its discretion, may allow a landowner whose land adjoins the capital improvement or is within a specified distance from the capital improvement, as determined by the governing body of the municipality, to connect to the capital improvement if:

(1) the governing body of the municipality has adopted a finding under Subsection (c); and

(2) the landowner agrees to pay a proportional share of the cost of the capital improvement as determined by the governing body of the municipality and agreed to by the landowner.

(c) Before a municipality may allow a landowner to connect to a capital improvement under Subsection (b), the municipality shall adopt a finding that the municipality will benefit from allowing the landowner to connect to the capital improvement. The finding shall describe the benefit to be received by the municipality.

(d) A determination of the governing body of a municipality, or its officers or employees, under this section is a discretionary function of the municipality and the municipality and its officers or employees are not liable for a determination made under this section.

Added by Acts 1997, 75th Leg., ch. 1150, § 1, eff. June 19, 1997.

§ 395.082. Certification of Compliance Required

(a) A political subdivision that imposes an impact fee shall submit a written certification verifying compliance with this chapter to the attorney general each year not later than the last day of the political subdivision's fiscal year.

(b) The certification must be signed by the presiding officer of the governing body of a political subdivision and include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

(c) A political subdivision that fails to submit a certification as required by this section is liable to the state for a civil penalty in an amount equal to 10 percent of the amount of the impact fees erroneously charged. The attorney general shall collect the civil penalty and deposit the amount collected to the credit of the housing trust fund.

Added by Acts 2001, 77th Leg., ch. 345, § 8, eff. Sept. 1, 2001.

APPENDIX B

Water System CIP

Planning Level Opinion of Probable Construction Cost (OPCC) Estimates

City of College Station



Water CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

1

Project Name:

New and Replacement 12-Inch Rock Prairie Road Water Lines

Project Description:

This project includes the construction of a replacement 12-inch water line along Rock Prairie Road and a new 12-inch water line between Spanish Moss Drive and Pebble Creek Parkway.

Project Drivers:

This project is sized to serve projected buildout demands. The project will help reduce excessive headloss and will provide increased capacity for projected future developments.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|------------------------|----------|------|------------|--------------|
| 1 | 12" WL & Appurtenances | 8,900 | LF | \$ 150 | \$ 1,335,000 |
| 2 | Pavement Repair | 300 | LF | \$ 90 | \$ 27,000 |
| 3 | 24" Boring and Casing | 200 | LF | \$ 528 | \$ 105,600 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 1,467,600 |
| CONTINGENCY | | | | 30% | \$ 440,300 |
| SUBTOTAL: | | | | | \$ 1,907,900 |
| ENG/SURVEY | | | | 20% | \$ 381,600 |
| SUBTOTAL: | | | | | \$ 2,289,500 |
| Estimated Project Total: | | | | | \$ 2,289,500 |

City of College Station



Water CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

2

Project Name: New 18-Inch Midtown Business Center Water Line

Project Description:

This project includes the construction of a new 18-inch water line in Midtown Business Center.

Project Drivers:

This project will extend water service to projected future developments within the Midtown Business Center area. This project will also connect the existing water line along William D. Fitch Parkway to the recently constructed line along Creagor Lane, increasing connectivity and completing the loop.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|------------------------|----------|------|------------|--------------|
| 1 | 18" WL & Appurtenances | 6,500 | LF | \$ 225 | \$ 1,462,500 |
| 2 | 30" Boring and Casing | 500 | LF | \$ 660 | \$ 330,000 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 1,792,500 |
| CONTINGENCY | | | | 30% | \$ 537,800 |
| SUBTOTAL: | | | | | \$ 2,330,300 |
| ENG/SURVEY | | | | 20% | \$ 466,100 |
| SUBTOTAL: | | | | | \$ 2,796,400 |
| Estimated Project Total: | | | | | \$ 2,796,400 |

City of College Station



Water CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

3

Project Name: BioCorridor Water Line Improvements

Project Description:

This project includes the construction of new 12/18-inch water lines in the BioCorridor area from Harvey Mitchell Parkway to SH 47.

Project Drivers:

This project will extend water service to projected future developments within the BioCorridor area and will provide looping for the existing lines to help improve available fire flows.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---------------------------------|------------------------|----------|------|------------|---------------------|
| 1 | 12" WL & Appurtenances | 4,400 | LF | \$ 150 | \$ 660,000 |
| 2 | 18" WL & Appurtenances | 3,500 | LF | \$ 225 | \$ 787,500 |
| 3 | 24" Boring and Casing | 200 | LF | \$ 528 | \$ 105,600 |
| 4 | 30" Boring and Casing | 200 | LF | \$ 660 | \$ 132,000 |
| 5 | Pavement Repair | 800 | LF | \$ 90 | \$ 72,000 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 1,757,100 |
| CONTINGENCY | | | | 30% | \$ 527,200 |
| SUBTOTAL: | | | | | \$ 2,284,300 |
| ENG/SURVEY | | | | 20% | \$ 456,900 |
| SUBTOTAL: | | | | | \$ 2,741,200 |
| Estimated Project Total: | | | | | \$ 2,741,200 |

City of College Station



Water CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

4

Project Name:

Water Supply Well No. 10

Project Description:

This project includes a new 3,300 gpm water supply well in the Simsboro aquifer with collection line.

Project Drivers:

This project will increase groundwater pumping capacity to serve future developments and meet the City's design criteria and TCEQ alternative capacity requirements.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---------------------------------|------------------------|----------|------|--------------|----------------------|
| 1 | New 3,300 gpm Well | 1 | LS | \$ 7,838,000 | \$ 7,838,000 |
| 2 | 30" WL & Appurtenances | 11,000 | LF | \$ 375 | \$ 4,125,000 |
| 3 | 42" WL & Appurtenances | 400 | LF | \$ 900 | \$ 360,000 |
| SUBTOTAL: | | | | | \$ 12,323,000 |
| CONTINGENCY | | | | 30% | \$ 3,696,900 |
| SUBTOTAL: | | | | | \$ 16,019,900 |
| ENG/SURVEY | | | | 20% | \$ 3,204,000 |
| SUBTOTAL: | | | | | \$ 19,223,900 |
| Estimated Project Total: | | | | | \$ 19,223,900 |

City of College Station



Water CIP - Opinion of Probable Construction Cost*

December 7, 2021

*Planning Level Cost in 2021 Dollars

CIP Project Number:

5

Project Name:

Harvey Mitchell Parkway Water Line Replacement

Project Description:

This project includes the construction of a new 30-inch water line along Harvey Mitchell Parkway from Wellborn Road to Welsh Avenue to replace the existing 24-inch water line.

Project Drivers:

This project will increase capacity and reduce excessive headloss in existing water lines that occur with increased water demand.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|------------------------|-------------|------|------------|--------------|
| 1 | 30" WL & Appurtenances | 4,800 | LF | \$ 375 | \$ 1,800,000 |
| 2 | 48" Boring and Casing | 850 | LF | \$ 1,056 | \$ 897,600 |
| 3 | Pavement Repair | 200 | LF | \$ 90 | \$ 18,000 |
| | | | | | |
| | | SUBTOTAL: | | \$ | 2,715,600 |
| | | CONTINGENCY | | 30% | \$ 814,700 |
| | | SUBTOTAL: | | \$ | 3,530,300 |
| | | ENG/SURVEY | | 20% | \$ 706,100 |
| | | SUBTOTAL: | | \$ | 4,236,400 |
| Estimated Project Total: | | | | | \$ 4,236,400 |

APPENDIX C

Wastewater System CIP Planning Level Opinion of Probable Construction Cost (OPCC) Estimates

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

1

Project Name: Replacement 15/18/24/30/36-inch Southwood Valley Interceptor Phase 1 and 2

Project Description:

This project includes the construction of replacement gravity lines from Arroyo Court North to the Phase 1 Southwood Valley Trunk Line.

Project Drivers:

The recommended lines are sized to convey projected peak wet weather buildout flows and will also alleviate the existing capacity limitations. The 15-inch line is sized to convey 1.3 MGD, the 18-inch is sized to convey 2.5 MGD, and the 24-inch is sized to convey 3.3 MGD of projected peak wet weather flow. The 30-inch is sized to convey 7.7 MGD and the 36-inch is sized to convey 8.2 MGD of projected buildout peak wet weather flow.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---------------------------------|---|----------|------|------------|---------------------|
| 1 | 15" Pipe 8- 16 feet deep | 1,300 | LF | \$ 225 | \$ 292,500 |
| 2 | 18" Pipe 8- 16 feet deep | 2,800 | LF | \$ 270 | \$ 756,000 |
| 3 | 24" Pipe 8- 16 feet deep | 700 | LF | \$ 360 | \$ 252,000 |
| 4 | 30" Pipe 8- 16 feet deep | 3,500 | LF | \$ 450 | \$ 1,575,000 |
| 5 | 36" Pipe 8- 16 feet deep | 900 | LF | \$ 540 | \$ 486,000 |
| 6 | 60" Diameter Manhole (8-16 feet deep) | 23 | EA | \$ 22,000 | \$ 506,000 |
| 7 | 72" Diameter Manhole (8 - 16 feet deep) | 22 | EA | \$ 24,000 | \$ 528,000 |
| 8 | Pavement Repair | 1,500 | LF | \$ 90 | \$ 135,000 |
| 9 | 36" Boring and Casing | 200 | LF | \$ 792 | \$ 158,400 |
| SUBTOTAL: | | | | | \$ 4,688,900 |
| CONTINGENCY | | | | 30% | \$ 1,406,700 |
| SUBTOTAL: | | | | | \$ 6,095,600 |
| ENG/SURVEY | | | | 20% | \$ 1,219,200 |
| SUBTOTAL: | | | | | \$ 7,314,800 |
| Estimated Project Total: | | | | | \$ 7,314,800 |

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

*Planning Level Cost in 2021 Dollars

CIP Project Number:

2

Project Name: 18/21/24-Inch Bee Creek Trunk Line Phase 4

Project Description:

This project includes the construction of new 18, 21, and 24-inch gravity lines along Cain Road and Navarro Drive from Holleman Drive South to Harvey Mitchell Parkway.

Project Drivers:

The recommended lines are sized to convey projected peak wet weather buildout flows and will also help alleviate existing capacity limitations. The 18-inch line is sized to convey 1.2 MGD, the 21-inch is sized to convey 3.2 MGD, and the 24-inch is sized to convey 3.75 MGD of projected peak wet weather flow.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|---------------------------------------|----------|------|------------|--------------|
| 1 | 18" Pipe 8- 16 feet deep | 3,600 | LF | \$ 270 | \$ 972,000 |
| 2 | 21" Pipe 8- 16 feet deep | 2,200 | LF | \$ 315 | \$ 693,000 |
| 3 | 24" Pipe 8- 16 feet deep | 2,200 | LF | \$ 360 | \$ 792,000 |
| 4 | 60" Diameter Manhole (8-16 feet deep) | 24 | EA | \$ 22,000 | \$ 528,000 |
| 5 | Pavement Repair | 2,500 | LF | \$ 90 | \$ 225,000 |
| 6 | 34" Boring and Casing | 300 | LF | \$ 748 | \$ 224,400 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 3,434,400 |
| CONTINGENCY | | | | 30% | \$ 1,030,400 |
| SUBTOTAL: | | | | | \$ 4,464,800 |
| ENG/SURVEY | | | | 20% | \$ 893,000 |
| SUBTOTAL: | | | | | \$ 5,357,800 |
| Estimated Project Total: | | | | | \$ 5,357,800 |

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

*Planning Level Cost in 2021 Dollars

CIP Project Number:

3

Project Name: 18/21-Inch Alum Creek Sewer Trunk Line

Project Description:

This project includes the construction of an 18-inch gravity line along Alum Creek that will replace the existing 12-inch gravity line.

Project Drivers:

The recommended line is sized to convey projected peak wet weather buildout flows of 2.3 MGD, including redirected flows from the Creek Meadows Lift Station.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---------------------------------|--|----------|------|------------------|----------------------|
| 1 | 18" Pipe 8- 16 feet deep | 12,500 | LF | \$ 270 | \$ 3,375,000 |
| 2 | 60" Diameter Manhole (8-16 feet deep) | 45 | EA | \$ 22,000 | \$ 990,000 |
| 3 | 21" Pipe > 16 feet deep | 6,300 | LF | \$ 336 | \$ 2,116,800 |
| 4 | 60" Diameter Manhole (16-24 feet deep) | 6 | EA | \$ 26,000 | \$ 156,000 |
| 5 | Pavement Repair | 1,900 | LF | \$ 90 | \$ 171,000 |
| 6 | 30" Boring and Casing | 500 | LF | \$ 660 | \$ 330,000 |
| | | | | | |
| | | | | SUBTOTAL: | \$ 7,138,800 |
| | | | | CONTINGENCY 30% | \$ 2,141,700 |
| | | | | SUBTOTAL: | \$ 9,280,500 |
| | | | | ENG/SURVEY 20% | \$ 1,856,100 |
| | | | | SUBTOTAL: | \$ 11,136,600 |
| Estimated Project Total: | | | | | \$ 11,136,600 |

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

4

Project Name: Re-Route of 8-Inch Creek Meadows Force Main to Alum Creek Trunk Line

Project Description:

This project includes the re-route of the Creek Meadows Lift Station force main to the proposed Alum Creek Trunk Line (Projects 7 and 8).

Project Drivers:

This project includes the construction of a new 8-inch force main from the Creek Meadows Lift Station to re-route the lift station flows to the proposed Alum Creek Trunk Line (Project 7 and 8). This project will decommission the existing 6-inch parallel force main associated with the Creek Meadows lift station and alleviate downstream capacity constraints.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|-----------------------------|----------|------|------------|--------------|
| 1 | 8" Force Main < 8 feet deep | 10,900 | LF | \$ 120 | \$ 1,308,000 |
| 2 | Pavement Repair | 1,200 | LF | \$ 90 | \$ 108,000 |
| 3 | 18" Boring and Casing | 500 | LF | \$ 396 | \$ 198,000 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 1,614,000 |
| CONTINGENCY | | | | 30% | \$ 484,200 |
| SUBTOTAL: | | | | | \$ 2,098,200 |
| ENG/SURVEY | | | | 20% | \$ 419,700 |
| SUBTOTAL: | | | | | \$ 2,517,900 |
| Estimated Project Total: | | | | | \$ 2,517,900 |

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

5

Project Name: Expand Lick Creek WWTP Capacity to 8 MGD

Project Description:

This project includes a 3.0 MGD expansion of the Lick Creek Wastewater Treatment Plant from 5.0 MGD to 8.0 MGD.

Project Drivers:

The recommended expansion is sized to treat projected average daily buildout flows in the treatment plant service area, including diverted flows from the Carters Creek Diversion Lift Station and flows from the Lift Station 3 service areas.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---------------------------------|-----------------------------------|----------|-------------|------------------|----------------------|
| 1 | 3.0 MGD Lick Creek WWTP Expansion | 1 | LS | \$ 32,016,600 | \$ 32,016,600 |
| | | | | | |
| | | | | SUBTOTAL: | \$ 32,016,600 |
| | | | CONTINGENCY | 30% | \$ 9,605,000 |
| | | | | SUBTOTAL: | \$ 41,621,600 |
| | | | ENG/SURVEY | 20% | \$ 8,324,400 |
| | | | | SUBTOTAL: | \$ 49,946,000 |
| Estimated Project Total: | | | | | \$ 49,946,000 |

City of College Station



Wastewater CIP - Opinion of Probable Construction Cost*

December 7, 2021

**Planning Level Cost in 2021 Dollars*

CIP Project Number:

6

Project Name: Replacement 21/24-Inch Harvey Road Replacement Gravity Line

Project Description:

This project includes the construction of a 21/24-inch gravity line along Harvey Road to the 42-Inch Northeast Interceptor to replace the existing 15/18-inch line.

Project Drivers:

The 21-inch line is sized to convey projected peak wet weather buildout flows of 4.1 MGD and the 24-inch line is sized to convey 5.4 MGD. These flows include projected buildout flows from the Eastside Service Area.

Opinion of Probable Construction Cost

| ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------|---------------------------------------|----------|------|------------|--------------|
| 1 | 21" Pipe 8- 16 feet deep | 3,200 | LF | \$ 315 | \$ 1,008,000 |
| 2 | 24" Pipe 8- 16 feet deep | 4,200 | LF | \$ 360 | \$ 1,512,000 |
| 3 | 60" Diameter Manhole (8-16 feet deep) | 17 | EA | \$ 22,000 | \$ 374,000 |
| 4 | Pavement Repair | 1,100 | LF | \$ 90 | \$ 99,000 |
| 5 | 36" Boring and Casing | 200 | LF | \$ 792 | \$ 158,400 |
| | | | | | |
| SUBTOTAL: | | | | | \$ 3,151,400 |
| CONTINGENCY | | | | 30% | \$ 945,500 |
| SUBTOTAL: | | | | | \$ 4,096,900 |
| ENG/SURVEY | | | | 20% | \$ 819,400 |
| SUBTOTAL: | | | | | \$ 4,916,300 |
| Estimated Project Total: | | | | | \$ 4,916,300 |

APPENDIX D

Rate Credit Analysis

City of College Station
Water and Wastewater Impact Fee Update Study
Impact Fee Eligible Water Projects Existing Bond Series

| Project No. | Bond Issue and Project(s) Funded | Capital Cost | Capital Cost Financed | Projects % of Overall Bond Issue | % of Project that is Impact Fee Eligible | % of Bond Issue that is Impact Fee Eligible |
|-------------|---|--------------|--------------------------|----------------------------------|--|---|
| | Series 2008 CO | | \$3,616,000 | | | 75.0% |
| F | Land- Rowe & Allen | \$1,082,378 | \$1,082,378 | 100% | 75% | |
| | | | | | | |
| | Series 2009 CO | | \$7,862,000 | | | 95.0% |
| E | Land- Hanson South | \$1,048,633 | \$1,048,633 | 100% | 95% | |
| | | | | | | |
| | Series 2012 CO | | \$3,000,000 | | | 40.0% |
| A | High Service Pumping Improvements | \$3,647,228 | \$3,000,000 | 100% | 40% | |
| | | | | | | |
| | Series 2014 CO | | \$6,324,000 | | | 43.1% |
| C | Area 2 Waterline Extension | \$1,224,780 | \$1,000,000 | 16% | 25% | |
| D | Cooling Tower Expansion | \$3,840,099 | \$3,300,000 | 52% | 75% | |
| | | | | | | |
| | Series 2016 CO | | \$7,900,000 | | | 33.4% |
| F | Well #9 - PARTIAL | \$4,866,492 | \$2,030,000 | 26% | 75% | |
| F | Well #9 Collection Line - budget - PARTIAL | \$1,674,332 | \$1,250,000 | 16% | 75% | |
| P | SH 6 Water Line Connection Phase 1 - 24" SE of Creagor Lane - PARTIAL | \$482,160 | \$300,000 | 4% | 30% | |
| P | SH 6 Water Line Connection Phase 2 - PARTIAL | \$554,408 | \$300,000 | 4% | 30% | |
| | | | | | | |
| | Series 2017 CO | | \$8,420,000 | | | 32.6% |
| F | Well #9 | \$4,866,492 | \$2,836,492 | 34% | 75% | |
| F | Well #9 Collection Line | \$1,674,332 | \$424,332 | 5% | 75% | |
| P | SH6 Water Line PH 1 (SH40 to Venture Dr) | \$482,160 | \$182,160 | 2% | 30% | |
| P | SH6 Water Line PH 2 (Creagor Ln to SH40) | \$554,408 | \$254,408 | 3% | 30% | |
| Q | SH6 Water Line PH 3 (Woodcreek to Sebesta) | \$3,050,000 | \$550,000 | 7% | 30% | |
| | | | | | | |
| | Series 2018 CO | | \$3,570,000 | | | 28.1% |
| R | RPR Elevated Storage Tank (Third Water Tower) | \$7,636,470 | \$1,200,000 | 34% | 30% | |
| G | Midtown Water Line Project | \$995,864 | \$920,000 | 26% | 70% | |
| | | | | | | |
| | Series 2019 CO | | \$13,006,000 | | | 12.8% |
| Q | SH6 Water Line PH 3 (Woodcreek to Sebesta) | \$3,050,000 | \$790,000 | 6% | 30% | |
| F | SH6 Water Line PH 3A | \$233,365 | \$233,365 | 2% | 30% | |
| R | RPR Elevated Storage Tank (Third Water Tower) | \$7,636,470 | \$284,000 \$4,250,000 | 35% | 30% | |
| | | | | | | |
| | Series 2020 CO | | \$2,960,000 | | | 6.2% |
| Q | SH6 Water Line PH 3 (Woodcreek to Sebesta) | \$3,050,000 | \$610,000 | 21% | 30% | |
| | | | | | | |
| | Series 2021 CO | | \$8,840,000 | | | 16.7% |
| Q | SH6 Water Line PH 3 (Woodcreek to Sebesta) | \$3,050,000 | \$800,000 | 9% | 30% | |
| R | RPR Elevated Storage Tank (Third Water Tower) | \$7,636,470 | \$2,500,000 | 28% | 30% | |
| S | SH40 Water Line (Graham to Barron) | \$3,095,650 | \$500,000 | 6% | 65% | |
| S | SH40 Water Line (Sonoma to Victoria) | \$1,087,823 | \$250,000 | 3% | 65% | |
| | | | | | | |

City of College Station
Water and Wastewater Impact Fee Update Study
Impact Fee Eligible Water Projects Existing Bond Series

| Project No. | Bond Issue and Project(s) Funded | Capital Cost | Capital Cost Financed | Projects % of Overall Bond Issue | % of Project that is Impact Fee Eligible | % of Bond Issue that is Impact Fee Eligible |
|-------------|--|--------------------|-----------------------|----------------------------------|--|---|
| | Series 2011 CO | | \$3,064,000 | | | 10.0% |
| A | Royder/Live Oak Sewer Service - PARTIAL | \$1,575,000 | \$75,000 | 100.0% | 10% | |
| | Series 2012 CO | | \$5,835,000 | | | 30.0% |
| A | Royder/Live Oak Sewer Service - PARTIAL | See Series 2011 CO | \$500,000 | 100.0% | 10% | |
| B | Bee Creek Interceptor Phase 1 - PARTIAL | \$3,600,939 | \$550,000 | 100.0% | 20% | |
| | Series 2013 CO | | \$2,065,000 | | | 19.4% |
| B | Bee Creek Interceptor Phase 1 - PARTIAL | See Series 2012 CO | \$2,000,000 | 96.9% | 20% | |
| | Series 2014 CO | | \$11,400,000 | | | 11.3% |
| B | Bee Creek Interceptor Phase 1 - PARTIAL | See Series 2012 CO | \$1,050,939 | 9.2% | 20% | |
| B | 54/60-inch Bee Creek Interceptor Phase 2 - PARTIAL | \$4,871,482 | \$4,871,482 | 42.7% | 20% | |
| A | Royder/Live Oak Sewer Service - PARTIAL | \$1,000,000 | \$1,000,000 | 8.8% | 10% | |
| | Series 2017 CO | | \$5,000,000 | | | 90.0% |
| N | Lick Creek WWTP Expansion | \$39,014,049 | \$5,000,000 | 100.0% | 90% | |
| | Series 2018 CO | | \$10,000,000 | | | 17.1% |
| C | Lick Creek Trunkline | \$14,020,058 | \$2,647,000 | 26.5% | 35% | |
| E | Northeast Sewer Trunkline PH 2 | \$2,797,362 | \$500,000 | 5.0% | 15% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$500,000 | 5.0% | 20% | |
| D | Medical District Trunkline PH 1 | \$1,770,375 | \$1,750,000 | 17.5% | 35% | |
| | Series 2019 CO | | \$23,906,000 | | | 45.6% |
| N | Lick Creek WWTP Expansion | \$39,014,049 | \$8,843,000 | 37.0% | 90% | |
| M | Carters Creek Diversion Lift Station | \$15,900,000 | \$2,340,000 | 9.8% | 75% | |
| C | Lick Creek Trunkline | \$14,020,058 | \$1,303,000 | 5.5% | 35% | |
| F | Southwood Valley Trunkline | \$1,518,488 | \$1,479,000 | 6.2% | 5% | |
| J | Bee Creek Parallel Trunkline PH 3 | \$3,900,000 | \$800,000 | 3.3% | 20% | |
| E | Northeast Sewer Trunkline PH 2 | \$2,797,362 | \$1,370,000 | 5.7% | 15% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$568,000 | 2.4% | 20% | |
| L | Northeast Sewer Trunkline PH 4 | \$7,961,000 | \$900,000 | 3.8% | 20% | |
| | Series 2020 CO | | \$18,115,000 | | | 49.8% |
| N | Lick Creek WWTP Expansion | \$39,014,049 | \$6,200,000 | 34.2% | 90% | |
| C | Lick Creek Trunkline | \$14,020,058 | \$8,850,000 | 48.9% | 35% | |
| E | Northeast Sewer Trunkline PH 2 | \$2,797,362 | \$927,362 | 5.1% | 15% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$1,035,000 | 5.7% | 20% | |
| F | Southwood Valley Trunkline | \$1,518,488 | \$39,488 | 0.2% | 5% | |
| | Series 2021 CO | | \$11,650,000 | | | 59.7% |
| M | Carters Creek Diversion Lift Station | \$15,900,000 | \$500,000 | 4.3% | 75% | |
| N | Lick Creek WWTP Expansion | \$39,014,049 | \$6,500,000 | 55.8% | 90% | |
| C | Lick Creek Trunkline | \$14,020,058 | \$650,000 | 5.6% | 35% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$2,000,000 | 17.2% | 20% | |
| K | Medical District Trunkline PH 2 | \$2,000,000 | \$500,000 | 4.3% | 10% | |
| K | Medical District Trunkline PH 3 | \$1,250,000 | \$500,000 | 4.3% | 10% | |

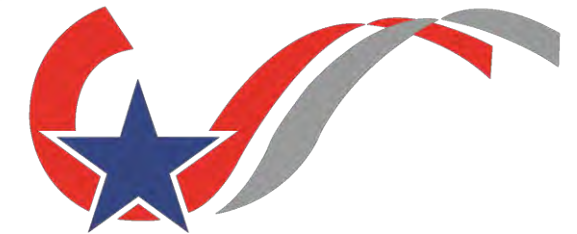
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APPENDIX E

IFAC and Public Hearing Presentations

Impact Fee Study

City of College Station



CITY OF COLLEGE STATION
Home of Texas A&M University®



Kimley»Horn

Kimley»Horn

Nov 4, 2021

Outline

The Impact Fee Process

Schedule

Comments

Water and Wastewater LUA, CIP, & Impact Fee Calculation

Roadway LUA, CIP, & Impact Fee Calculation

The Impact Fee Process

Impact Fee Process

We are here in the process

**Planning
Step**

**Land Use
Assumptions**

**Impact Fee
Capital
Improvements
Plan**

**Analysis
Step**

**Calculation
of Maximum
Assessable
Impact Fee**

**Policy
Step**

**Establishing
the Impact
Fee**

Adoption

**Amend
Impact Fee
Ordinance**

Schedule

Schedule

| | Date | Council Meetings |
|---|----------|---|
| ✓ | 7/29/21 | Stakeholder 101 Discussion |
| ✓ | 8/5/21 | IFAC Impact Fee 101 |
| ✓ | 8/24/21 | Stakeholder Workshop on LUA and IF CIP |
| ✓ | 9/02/21 | IFAC Workshop to Review LUA and IF CIP |
| ✓ | 9/23/21 | Council Workshop (LUA & IF CIP) & Meeting to Set Public Hearing Date for Impact Fee Study |
| ● | 11/4/21 | IFAC Review of Impact Fee Study |
| ● | 11/22/21 | Council Public Hearing and Approval of Impact Fee Study |

** All Dates Are Tentative*

Comments

Comments

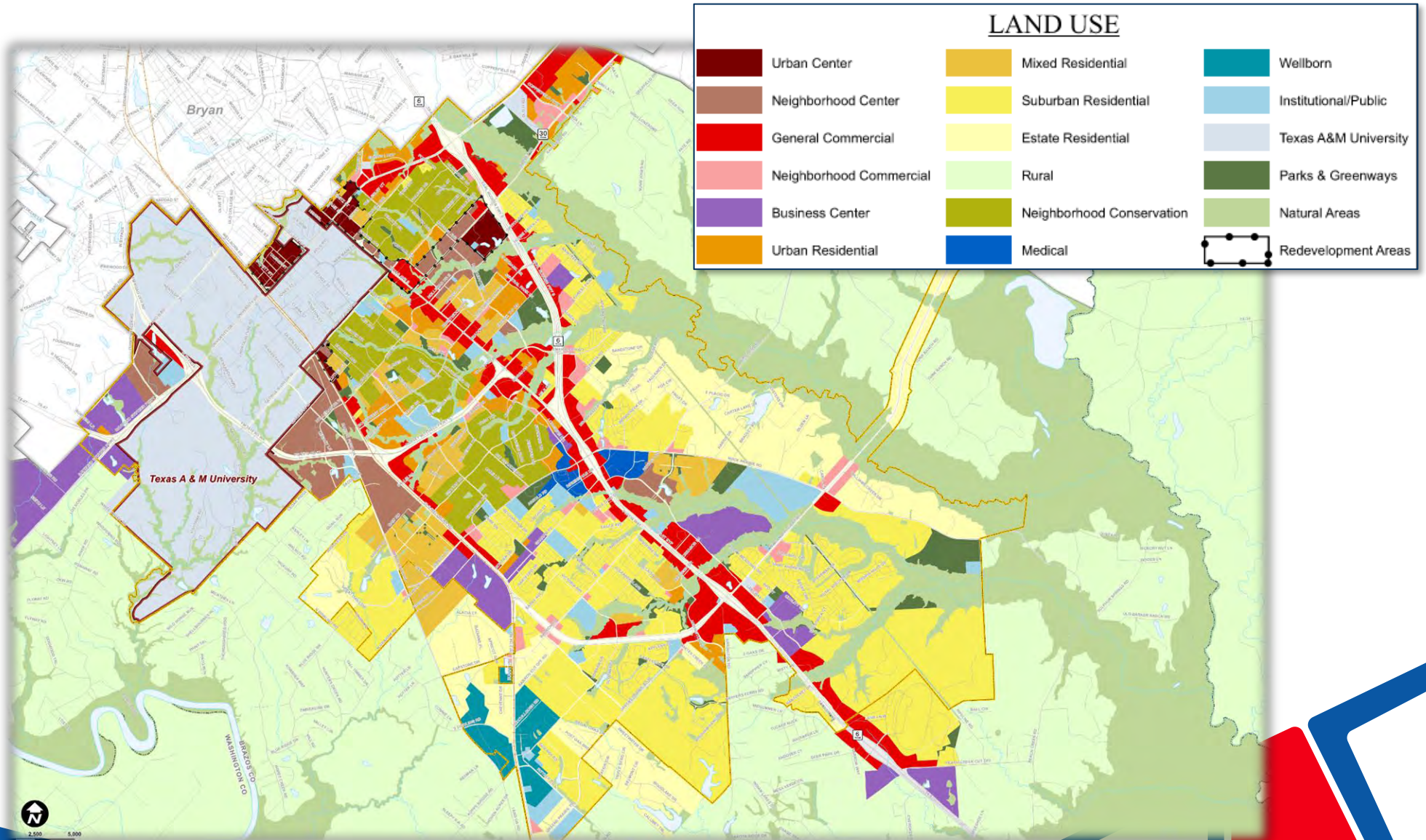
- Comments are required 5 business days prior to Public Hearing (11/22)
- Options
 - Provide Comments During Meeting
 - Provide to Council Via Minutes
 - Provide to Council Via Letter
 - Provide Comments to Staff by 11/11 and signed by the chair on 11/12



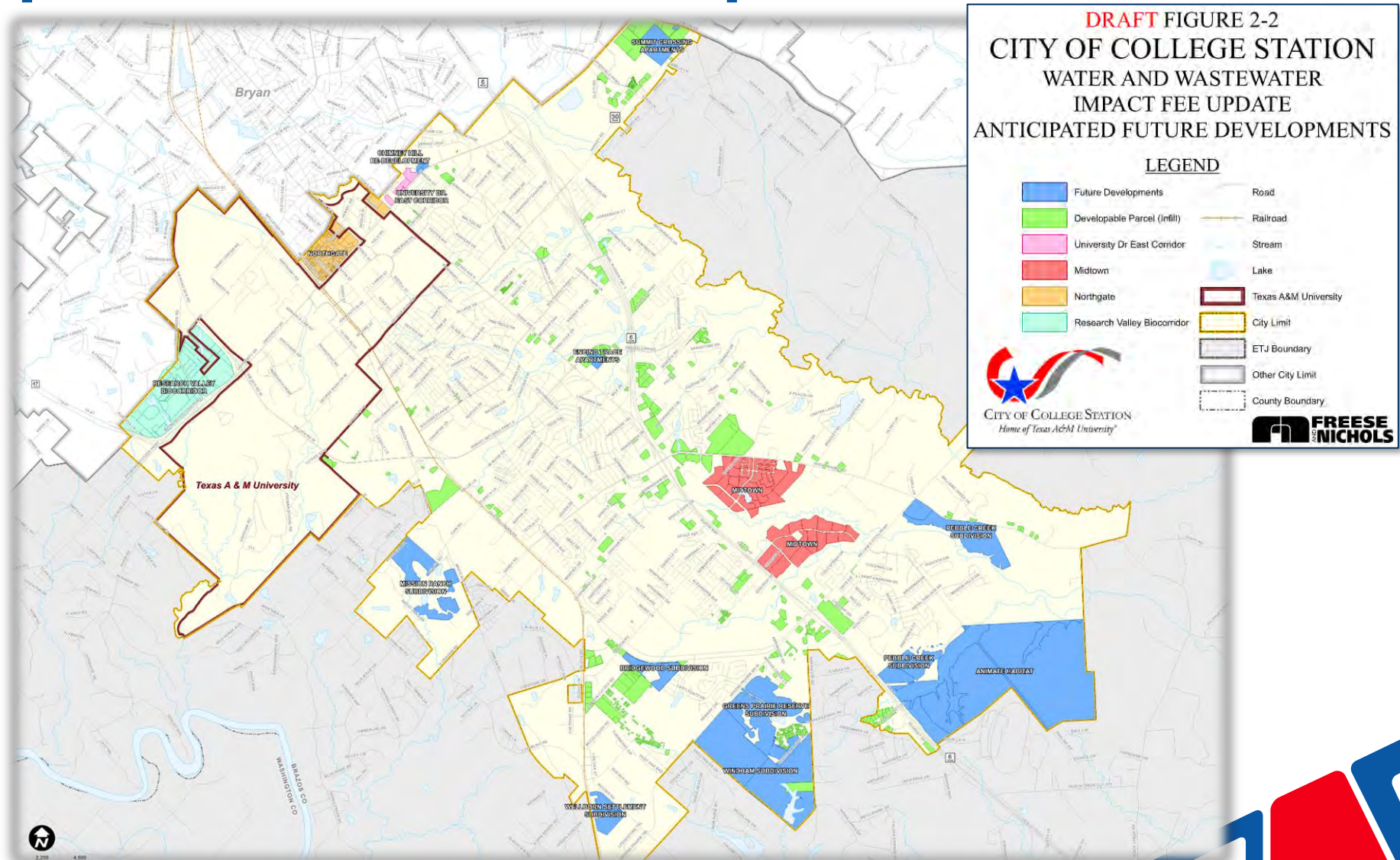
Water and Wastewater

Land Use, CIP, and Impact Fee Calculation

Land Use Assumptions



Anticipated Future Developments



Living Unit Equivalents (LUEs)

A standardized measure of consumption attributable to an individual unit of development.*

Water



Wastewater



*Chapter 395 definition for service unit

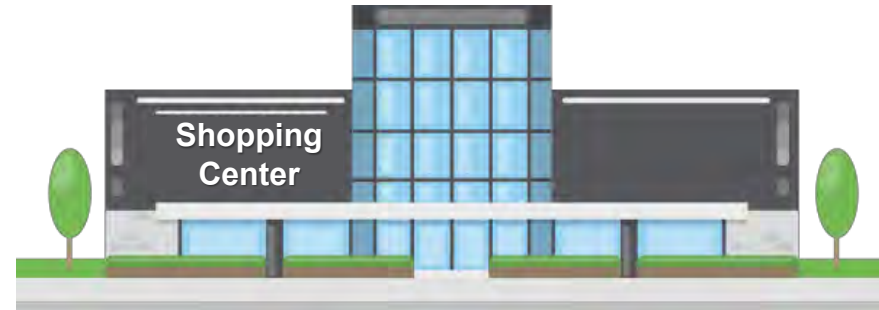
College Station refers to service units as living unit equivalents (LUEs)

Water and Wastewater Living Unit Equivalent

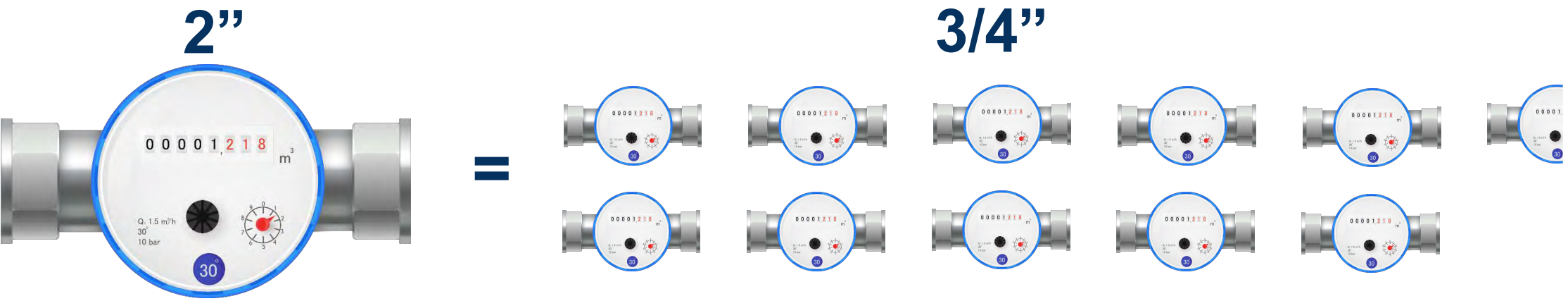
3/4"



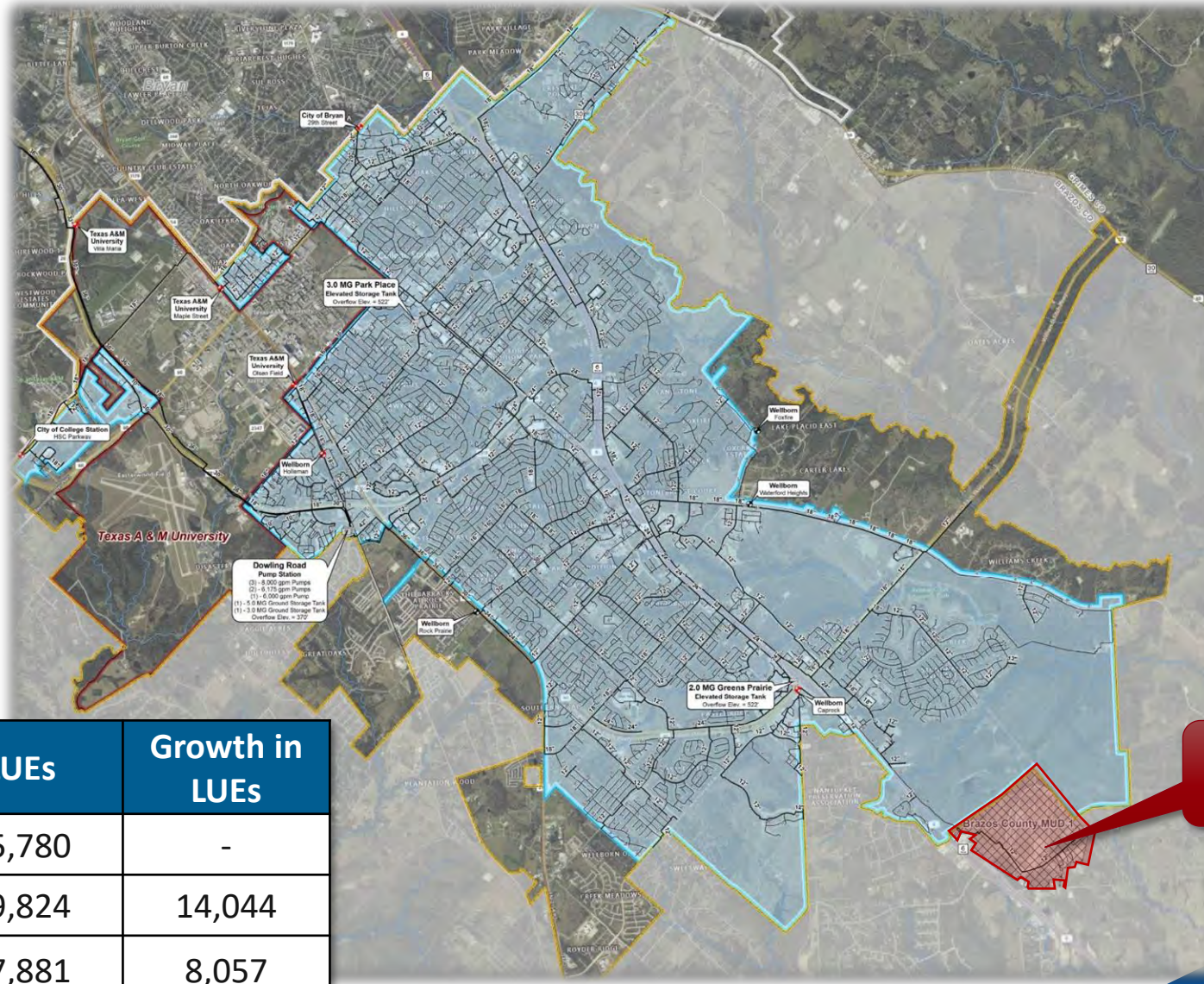
2"



Water and Wastewater Living Unit Equivalent



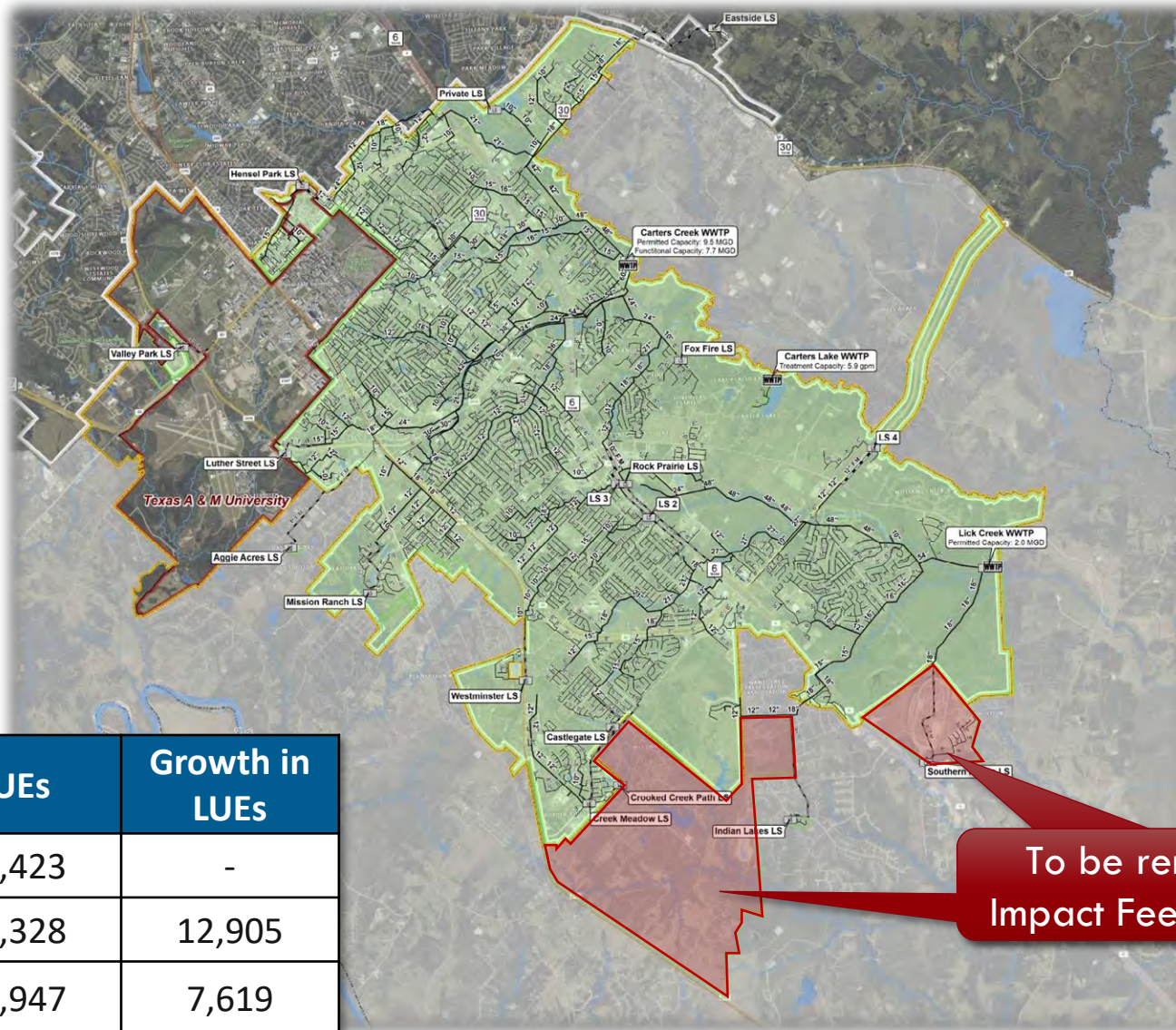
Water Impact Fee Service Area



| Year | LUEs | Growth in LUEs |
|----------|--------|----------------|
| 2021 | 55,780 | - |
| 2031 | 69,824 | 14,044 |
| Buildout | 77,881 | 8,057 |

To be removed from
Impact Fee Service Area

Wastewater Impact Fee Service Area



| Year | LUEs | Growth in LUEs |
|----------|--------|----------------|
| 2021 | 58,423 | - |
| 2031 | 71,328 | 12,905 |
| Buildout | 78,947 | 7,619 |

Capital Improvements Plan (CIP)

What items **are** and **are not** payable with Impact Fees?

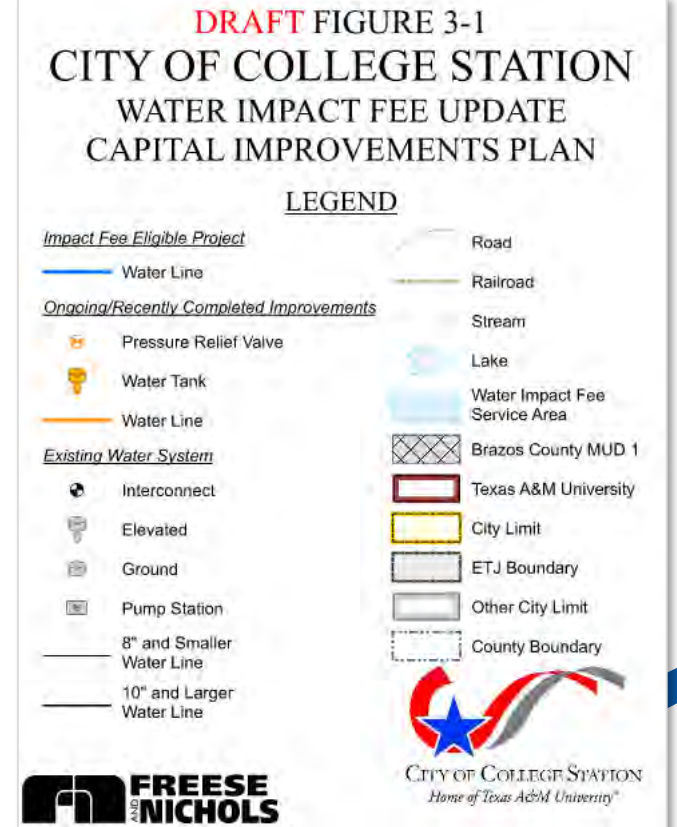
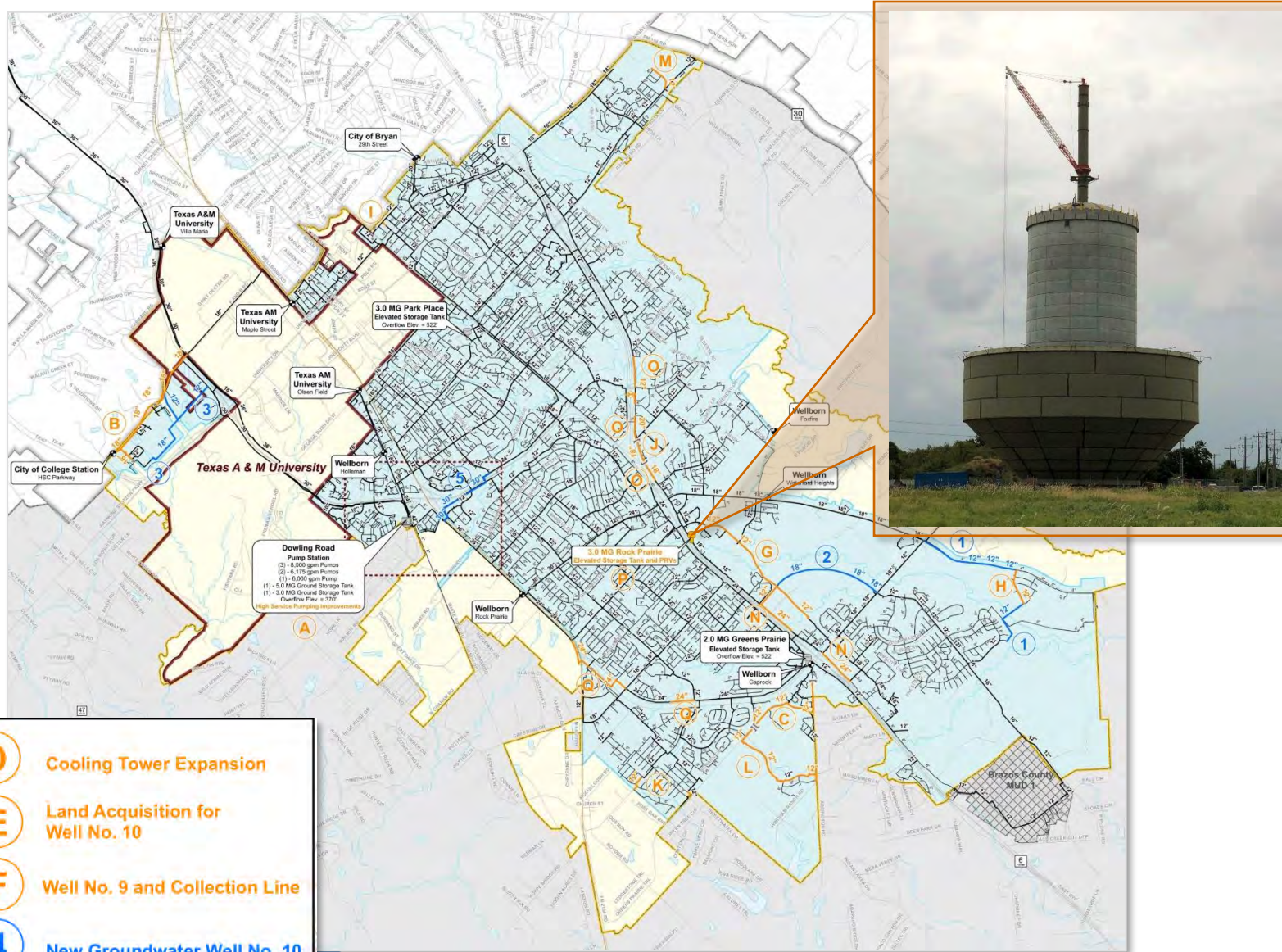
Components that **can** be paid for through an impact fee program:

- ✓ Construction cost of capital improvements on the Impact Fee CIP
 - Roadway to thoroughfare standard
 - Upsized water/wastewater line
 - Traffic signals, bridges, sidewalks, etc.
- ✓ Survey and Engineering fees
- ✓ Land acquisition costs, including court awards
- ✓ Debt Service of Impact Fee CIP
- ✓ Planning Studies

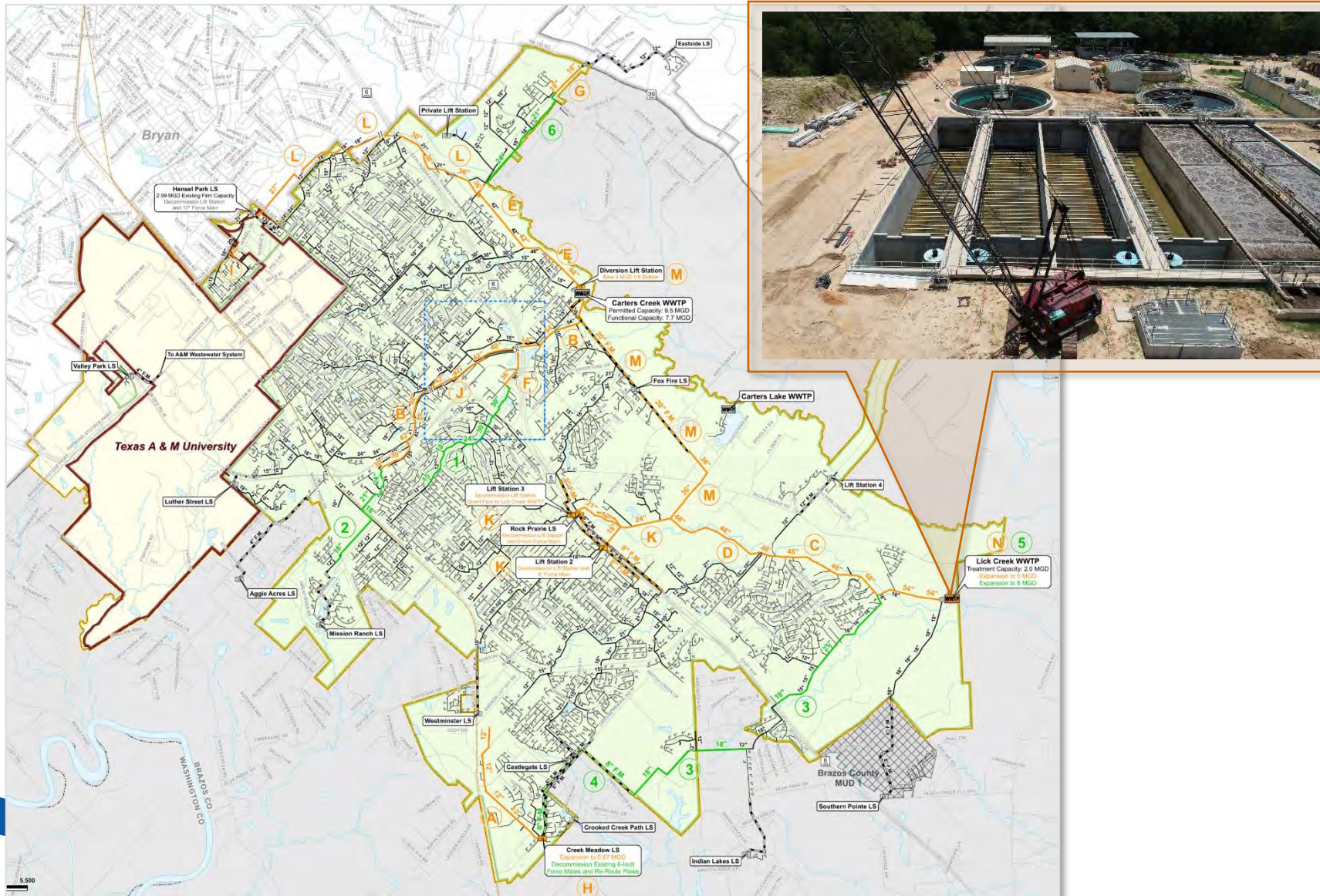
Components that **cannot** be paid for through an impact fee program:

- ✗ Projects not included in the Impact Fee CIP
- ✗ Repair, operation, and maintenance of existing facilities
- ✗ Upgrades to serve existing development
- ✗ Administrative costs of operating the impact fee program

Water Impact Fee CIP



Wastewater Impact Fee CIP



DRAFT FIGURE 3-2 CITY OF COLLEGE STATION WASTEWATER IMPACT FEE UPDATE CAPITAL IMPROVEMENTS PLAN

LEGEND

Ongoing/Recently Completed Improvements

- Lift Station
- Wastewater Treatment Plant
- Gravity Main
- Force Main

Impact Fee Eligible Improvements

- Gravity Main
- Force Main

Existing Wastewater System

- Lift Station
- Wastewater Treatment Plant
- 8" and Smaller Wastewater Line
- 10" and Larger Wastewater Line

- Force Main
- Road
- Railroad
- Stream
- Lake
- Wastewater Impact Fee Service Area
- Brazos County MUD 1
- Texas A & M University
- City Limit
- ETJ Boundary
- Other City Limit
- County Boundary

FREESE NICHOLS

CITY OF COLLEGE STATION
Home of Texas A&M University

Impact Fee Calculation

Impact Fee Equation:

$$\text{Impact Fee Per LUE} = \frac{\text{Eligible CIP Cost} - \text{Rate Credit}}{\text{Growth in LUEs}}$$

LUE = Living Unit Equivalent (connection for a single-family home)

Eligible CIP Cost = 10-year capital and financing cost (through 2031)

Rate Credit = Chapter 395 requirements: reduce the eligible CIP cost by performing a credit analysis to determine the percent of utility bill used for growth CIP

Growth in LUEs = Derived from land use assumptions for 10-year growth in LUEs

Impact Fee Calculation – Eligible Water CIP Cost

Determine Utilization Percentages - Water

$$10\text{-Year Utilization} \times \text{Capital Cost} = 10\text{-Year Cost}$$

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|---|---|---------------------|------|-----------|-----------------------------|---------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A High Service Pumping Improvements | 20% | 60% | 40% | \$ 3,597,227 | \$ 1,438,891 |
| | B BioCorridor Water Line | 25% | 100% | 75% | \$ 998,884 | \$ 749,163 |
| | C Area 2 Water Line Extension | 10% | 35% | 25% | \$ 1,000,000 | \$ 250,000 |
| | D Cooling Tower Expansion | 25% | 100% | 75% | \$ 3,795,667 | \$ 2,846,750 |
| | E Well No. 10 Land Acquisition | 0% | 95% | 95% | \$ 1,048,633 | \$ 996,201 |
| | F Well No. 9 and Collection Line | 25% | 100% | 75% | \$ 7,623,202 | \$ 5,717,402 |
| | G Midtown Drive 12-inch Water Line | 20% | 70% | 50% | \$ 920,000 | \$ 460,000 |
| | H The Crossing at Lick Creek Phase 1 - 3 Oversize Participation | 45% | 90% | 45% | \$ 45,233 | \$ 20,355 |
| | I Embassy Suites Water Line Oversize Participation | 10% | 100% | 90% | \$ 15,030 | \$ 13,527 |
| | J Brazos Valley Auto Complex Oversize Participation | 40% | 70% | 30% | \$ 84,791 | \$ 25,437 |
| | K Castlegate II Oversize Participation | 45% | 100% | 55% | \$ 50,871 | \$ 27,979 |
| | L Greens Prairie Oversize Participation | 10% | 35% | 25% | \$ 96,498 | \$ 24,125 |
| | M Summit Crossing Phase 3A Oversize Participation | 15% | 100% | 85% | \$ 32,550 | \$ 27,668 |
| | N SH 6 Water Line Phase 1 and 2 | 40% | 70% | 30% | \$ 1,036,568 | \$ 310,970 |
| Recently Completed Project Subtotal | | | | | \$ 20,345,154 | \$ 12,908,468 |
| Ongoing | O SH 6 Water Line Phase 3 | 40% | 70% | 30% | \$ 3,050,000 | \$ 915,000 |
| | P 3.0 MG Elevated Storage Tank and Pressure Reducing Valves | 40% | 70% | 30% | \$ 8,690,000 | \$ 2,607,000 |
| | Q SH 40 Water Line Phase 1 and 2 | 35% | 100% | 65% | \$ 4,200,000 | \$ 2,730,000 |
| | R 2021 Impact Fee Study | 0% | 100% | 100% | \$ 150,000 | \$ 150,000 |
| Ongoing Project Subtotal | | | | | \$ 16,090,000 | \$ 6,402,000 |
| Proposed | 1 New and Replacement 12-inch Rock Prairie Road Water Line | 45% | 85% | 40% | \$ 2,289,500 | \$ 915,800 |
| | 2 New 18-Inch Midtown Business Center Water Line | 20% | 90% | 70% | \$ 2,796,400 | \$ 1,957,480 |
| | 3 BioCorridor Water Line Improvements | 10% | 100% | 90% | \$ 2,741,200 | \$ 2,467,080 |
| | 4 Water Supply Well No. 10 | 0% | 95% | 95% | \$ 19,223,900 | \$ 18,262,705 |
| | 5 Harvey Mitchel Parkway Water Line Replacement | 70% | 90% | 20% | \$ 4,236,400 | \$ 847,280 |
| Proposed Future Project Subtotal | | | | | \$ 31,287,400 | \$ 24,450,345 |
| Total Impact Fee Eligible Water Capital Improvements Cost | | | | | \$ 67,722,554 | \$ 43,760,813 |

Existing Utilization is > 0% for projects meeting deficiencies and existing projects serving existing customers.

Impact Fee Calculation – Eligible Wastewater CIP Cost

Determine Utilization Percentages - Wastewater

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|--|---|---------------------|------|-------------|-----------------------------|----------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A Royder/Live Oak Sewer Service | 15% | 25% | 10% | \$ 1,691,256 | \$ 169,126 |
| | B Bee Creek Interceptor Phase 1 and 2 | 75% | 95% | 20% | \$ 8,472,421 | \$ 1,694,484 |
| | C Lick Creek Trunk Line | 40% | 75% | 35% | \$ 14,020,058 | \$ 4,907,020 |
| | D Medical District Trunk Line Phase 1 (Participation Agreement) | 30% | 65% | 35% | \$ 1,770,375 | \$ 619,631 |
| | E Northeast Trunk Line Phase 1 and 2 | 75% | 90% | 15% | \$ 6,558,738 | \$ 983,811 |
| | F Southwood Valley Trunk Line Phase 1 | 95% | 100% | 5% | \$ 1,518,488 | \$ 75,924 |
| | G 18-Inch Harvey Road Gravity Line | 5% | 30% | 25% | \$ 188,790 | \$ 47,198 |
| | H Creek Meadows Lift Station Upsizing and Force Main | 0% | 60% | 60% | \$ 212,587 | \$ 127,552 |
| | I Nagle Street Student Housing Oversize Participation | 75% | 100% | 25% | \$ 26,854 | \$ 6,714 |
| Recently Completed Project Subtotal | | | | | \$ 34,459,567 | \$ 8,631,460 |
| Ongoing | J Bee Creek Interceptor Phase 3 | 75% | 95% | 20% | \$ 3,900,000 | \$ 780,000 |
| | K Medical District Trunk Line Phase 2 and 3 | 85% | 95% | 10% | \$ 3,250,000 | \$ 325,000 |
| | L Northeast Trunk Line Phase 3 and 4 | 75% | 95% | 20% | \$ 13,861,000 | \$ 2,772,200 |
| | M Carters Creek Diversion Lift Station Phase 1 | 0% | 75% | 75% | \$ 13,900,000 | \$ 10,425,000 |
| | N Lick Creek WWTP Phase 1 Expansion | 10% | 100% | 90% | \$ 39,014,049 | \$ 35,112,644 |
| | O 2021 Impact Fee Update | 0% | 100% | 100% | \$ 174,150 | \$ 174,150 |
| Ongoing Project Subtotal | | | | | \$ 74,099,199 | \$ 49,588,994 |
| Proposed | 1 15/18/24/30/36-inch Southwood Valley Interceptor Phase 1 and 2 | 95% | 100% | 5% | \$ 7,314,800 | \$ 365,740 |
| | 2 18/21/24-Inch Bee Creek Trunk Line Phase 4 | 80% | 95% | 15% | \$ 5,357,800 | \$ 803,670 |
| | 3 18/21-Inch Alum Creek Sewer Trunk Line | 45% | 60% | 15% | \$ 11,136,600 | \$ 1,670,490 |
| | 4 8-Inch Creek Meadows Force Main Re-Routed to Alum Creek Trunk Line | 80% | 100% | 20% | \$ 2,517,900 | \$ 503,580 |
| | 5 Lick Creek WWTP Phase 2 Expansion (to 8.0 MGD) | 0% | 5% | 5% | \$ 49,946,000 | \$ 2,497,300 |
| | 6 21/24-Inch Harvey Road Replacement Gravity Line | 20% | 45% | 25% | \$ 4,916,300 | \$ 1,229,075 |
| Proposed Future Project Subtotal | | | | | \$ 81,189,400 | \$ 7,069,855 |
| Total Impact Fee Eligible Wastewater Capital Improvements Cost | | | | | \$ 189,748,166 | \$ 65,290,309 |

Impact Fee Calculation – Maximum Allowable

Water Impact Fee Calculation

| Water Impact Fee | |
|---|---------------------|
| Total Eligible Capital Improvement Costs | \$43,760,813 |
| Total Eligible Financing Costs | \$12,663,228 |
| Rate Credit | (\$1,966,603) |
| Total Impact Fee Eligible Cost⁽¹⁾ | \$54,457,437 |
| 10-Year Growth in Water LUEs | 14,044 |
| Maximum Allowable Water Impact Fee per LUE⁽²⁾ | \$3,877 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Impact Fee Calculation – Maximum Allowable

Wastewater Impact Fee Calculation

| Wastewater Impact Fee | |
|--|---------------------|
| Total Eligible Capital Improvement Costs | \$65,290,309 |
| Total Eligible Financing Costs | \$9,135,832 |
| Rate Credit | (\$2,507,952) |
| Total Eligible Impact Fee Cost⁽¹⁾ | \$71,918,188 |
| 10-Year Growth in Wastewater LUEs | 12,905 |
| Maximum Allowable Wastewater Impact Fee per LUE⁽²⁾ | \$5,572 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Schedule of Maximum Allowable Impact Fees

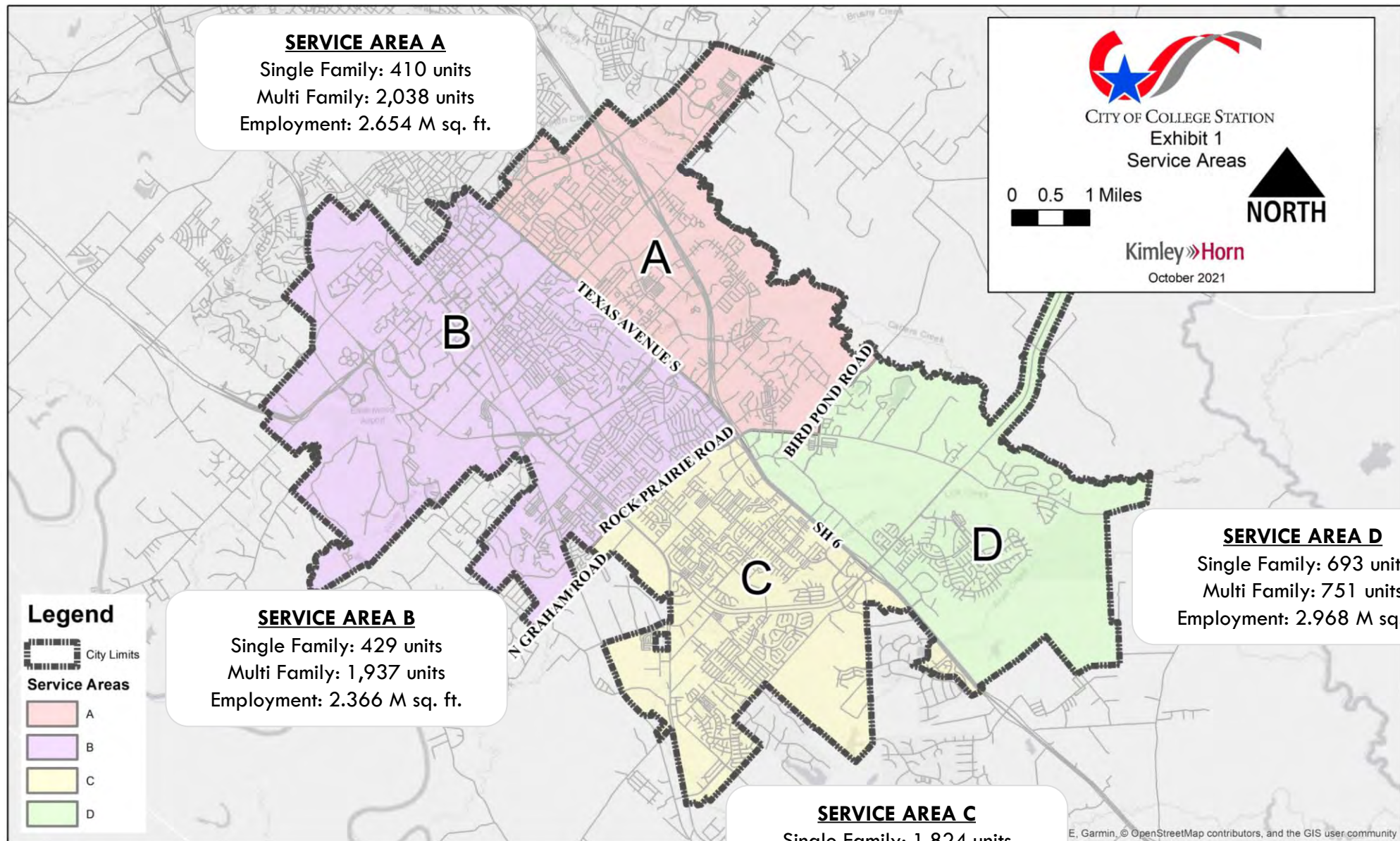
| Meter Size | Living Unit Equivalent ⁽¹⁾ | Maximum Allowable Impact Fees | | |
|-------------|---------------------------------------|-------------------------------|--------------|--------------|
| | | Water | Wastewater | Total |
| 5/8" x 3/4" | 1.0 | \$ 3,877 | \$ 5,572 | \$ 9,449 |
| 1" | 3.3 | \$ 12,923 | \$ 18,573 | \$ 31,496 |
| 1-1/2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 3" | 26.7 | \$ 103,386 | \$ 148,586 | \$ 251,972 |
| 4" | 53.3 | \$ 206,773 | \$ 297,173 | \$ 503,946 |
| 6" | 106.7 | \$ 413,546 | \$ 594,346 | \$ 1,007,892 |
| 8" | 180.0 | \$ 697,860 | \$ 1,002,960 | \$ 1,700,820 |
| 10" | 266.7 | \$ 1,033,866 | \$ 1,485,866 | \$ 2,519,732 |

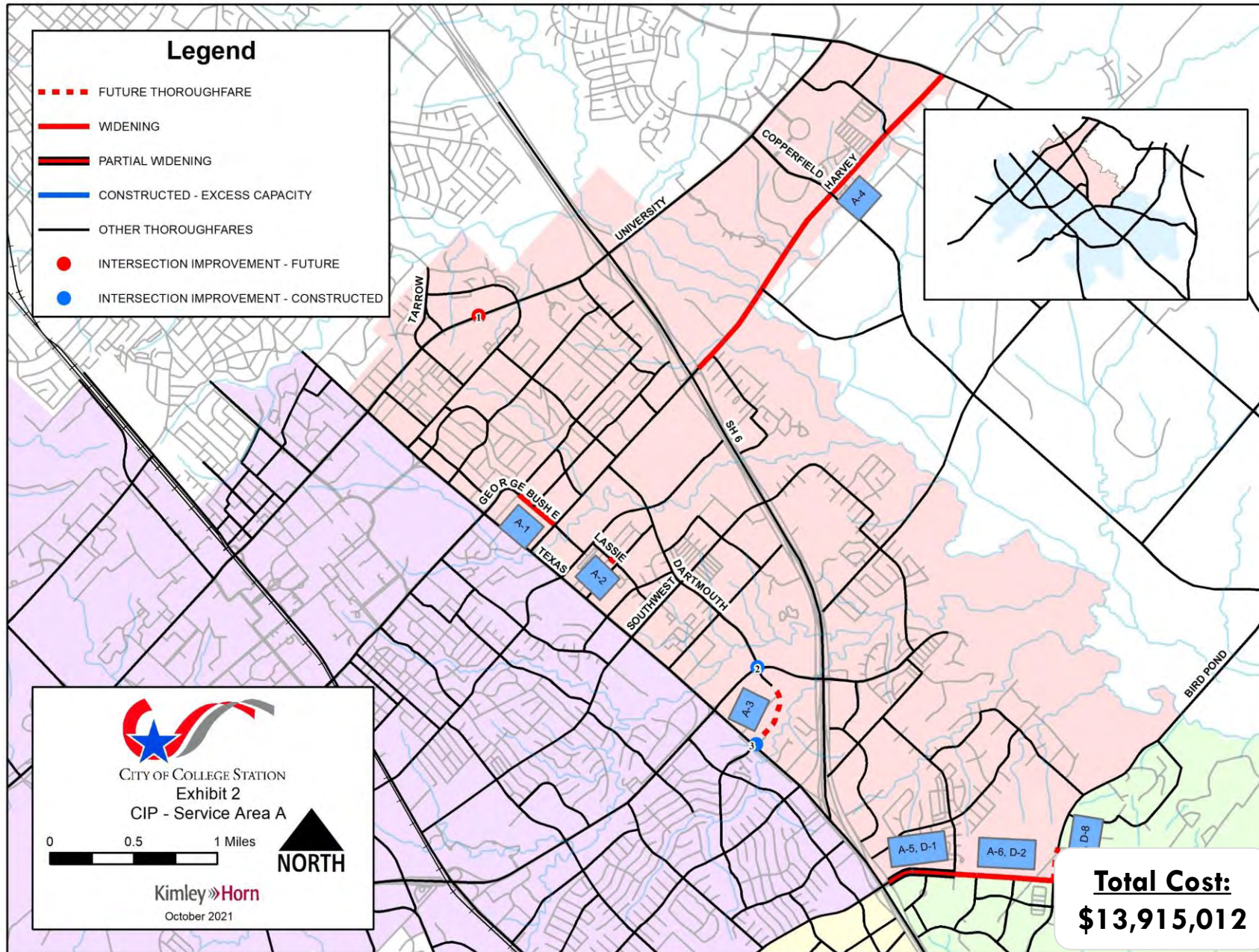
(1) Living unit equivalents shown as rounded to single decimal point.

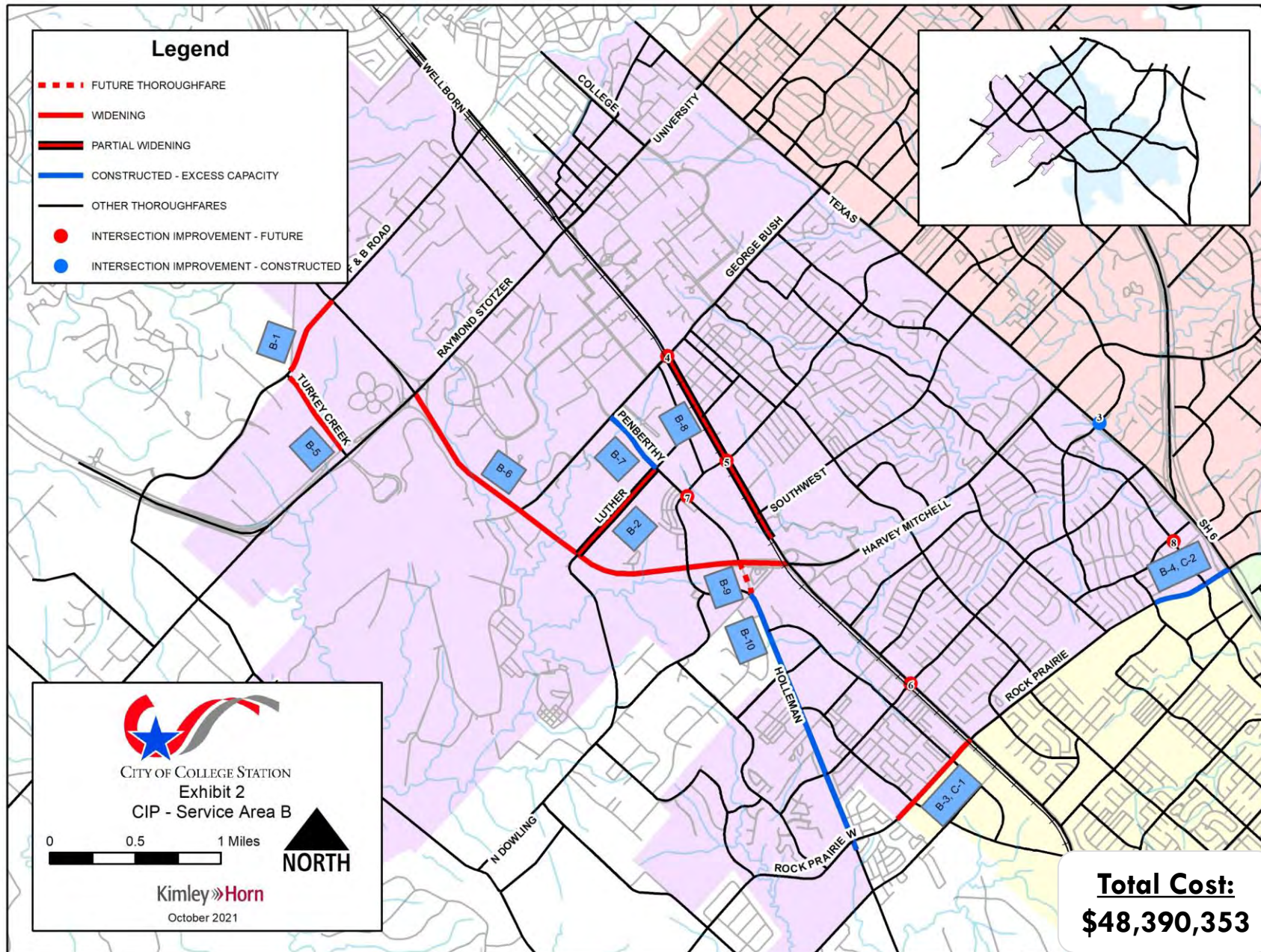
City Council sets the actual fee to be collected from new development

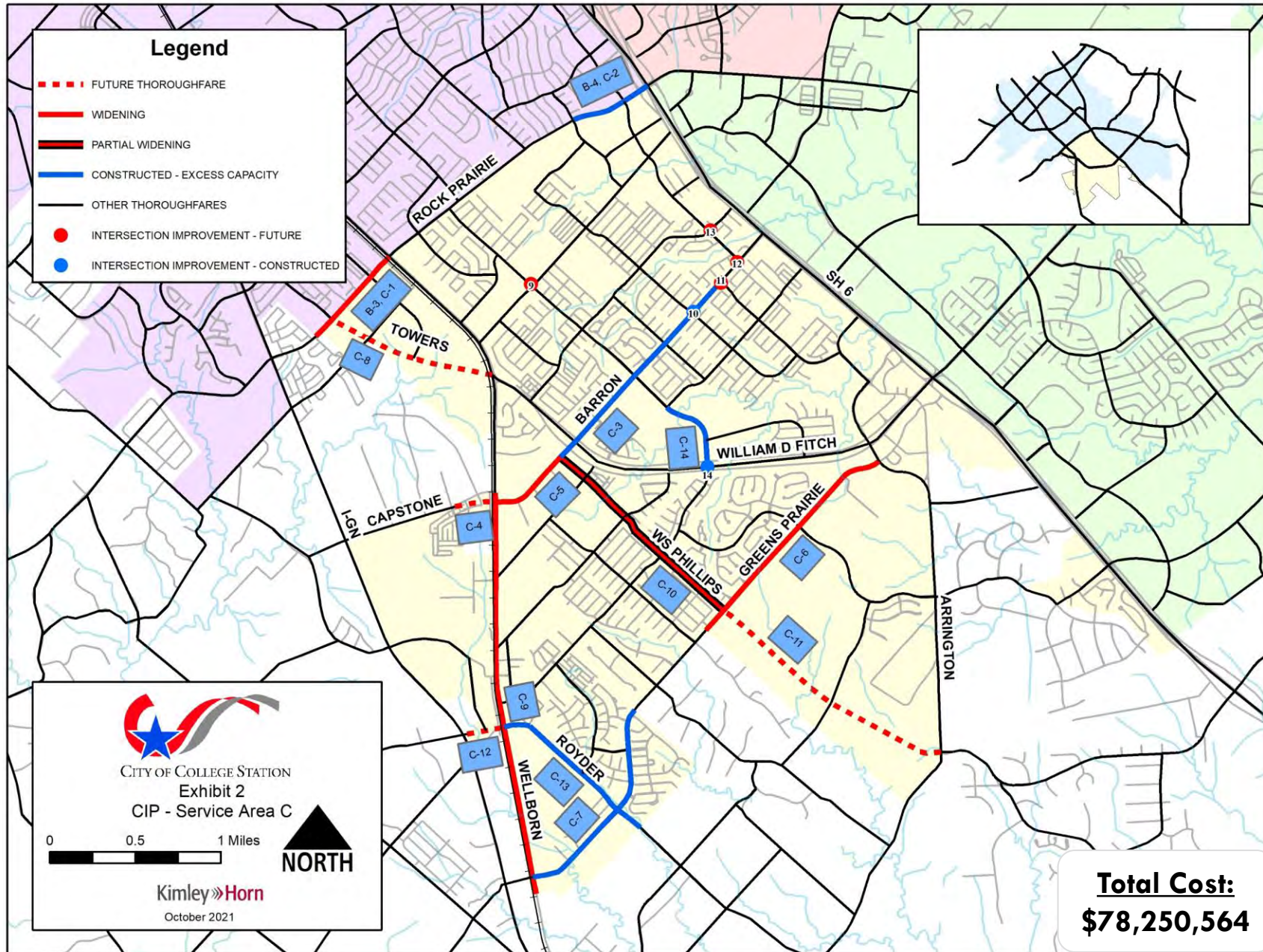
Roadway

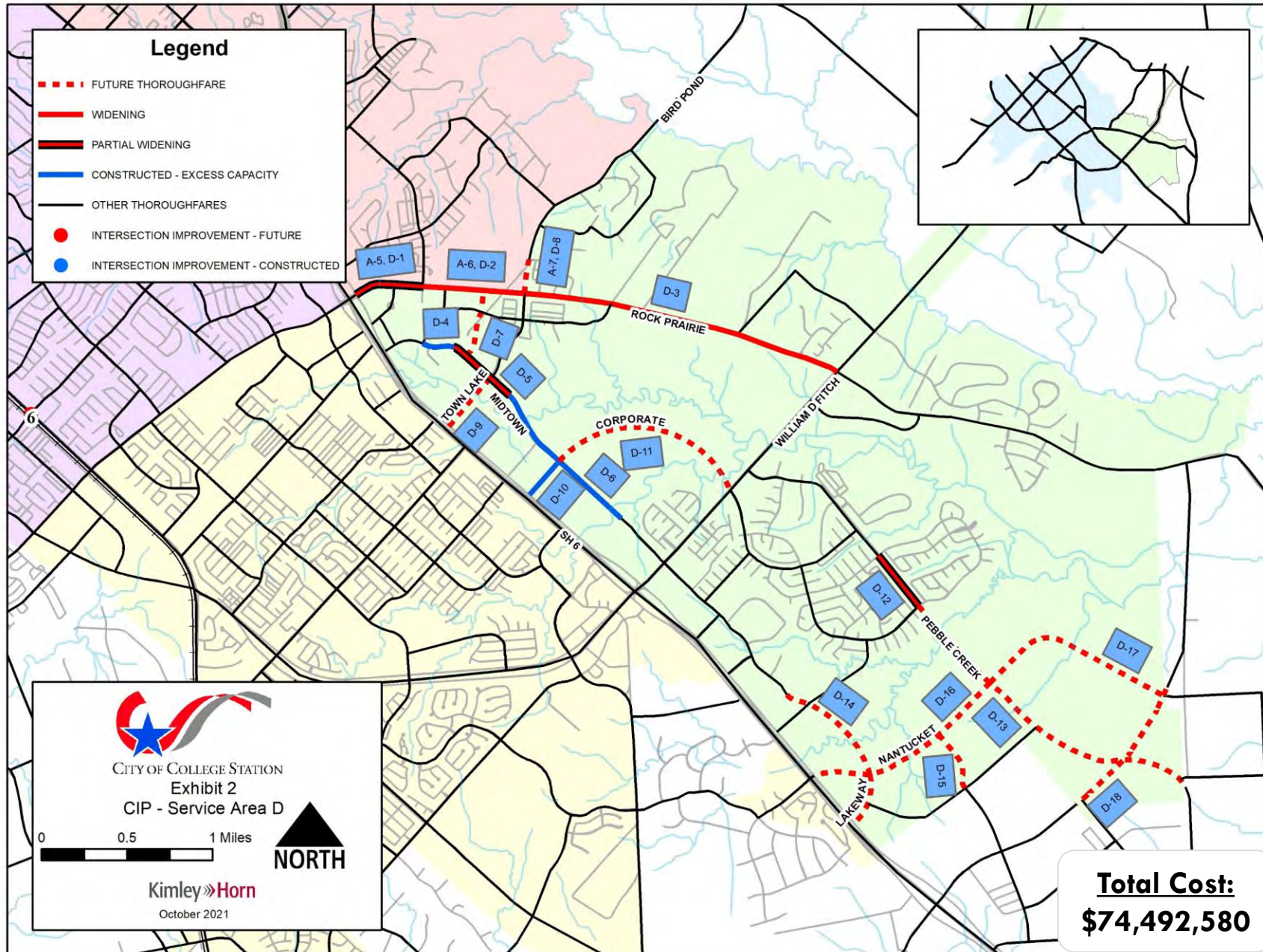
Land Use, CIP, and Impact Fee Calculation











Calculation

Service Units

A standardized measure of consumption attributable to an individual unit of development.*

Roadway



* Chapter 395 Definition

Roadway Service Units

Two Variables

Trip Generation

**ITE Trip Generation Manual
11th Edition**

Trip Length

**National Household Travel
Survey**

**Legal Requirements from
Chapter 395**

Roadway Service Units



ITE Land Use

Single-Family Detached Housing
(ITE # 210)

Trips

0.94 Vehicles (PM Peak)
(ITE Trip Generation)

X Trip Length

4.00 Miles

Vehicle-Miles

3.76 Vehicle-Miles



ITE Land Use

Shopping Center
(ITE #820)

Trips

3.40 Vehicles (PM Peak)
(ITE Trip Generation)

Reduction for Pass-by Trips

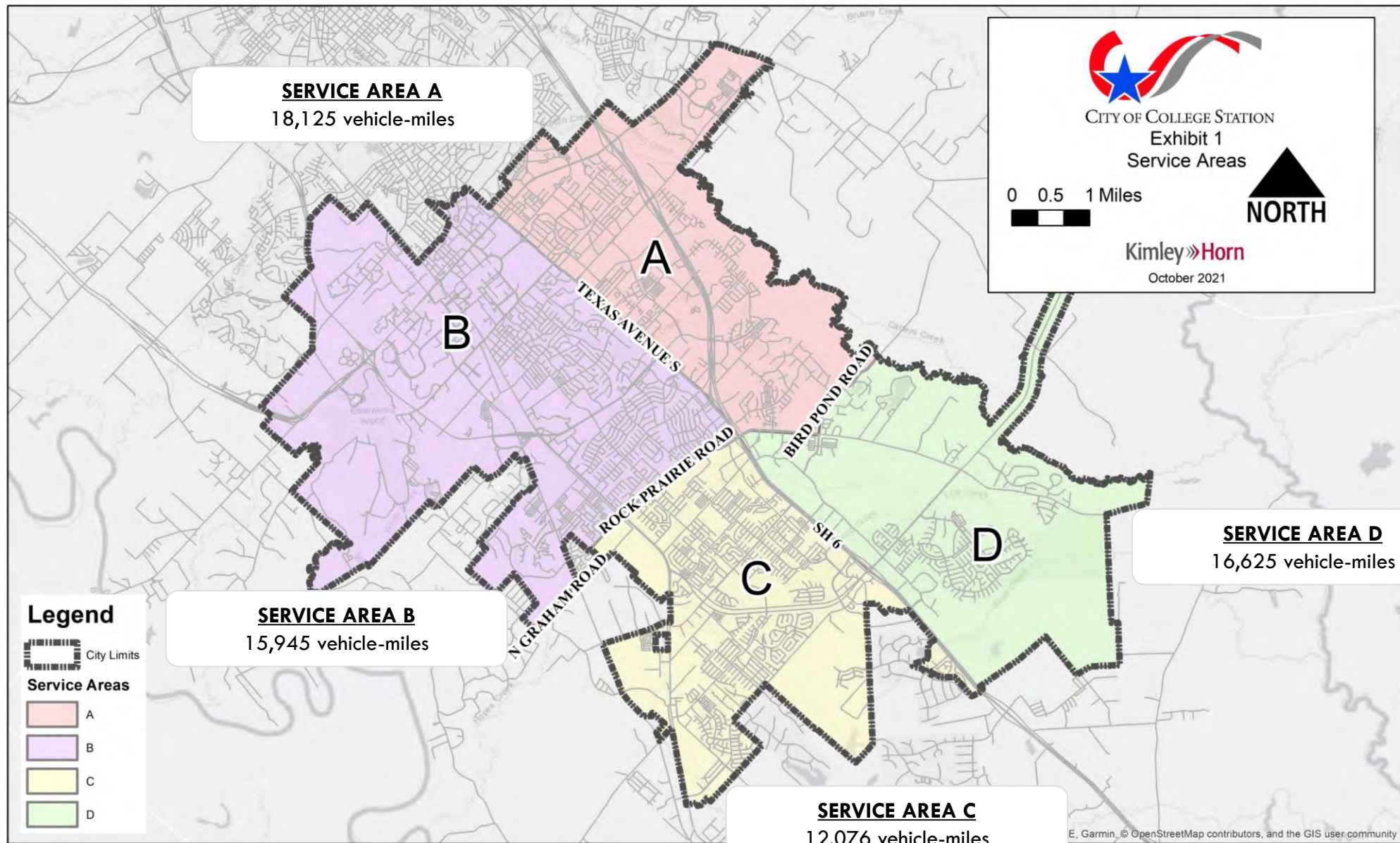
34% (ITE Trip Generation Handbook)
2.24 Vehicles (PM Peak)

X Trip Length

2.00 Miles

Vehicle-Miles**

4.49 Vehicle-Miles

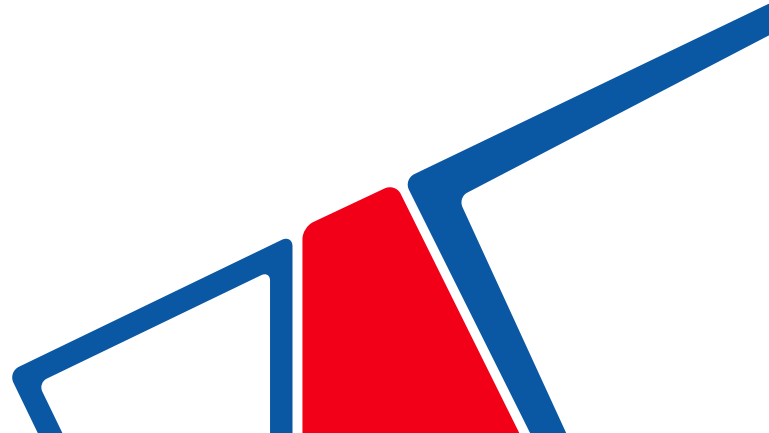
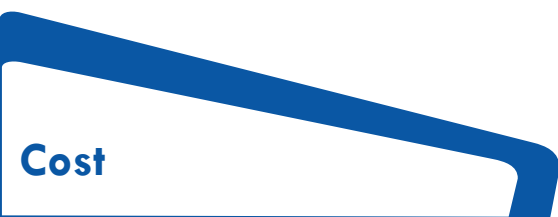


Roadway Cost Breakdown

| SERVICE AREA | TOTAL VEHICLE-MILES OF NEW DEMAND | ESTIMATED TOTAL COST BEFORE FINANCING | ESTIMATED COST TO MEET EXISTING DEMAND | BEYOND 10-YEAR WINDOW | ESTIMATED RECOVERABLE COST OF TOTAL IMPACT FEE CIP |
|--------------|-----------------------------------|---------------------------------------|--|-----------------------|--|
| A | 18,125 | \$13,915,012 | \$4,526,758 | \$0 | \$9,388,254 |
| B | 15,945 | \$48,390,353 | \$22,708,116 | \$4,822,393 | \$20,859,844 |
| C | 12,076 | \$78,250,564 | \$18,441,098 | \$33,169,684 | \$26,639,782 |
| D | 16,625 | \$74,492,580 | \$7,229,646 | \$7,735,237 | \$59,527,697 |

9-2-2021
Today

Financing and Impact Fee Ad Valorem Credits to be applied



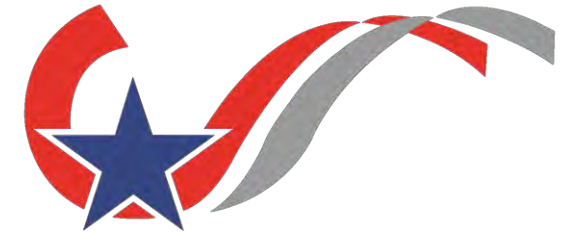
Roadway Impact Fee Calculation

Determine the maximum assessable fee per service unit:

$$\text{Impact Fee Per Service Unit} = \frac{\text{Recoverable Cost of the CP + Financing (\$)}}{\text{New Service Units}}$$

| Roadway Service Area | A | B | C | D |
|---|--------------------|---------------------|---------------------|---------------------|
| Recoverable Cost of Total Impact Fee CP | \$9,388,254 | \$20,859,844 | \$ 26,639,782 | \$59,527,697 |
| Financing | +\$1,456,897 | +\$3,237,092 | +\$4,134,040 | +\$9,237,681 |
| Interest | (\$131,440) | (\$292,040) | (\$372,960) | (\$833,390) |
| Credit of Ad Valorem | (\$1,661,061) | (\$3,690,731) | (\$4,713,374) | (\$10,532,225) |
| Total Recoverable Cost of CP + Financing with Credit Applied | \$9,052,650 | \$20,114,165 | \$25,687,488 | \$57,399,762 |
| Service Units | 18,125 | 15,945 | 12,076 | 16,625 |
| Max Assessable Impact Fee per Service Unit | \$499 | \$1,261 | \$ 2,127 | \$ 3,452 |
| Max Assessable Impact Fee per Single Family | \$1,976.04 | \$4,993.56 | \$8,422.92 | \$13,669.92 |

Water, Wastewater, and Roadway Impact Fee Study Updates



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Kimley»Horn

Kimley»Horn

Nov. 22, 2021

Outline

The Impact Fee Process

Schedule

Water and Wastewater LUA, CIP, & Impact Fee Calculation

Roadway LUA, CIP, & Impact Fee Calculation

Impact Fee Advisory Committee (IFAC) Comments

The Impact Fee Process

Impact Fee Process

We are here in the process

**Planning
Step**

**Land Use
Assumptions**

**Impact Fee
Capital
Improvements
Plan**

**Analysis
Step**

**Calculation
of Maximum
Assessable
Impact Fee**

**Policy
Step**

**Establishing
the Impact
Fee**

Adoption

**Amend
Impact Fee
Ordinance**

Schedule

Schedule

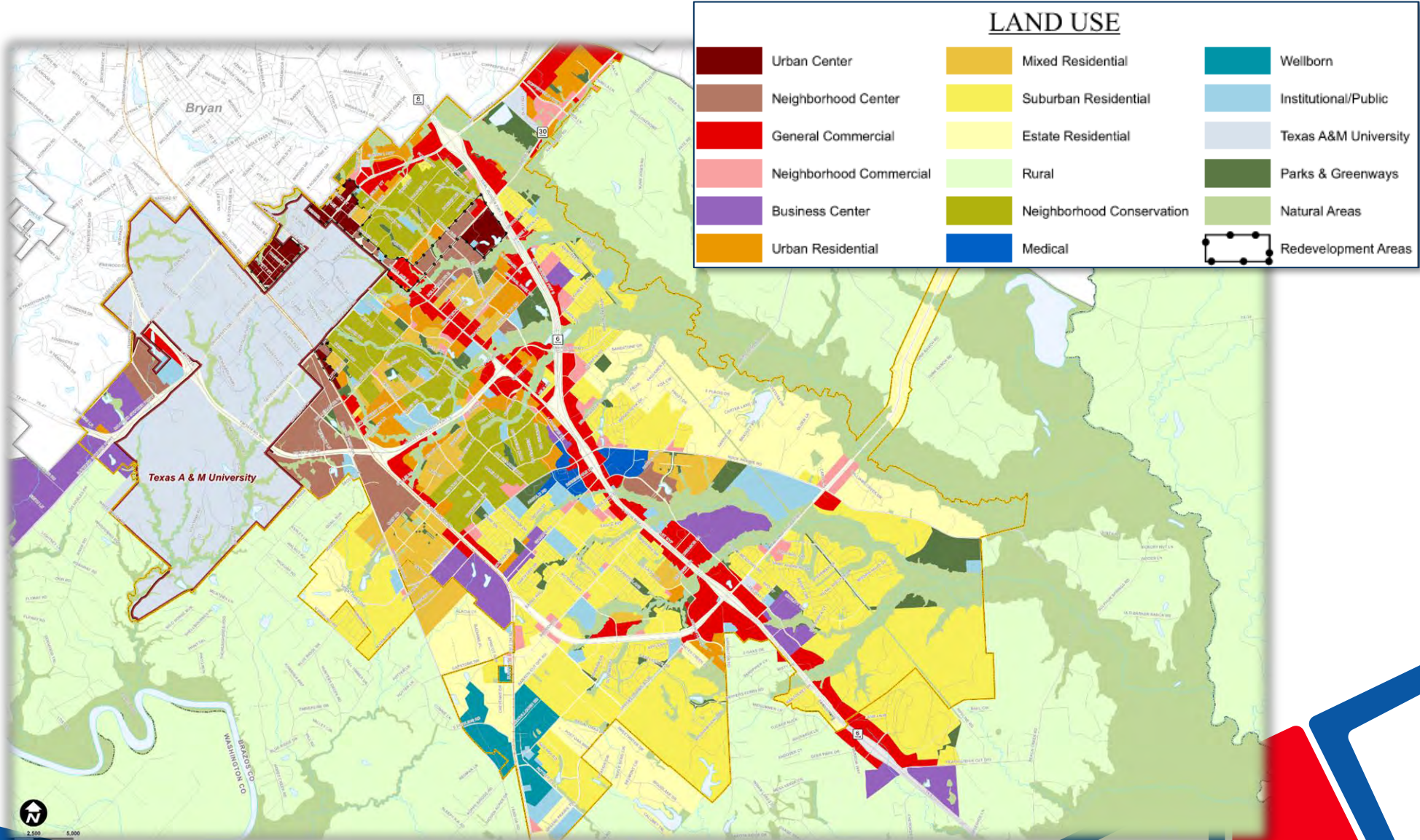
| | Date | Council Meetings |
|---|----------|--|
| ✓ | 7/29/21 | Stakeholder 101 Discussion |
| ✓ | 8/5/21 | IFAC Impact Fee 101 |
| ✓ | 8/23/21 | Stakeholder Workshop on LUA and IF CIP |
| ✓ | 9/2/21 | IFAC Workshop to Review LUA and IF CIP |
| ✓ | 9/23/21 | Council Workshop (LUA & IF CIP) |
| ✓ | 10/14/21 | Council Resolution to Set Public Hearing Date for Impact Fee Studies |
| ✓ | 11/4/21 | IFAC Review of Impact Fee Studies |
| ✓ | 11/11/21 | IFAC Written Comments Due |
| • | 11/22/21 | Council Public Hearing, Consideration of Impact Fee Studies, and Update Ordinance |



Water and Wastewater

Land Use, CIP, and Impact Fee Calculation

Land Use Assumptions



9



Living Unit Equivalents (LUEs)

A standardized measure of consumption attributable to an individual unit of development.*

Water



Wastewater



*Chapter 395 definition for service unit

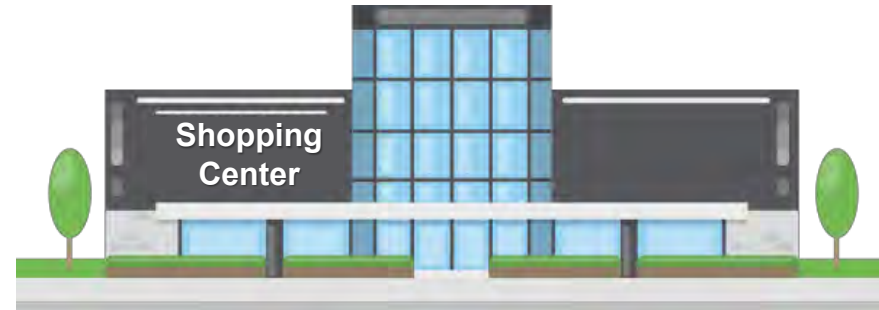
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Water and Wastewater Living Unit Equivalent

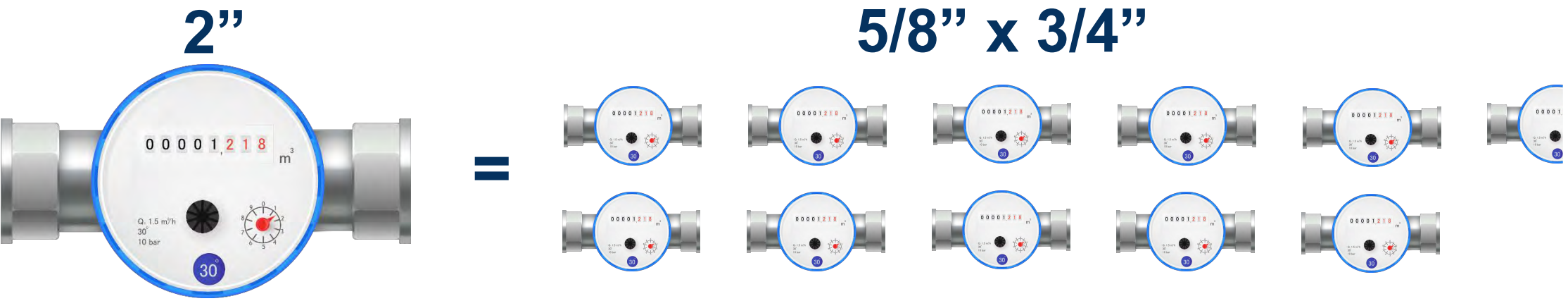
5/8"x 3/4"



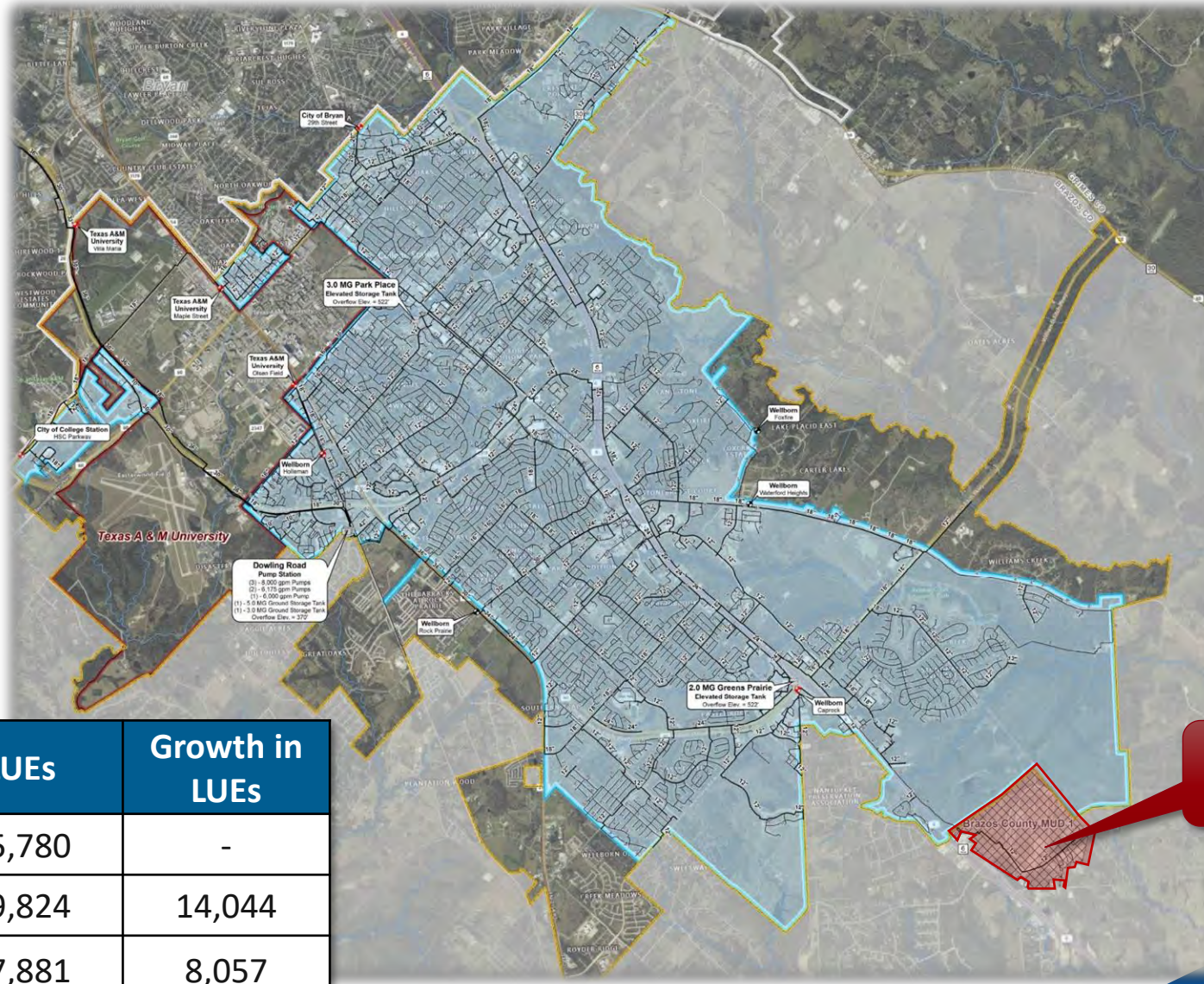
2"



Water and Wastewater Living Unit Equivalent



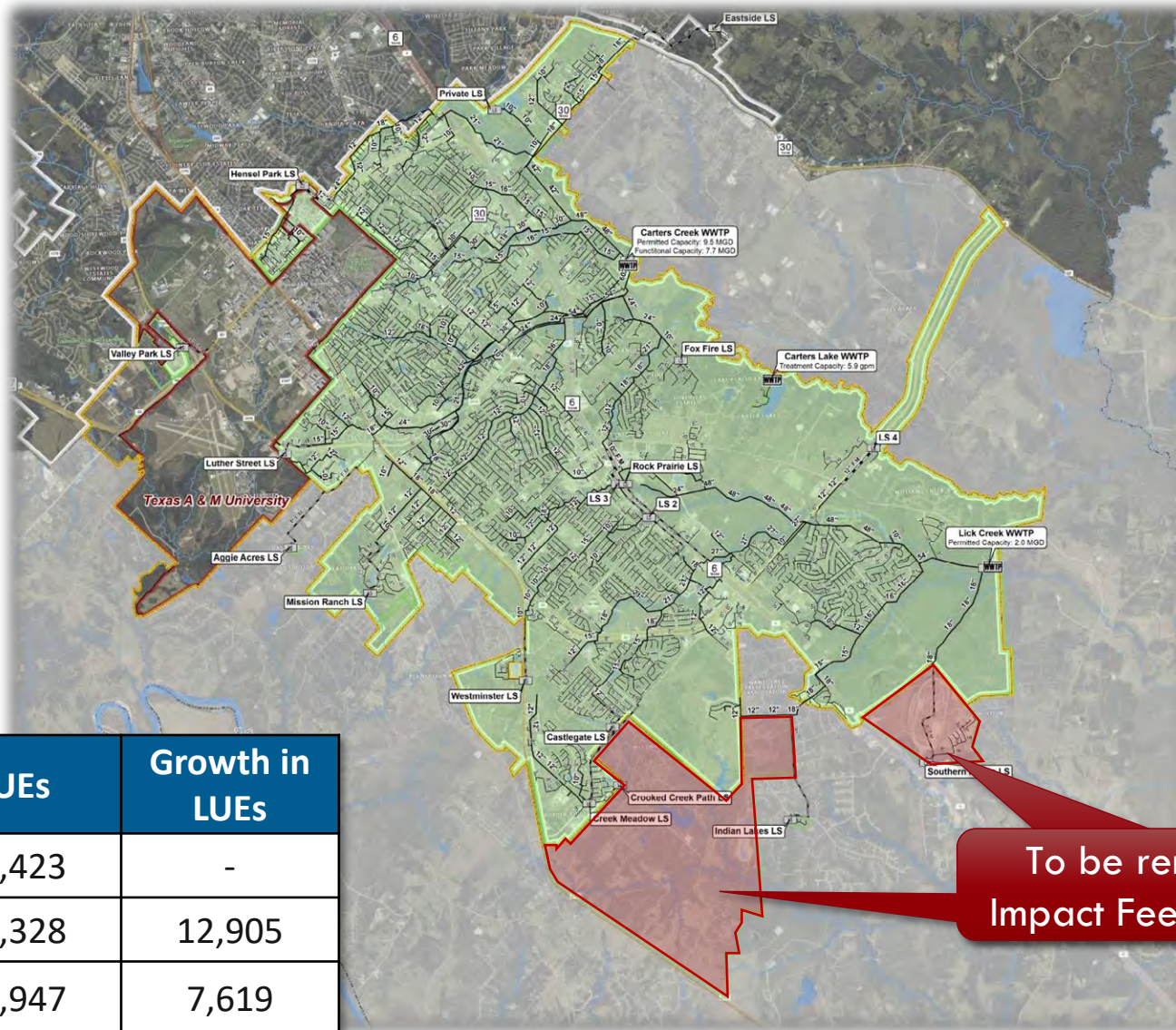
Water Impact Fee Service Area



| Year | LUEs | Growth in LUEs |
|----------|--------|----------------|
| 2021 | 55,780 | - |
| 2031 | 69,824 | 14,044 |
| Buildout | 77,881 | 8,057 |

To be removed from
Impact Fee Service Area

Wastewater Impact Fee Service Area



| Year | LUEs | Growth in LUEs |
|----------|--------|----------------|
| 2021 | 58,423 | - |
| 2031 | 71,328 | 12,905 |
| Buildout | 78,947 | 7,619 |

Capital Improvements Plan (CIP)

What items **are** and **are not** payable with Impact Fees?

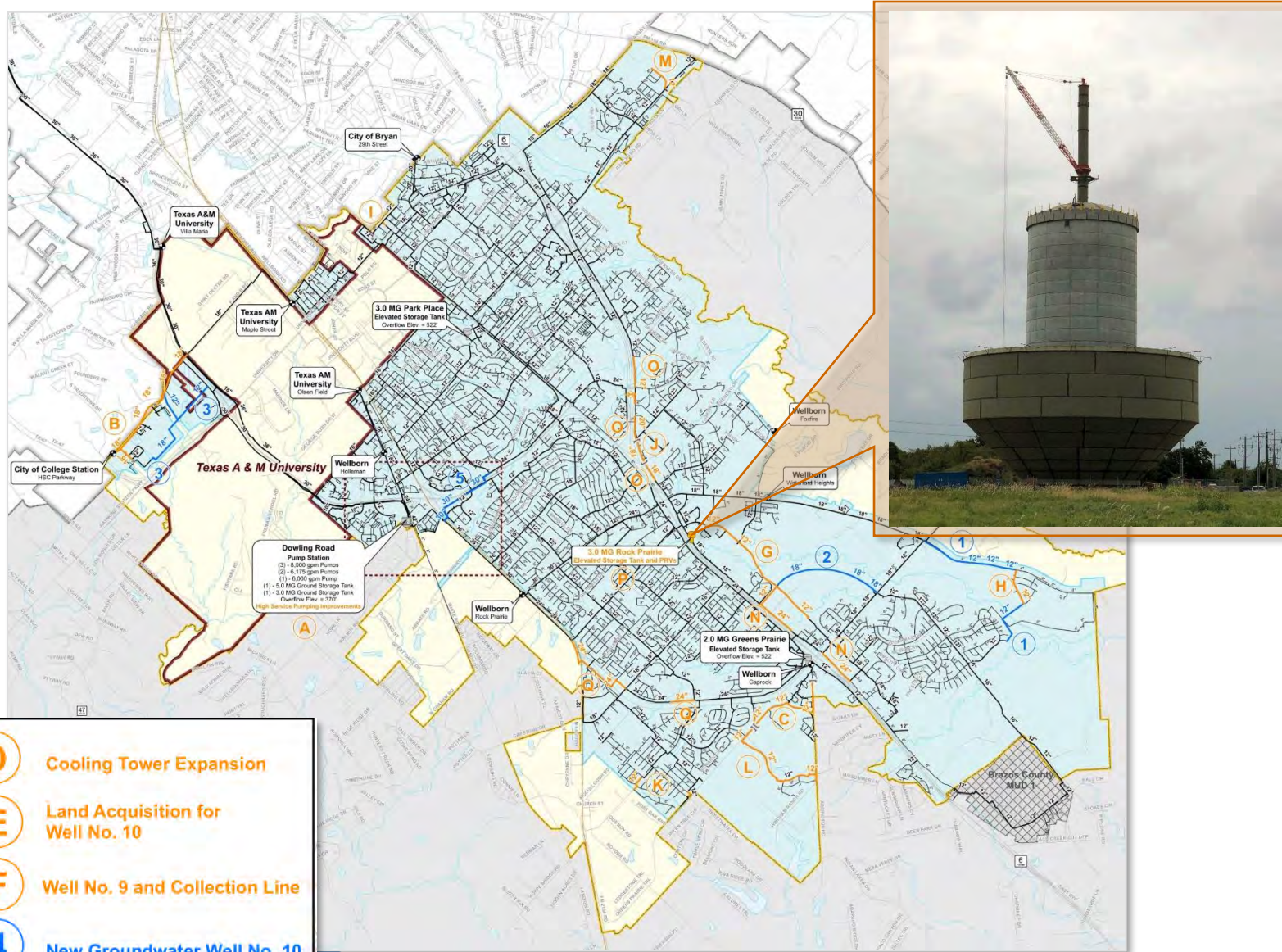
Components that **can** be paid for through an impact fee program:

- ✓ Construction cost of capital improvements on the Impact Fee CIP
 - Roadway to thoroughfare standard
 - Upsized water/wastewater line
 - Traffic signals, bridges, sidewalks, etc.
- ✓ Survey and Engineering fees
- ✓ Land acquisition costs, including court awards
- ✓ Debt Service of Impact Fee CIP
- ✓ Planning Studies

Components that **cannot** be paid for through an impact fee program:

- ✗ Projects not included in the Impact Fee CIP
- ✗ Repair, operation, and maintenance of existing facilities
- ✗ Upgrades to serve existing development
- ✗ Administrative costs of operating the impact fee program

Water Impact Fee CIP



DRAFT FIGURE 3-1 CITY OF COLLEGE STATION WATER IMPACT FEE UPDATE CAPITAL IMPROVEMENTS PLAN

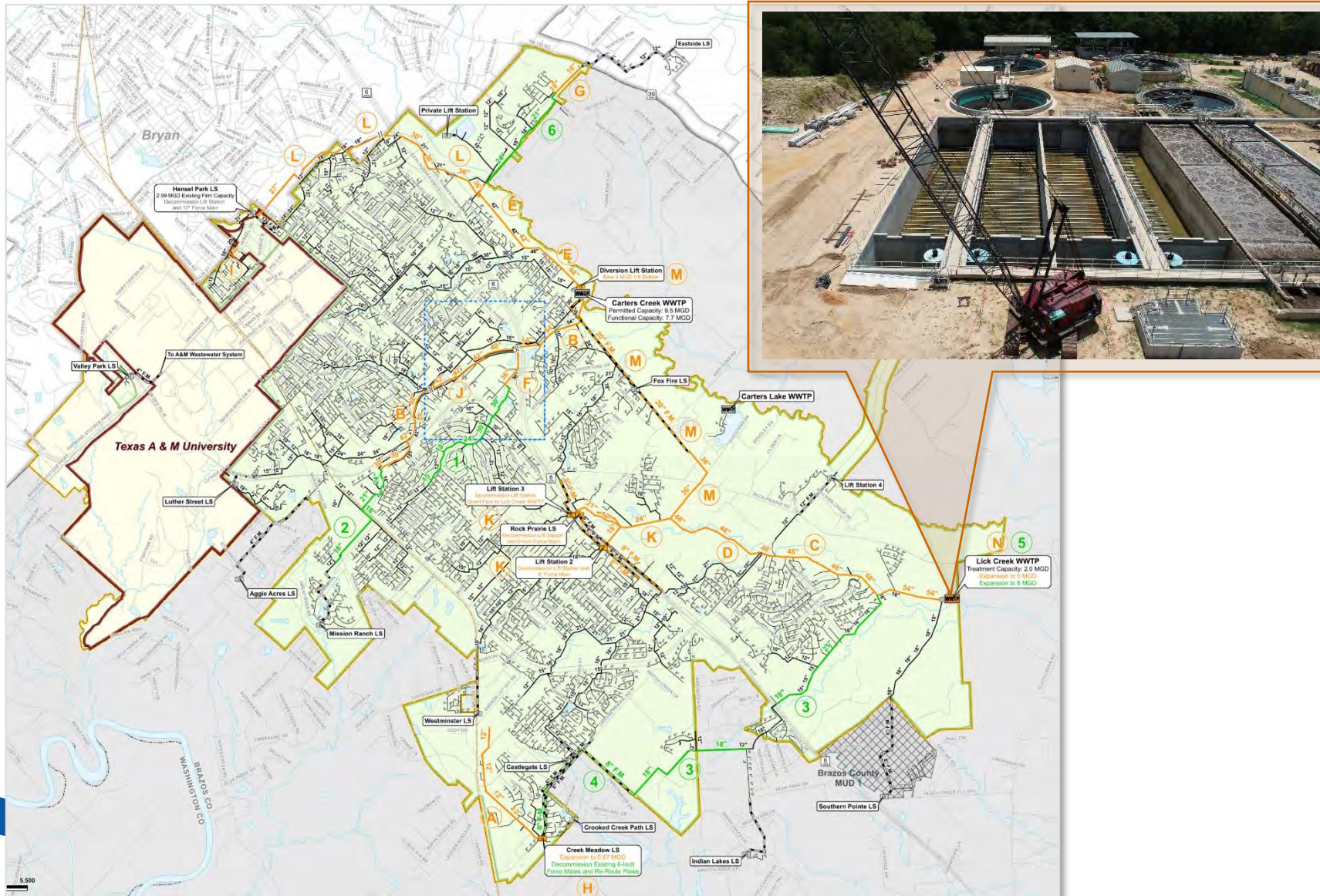
LEGEND

| | |
|--|-------------------------------|
| Impact Fee Eligible Project | Road |
| Water Line | Railroad |
| Ongoing/Recently Completed Improvements | Stream |
| Pressure Relief Valve | Lake |
| Water Tank | Water Impact Fee Service Area |
| Water Line | Brazos County MUD 1 |
| Existing Water System | Texas A&M University |
| Interconnect | City Limit |
| Elevated | ETJ Boundary |
| Ground | Other City Limit |
| Pump Station | County Boundary |
| 8" and Smaller Water Line | |
| 10" and Larger Water Line | |

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Wastewater Impact Fee CIP



DRAFT FIGURE 3-2 CITY OF COLLEGE STATION WASTEWATER IMPACT FEE UPDATE CAPITAL IMPROVEMENTS PLAN

LEGEND

Ongoing/Recently Completed Improvements

- Lift Station
- Wastewater Treatment Plant
- Gravity Main
- Force Main

Impact Fee Eligible Improvements

- Gravity Main
- Force Main

Existing Wastewater System

- Lift Station
- Wastewater Treatment Plant
- 8" and Smaller Wastewater Line
- 10" and Larger Wastewater Line

- Force Main
- Road
- Railroad
- Stream
- Lake
- Wastewater Impact Fee Service Area
- Brazos County MUD 1
- Texas A & M University
- City Limit
- ETJ Boundary
- Other City Limit
- County Boundary

FREESE NICHOLS

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Home of Texas A&M University

Impact Fee Calculation

Impact Fee Equation:

$$\text{Impact Fee Per LUE} = \frac{\text{Eligible CIP Cost} - \text{Rate Credit}}{\text{Growth in LUEs}}$$

LUE = Living Unit Equivalent (connection for a single-family home)

Eligible CIP Cost = 10-year capital and financing cost (through 2031)

Rate Credit = Chapter 395 requirements: reduce the eligible CIP cost by performing a credit analysis to determine the percent of utility bill used for growth CIP

Growth in LUEs = Derived from land use assumptions for 10-year growth in LUEs

Impact Fee Calculation – Eligible Water CIP Cost

Determine Utilization Percentages - Water

$$10\text{-Year Utilization} \times \text{Capital Cost} = 10\text{-Year Cost}$$

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|---|---|---------------------|------|-----------|-----------------------------|---------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A High Service Pumping Improvements | 20% | 60% | 40% | \$ 3,597,227 | \$ 1,438,891 |
| | B BioCorridor Water Line | 25% | 100% | 75% | \$ 998,884 | \$ 749,163 |
| | C Area 2 Water Line Extension | 10% | 35% | 25% | \$ 1,000,000 | \$ 250,000 |
| | D Cooling Tower Expansion | 25% | 100% | 75% | \$ 3,795,667 | \$ 2,846,750 |
| | E Well No. 10 Land Acquisition | 0% | 95% | 95% | \$ 1,048,633 | \$ 996,201 |
| | F Well No. 9 and Collection Line | 25% | 100% | 75% | \$ 7,623,202 | \$ 5,717,402 |
| | G Midtown Drive 12-inch Water Line | 20% | 70% | 50% | \$ 920,000 | \$ 460,000 |
| | H The Crossing at Lick Creek Phase 1 - 3 Oversize Participation | 45% | 90% | 45% | \$ 45,233 | \$ 20,355 |
| | I Embassy Suites Water Line Oversize Participation | 10% | 100% | 90% | \$ 15,030 | \$ 13,527 |
| | J Brazos Valley Auto Complex Oversize Participation | 40% | 70% | 30% | \$ 84,791 | \$ 25,437 |
| | K Castlegate II Oversize Participation | 45% | 100% | 55% | \$ 50,871 | \$ 27,979 |
| | L Greens Prairie Oversize Participation | 10% | 35% | 25% | \$ 96,498 | \$ 24,125 |
| | M Summit Crossing Phase 3A Oversize Participation | 15% | 100% | 85% | \$ 32,550 | \$ 27,668 |
| | N SH 6 Water Line Phase 1 and 2 | 40% | 70% | 30% | \$ 1,036,568 | \$ 310,970 |
| Recently Completed Project Subtotal | | | | | \$ 20,345,154 | \$ 12,908,468 |
| Ongoing | O SH 6 Water Line Phase 3 | 40% | 70% | 30% | \$ 3,050,000 | \$ 915,000 |
| | P 3.0 MG Elevated Storage Tank and Pressure Reducing Valves | 40% | 70% | 30% | \$ 8,690,000 | \$ 2,607,000 |
| | Q SH 40 Water Line Phase 1 and 2 | 35% | 100% | 65% | \$ 4,200,000 | \$ 2,730,000 |
| | R 2021 Impact Fee Study | 0% | 100% | 100% | \$ 150,000 | \$ 150,000 |
| Ongoing Project Subtotal | | | | | \$ 16,090,000 | \$ 6,402,000 |
| Proposed | 1 New and Replacement 12-inch Rock Prairie Road Water Line | 45% | 85% | 40% | \$ 2,289,500 | \$ 915,800 |
| | 2 New 18-Inch Midtown Business Center Water Line | 20% | 90% | 70% | \$ 2,796,400 | \$ 1,957,480 |
| | 3 BioCorridor Water Line Improvements | 10% | 100% | 90% | \$ 2,741,200 | \$ 2,467,080 |
| | 4 Water Supply Well No. 10 | 0% | 95% | 95% | \$ 19,223,900 | \$ 18,262,705 |
| | 5 Harvey Mitchel Parkway Water Line Replacement | 70% | 90% | 20% | \$ 4,236,400 | \$ 847,280 |
| Proposed Future Project Subtotal | | | | | \$ 31,287,400 | \$ 24,450,345 |
| Total Impact Fee Eligible Water Capital Improvements Cost | | | | | \$ 67,722,554 | \$ 43,760,813 |

Existing Utilization is > 0% for projects meeting deficiencies and existing projects serving existing customers.

Impact Fee Calculation – Eligible Wastewater CIP Cost

Determine Utilization Percentages - Wastewater

| No. | Description of Project | Percent Utilization | | | Costs Based on 2021 Dollars | |
|---|---|---------------------|------|-------------|-----------------------------|----------------------|
| | | 2021 | 2031 | 2021-2031 | Capital Cost | 10-Year (2021-2031) |
| Recently Completed | A Royder/Live Oak Sewer Service | 15% | 25% | 10% | \$ 1,691,256 | \$ 169,126 |
| | B Bee Creek Interceptor Phase 1 and 2 | 75% | 95% | 20% | \$ 8,472,421 | \$ 1,694,484 |
| | C Lick Creek Trunk Line | 40% | 75% | 35% | \$ 14,020,058 | \$ 4,907,020 |
| | D Medical District Trunk Line Phase 1 (Participation Agreement) | 30% | 65% | 35% | \$ 1,770,375 | \$ 619,631 |
| | E Northeast Trunk Line Phase 1 and 2 | 75% | 90% | 15% | \$ 6,558,738 | \$ 983,811 |
| | F Southwood Valley Trunk Line Phase 1 | 95% | 100% | 5% | \$ 1,518,488 | \$ 75,924 |
| | G 18-Inch Harvey Road Gravity Line | 5% | 30% | 25% | \$ 188,790 | \$ 47,198 |
| | H Creek Meadows Lift Station Upsizing and Force Main | 0% | 60% | 60% | \$ 212,587 | \$ 127,552 |
| | I Nagle Street Student Housing Oversize Participation | 75% | 100% | 25% | \$ 26,854 | \$ 6,714 |
| Recently Completed Project Subtotal | | | | | \$ 34,459,567 | \$ 8,631,460 |
| Ongoing | J Bee Creek Interceptor Phase 3 | 75% | 95% | 20% | \$ 3,900,000 | \$ 780,000 |
| | K Medical District Trunk Line Phase 2 and 3 | 85% | 95% | 10% | \$ 3,250,000 | \$ 325,000 |
| | L Northeast Trunk Line Phase 3 and 4 | 75% | 95% | 20% | \$ 13,861,000 | \$ 2,772,200 |
| | M Carters Creek Diversion Lift Station Phase 1 | 0% | 75% | 75% | \$ 13,900,000 | \$ 10,425,000 |
| | N Lick Creek WWTP Phase 1 Expansion | 10% | 100% | 90% | \$ 39,014,049 | \$ 35,112,644 |
| | O 2021 Impact Fee Update | 0% | 100% | 100% | \$ 174,150 | \$ 174,150 |
| Ongoing Project Subtotal | | | | | \$ 74,099,199 | \$ 49,588,994 |
| Proposed | 1 15/18/24/30/36-inch Southwood Valley Interceptor Phase 1 and 2 | 95% | 100% | 5% | \$ 7,314,800 | \$ 365,740 |
| | 2 18/21/24-Inch Bee Creek Trunk Line Phase 4 | 80% | 95% | 15% | \$ 5,357,800 | \$ 803,670 |
| | 3 18/21-Inch Alum Creek Sewer Trunk Line | 45% | 60% | 15% | \$ 11,136,600 | \$ 1,670,490 |
| | 4 8-Inch Creek Meadows Force Main Re-Routed to Alum Creek Trunk Line | 80% | 100% | 20% | \$ 2,517,900 | \$ 503,580 |
| | 5 Lick Creek WWTP Phase 2 Expansion (to 8.0 MGD) | 0% | 5% | 5% | \$ 49,946,000 | \$ 2,497,300 |
| | 6 21/24-Inch Harvey Road Replacement Gravity Line | 20% | 45% | 25% | \$ 4,916,300 | \$ 1,229,075 |
| Proposed Future Project Subtotal | | | | | \$ 81,189,400 | \$ 7,069,855 |
| Total Impact Fee Eligible Wastewater Capital Improvements Cost | | | | | \$ 189,748,166 | \$ 65,290,309 |

Impact Fee Calculation – Rate Credit

Rate Credit Calculation:

- A credit analysis was performed to determine the maximum impact fee per LUE allowed by state law

| Project No. | Bond Issue and Project(s) Funded | Capital Cost | Funded by Cash | Capital Cost Financed | Projects % of Overall Bond Issue | % of Project that is Impact Fee Eligible | % of Bond Issue that is Impact Fee Eligible |
|-------------|--------------------------------------|--------------|----------------|-----------------------|----------------------------------|--|---|
| | | | | | | | |
| | Series 2018 CO | | | \$10,000,000 | | | 17.1% |
| C | Lick Creek Trunkline | \$14,020,058 | \$570,058 | \$2,647,000 | 26.5% | 35% | |
| E | Northeast Sewer Trunkline PH 2 | \$2,797,362 | \$0 | \$500,000 | 5.0% | 15% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$1,600,000 | \$500,000 | 5.0% | 20% | |
| D | Medical District Trunkline PH 1 | \$1,770,375 | \$20,375 | \$1,750,000 | 17.5% | 35% | |
| | | | | | | | |
| | Series 2019 CO | | | \$23,906,000 | | | 45.6% |
| N | Lick Creek WWTP Expansion | \$39,014,049 | \$10,514,049 | \$8,843,000 | 37.0% | 90% | |
| M | Carters Creek Diversion Lift Station | \$15,900,000 | \$60,000 | \$2,340,000 | 9.8% | 75% | |
| C | Lick Creek Trunkline | \$14,020,058 | \$570,058 | \$1,303,000 | 5.5% | 35% | |
| F | Southwood Valley Trunkline | \$1,518,488 | \$0 | \$1,479,000 | 6.2% | 5% | |
| J | Bee Creek Parallel Trunkline PH 3 | \$3,900,000 | \$0 | \$800,000 | 3.3% | 20% | |
| E | Northeast Sewer Trunkline PH 2 | \$2,797,362 | \$0 | \$1,370,000 | 5.7% | 15% | |
| L | Northeast Sewer Trunkline PH 3 | \$5,900,000 | \$1,600,000 | \$568,000 | 2.4% | 20% | |
| L | Northeast Sewer Trunkline PH 4 | \$7,961,000 | \$11,000 | \$900,000 | 3.8% | 20% | |
| | | | | | | | |
| O | 2021 Impact Fee Study | \$174,150 | \$0 | \$0 | 0% | 100% | - |

Impact Fee Calculation – Rate Credit

Example of Rate Credit Calculation:

| | Debt Series | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|--|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Total Existing Eligible Debt | Series 2018 | \$686,535 | \$688,285 | \$689,035 | \$688,785 | \$687,535 | \$690,160 | \$686,660 | \$687,285 | \$687,056 | \$685,723 |
| | Series 2019 | \$1,634,150 | \$1,633,150 | \$1,635,025 | \$1,634,650 | \$1,632,025 | \$1,632,025 | \$1,634,400 | \$1,634,800 | \$1,633,700 | \$1,630,800 |
| | Total | \$2,320,685 | \$2,321,435 | \$2,324,060 | \$2,323,435 | \$2,319,560 | \$2,322,185 | \$2,321,060 | \$2,322,085 | \$2,320,756 | \$2,316,523 |
| Impact Fee Eligible Portion of Existing Eligible Debt | Series 2018: 17% | \$117,669 | \$117,969 | \$118,097 | \$118,054 | \$117,840 | \$118,290 | \$117,690 | \$117,797 | \$117,758 | \$117,529 |
| | Series 2019: 46% | \$745,286 | \$744,830 | \$745,685 | \$745,514 | \$744,317 | \$744,317 | \$745,400 | \$745,583 | \$745,081 | \$743,758 |
| | Total | \$862,955 | \$862,799 | \$863,782 | \$863,568 | \$862,157 | \$862,607 | \$863,090 | \$863,380 | \$862,839 | \$861,287 |

| Year | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Wastewater Impact Fee Eligible Interest + Principle for 10-Year Period | \$2,461,192 | \$2,464,801 | \$2,450,934 | \$2,366,322 | \$2,365,681 | \$2,365,725 | \$2,371,099 | \$2,369,629 | \$2,372,931 | \$2,360,225 |
| Total Impact Fee Eligible LUEs Each Year | 59,714 | 61,004 | 62,295 | 63,585 | 64,876 | 66,166 | 67,457 | 68,747 | 70,038 | 71,328 |
| Cost per LUE | \$41.22 | \$40.40 | \$39.34 | \$37.22 | \$36.46 | \$35.75 | \$35.15 | \$34.47 | \$33.88 | \$33.09 |
| Cumulative Growth in LUEs in 10-Year Period | 1,291 | 2,581 | 3,872 | 5,162 | 6,453 | 7,743 | 9,034 | 10,324 | 11,615 | 12,905 |
| Portion Paid by Growth in 10-Year Period | \$53,190 | \$104,283 | \$152,321 | \$192,104 | \$235,290 | \$276,846 | \$317,528 | \$355,856 | \$393,509 | \$427,023 |
| Total Credit | \$2,507,952 | | | | | | | | | |

Rate Credit = Sum of Annual Impact Fee Debt

Water Rate Credit: **\$1,966,603**

Wastewater Rate Credit: **\$2,507,952**

Impact Fee Calculation – Maximum Allowable

Water Impact Fee Calculation

| Water Impact Fee | |
|---|---------------------|
| Total Eligible Capital Improvement Costs | \$43,760,813 |
| Total Eligible Financing Costs | \$12,663,228 |
| Rate Credit | (\$1,966,603) |
| Total Impact Fee Eligible Cost⁽¹⁾ | \$54,457,437 |
| 10-Year Growth in Water LUEs | 14,044 |
| Maximum Allowable Water Impact Fee per LUE⁽²⁾ | \$3,877 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Impact Fee Calculation – Maximum Allowable

Wastewater Impact Fee Calculation

| Wastewater Impact Fee | |
|--|---------------------|
| Total Eligible Capital Improvement Costs | \$65,290,309 |
| Total Eligible Financing Costs | \$9,135,832 |
| Rate Credit | (\$2,507,952) |
| Total Eligible Impact Fee Cost⁽¹⁾ | \$71,918,188 |
| 10-Year Growth in Wastewater LUEs | 12,905 |
| Maximum Allowable Wastewater Impact Fee per LUE⁽²⁾ | \$5,572 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Schedule of Maximum Allowable Impact Fees

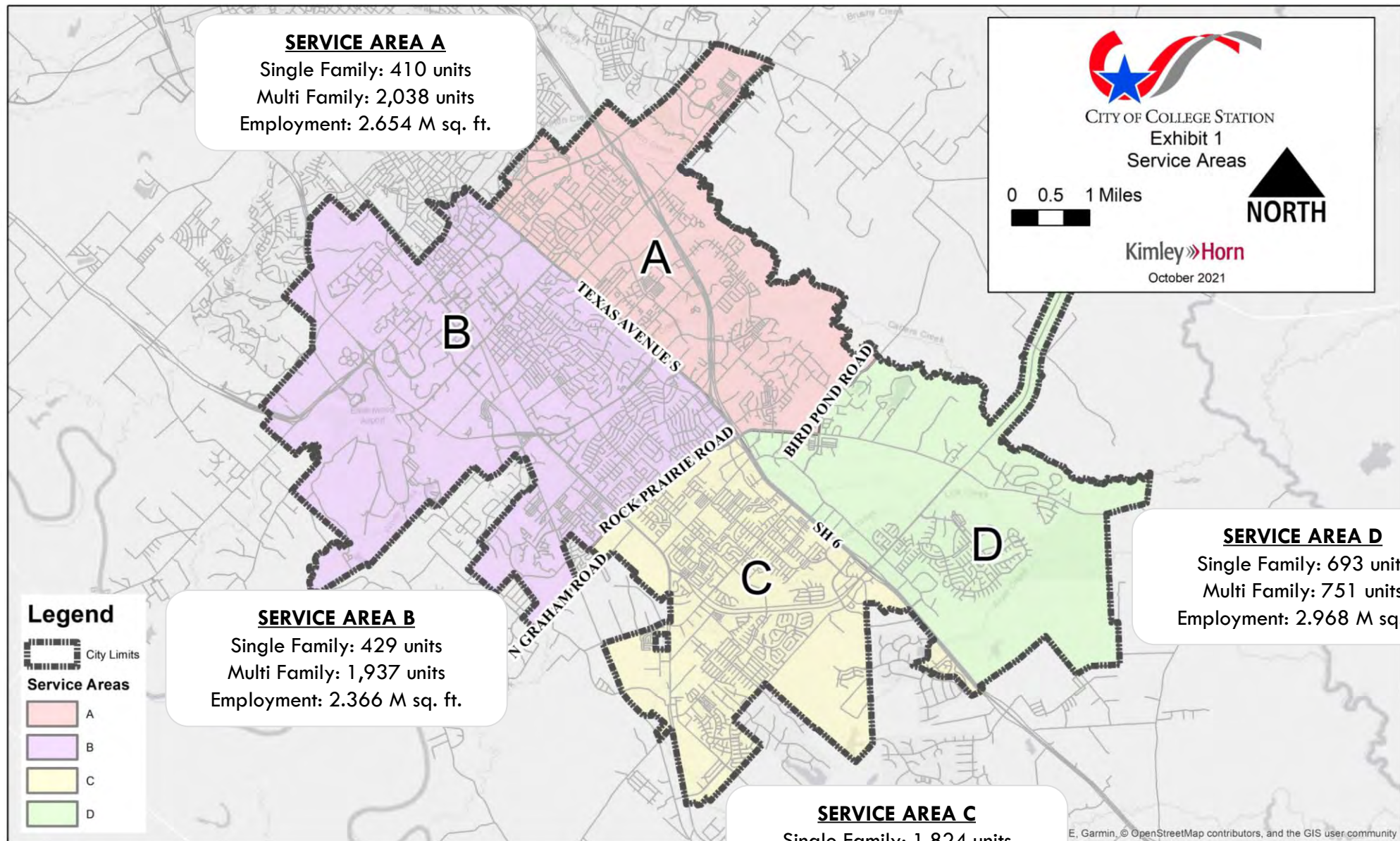
| Meter Size | Living Unit Equivalent ⁽¹⁾ | Maximum Allowable Impact Fees | | |
|-------------|---------------------------------------|-------------------------------|--------------|--------------|
| | | Water | Wastewater | Total |
| 5/8" x 3/4" | 1.0 | \$ 3,877 | \$ 5,572 | \$ 9,449 |
| 1" | 3.3 | \$ 12,923 | \$ 18,573 | \$ 31,496 |
| 1-1/2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 2" | 10.7 | \$ 41,354 | \$ 59,434 | \$ 100,788 |
| 3" | 26.7 | \$ 103,386 | \$ 148,586 | \$ 251,972 |
| 4" | 53.3 | \$ 206,773 | \$ 297,173 | \$ 503,946 |
| 6" | 106.7 | \$ 413,546 | \$ 594,346 | \$ 1,007,892 |
| 8" | 180.0 | \$ 697,860 | \$ 1,002,960 | \$ 1,700,820 |
| 10" | 266.7 | \$ 1,033,866 | \$ 1,485,866 | \$ 2,519,732 |

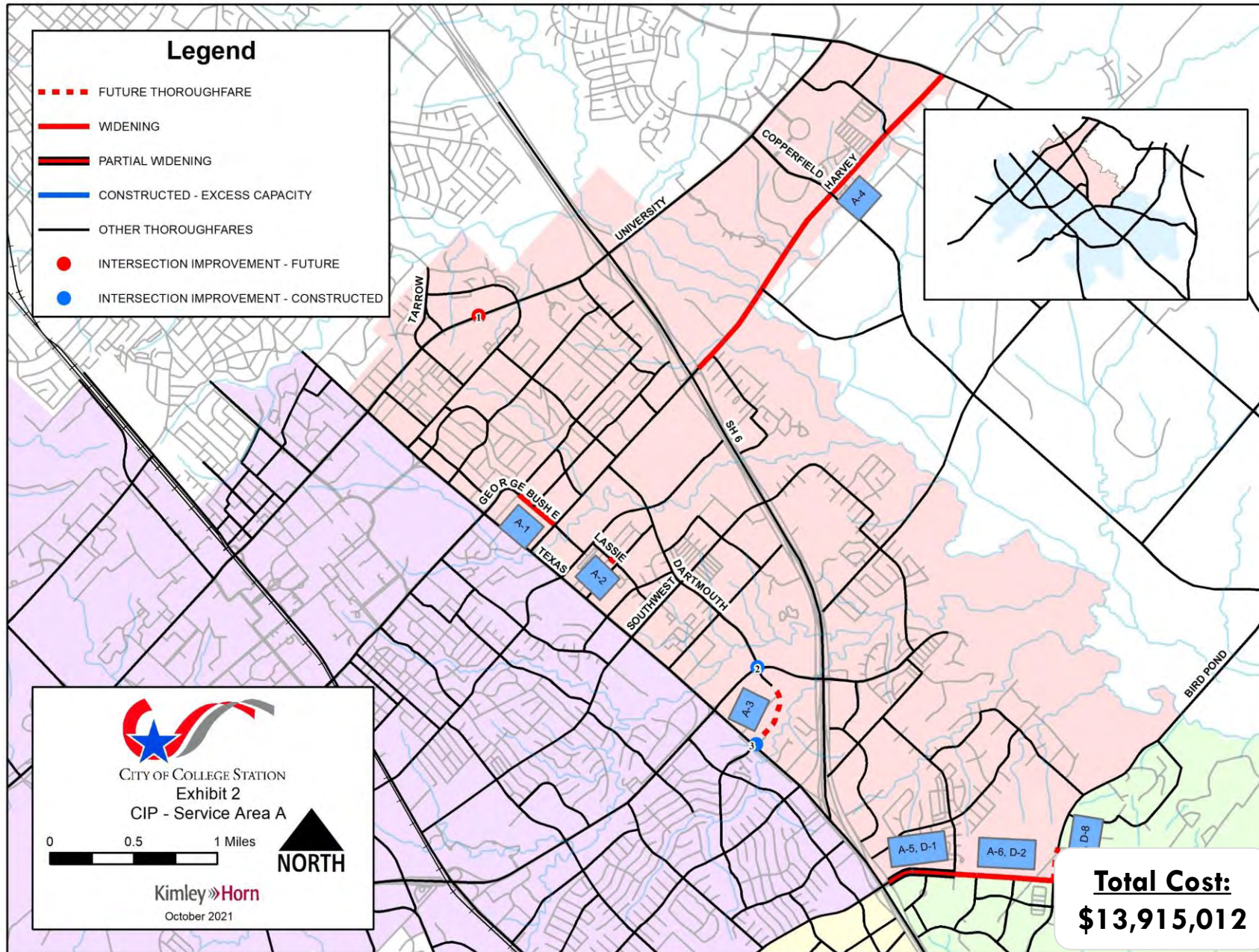
(1) Living unit equivalents shown as rounded to single decimal point.

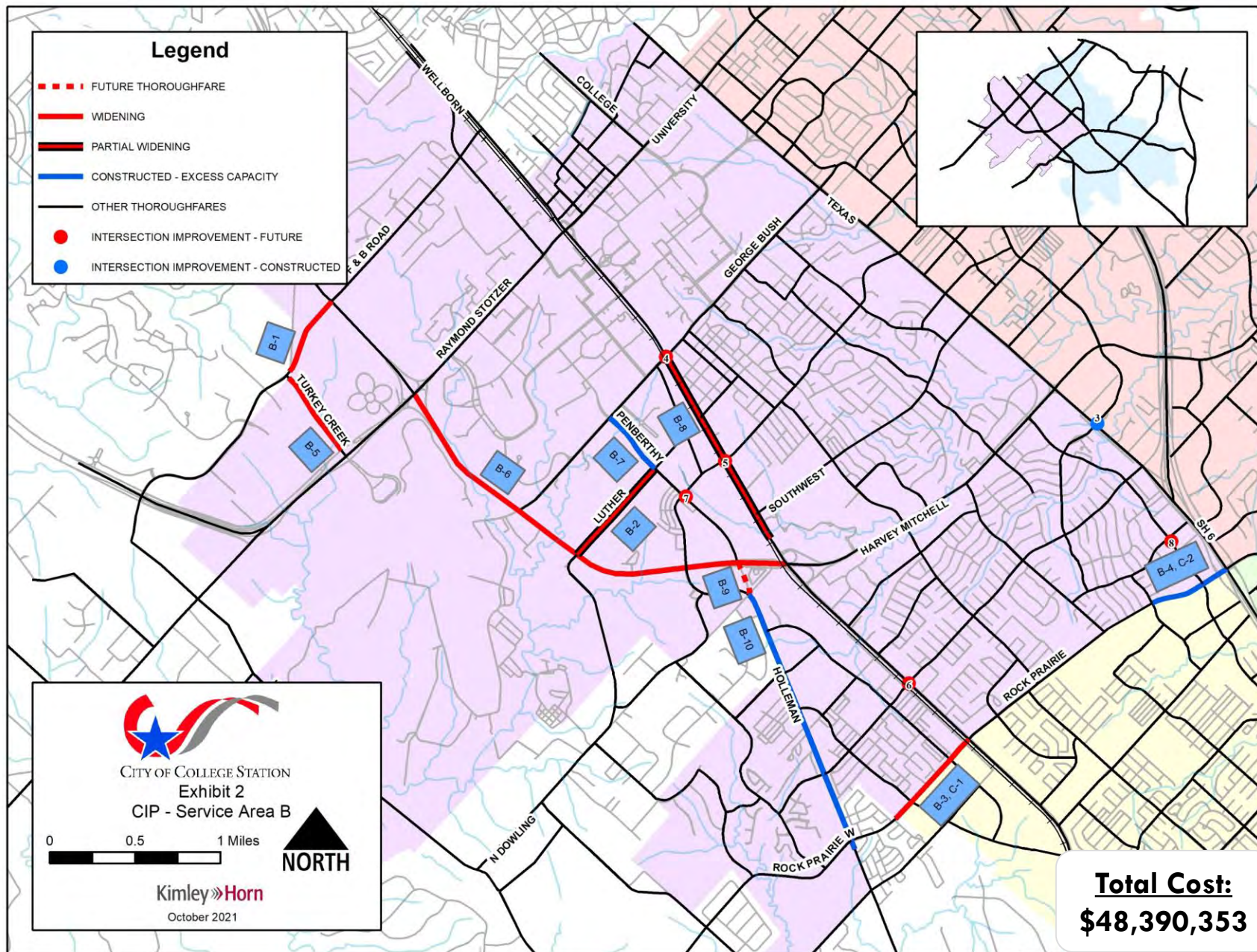
City Council sets the actual fee to be collected from new development

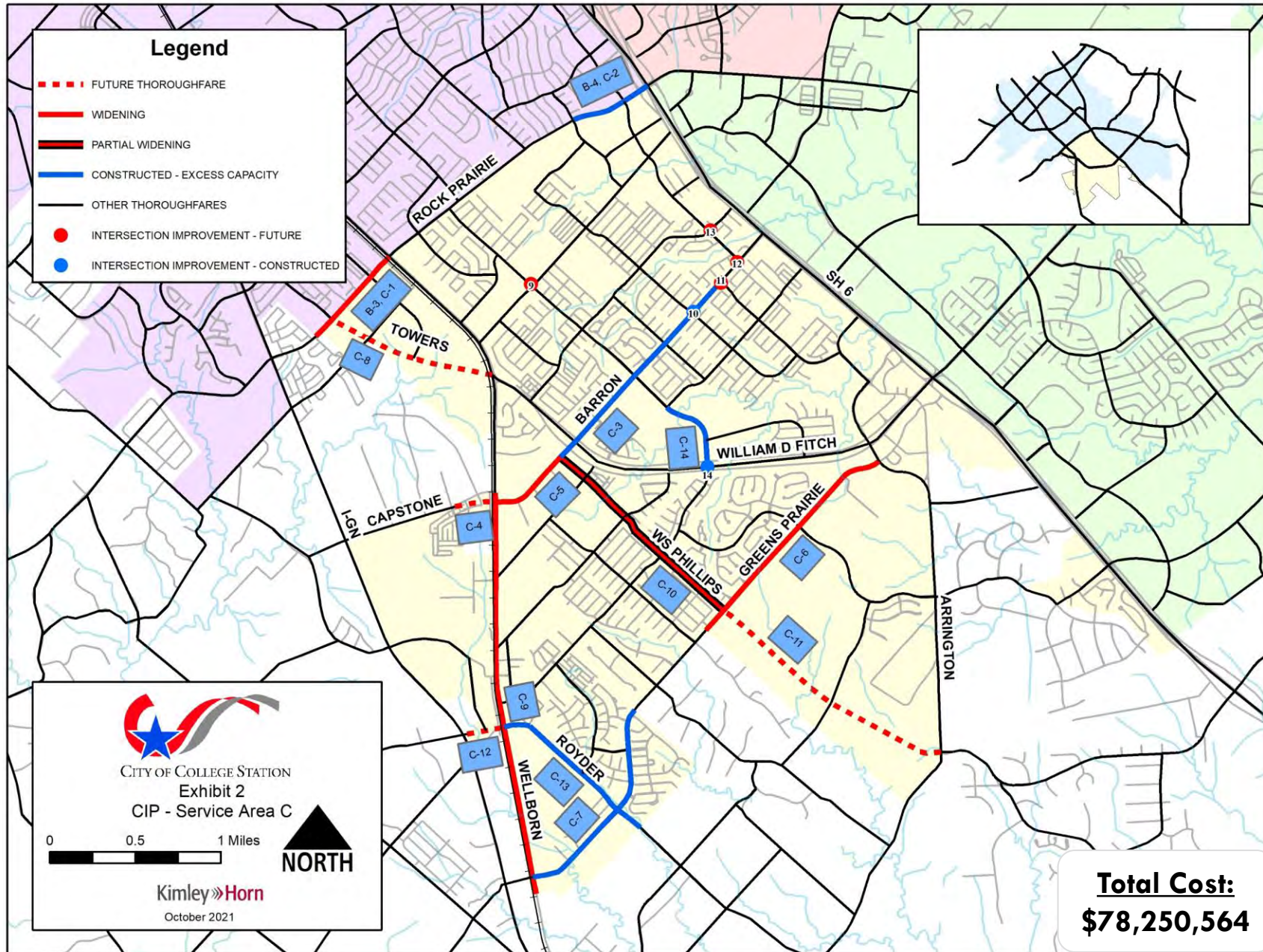
Roadway

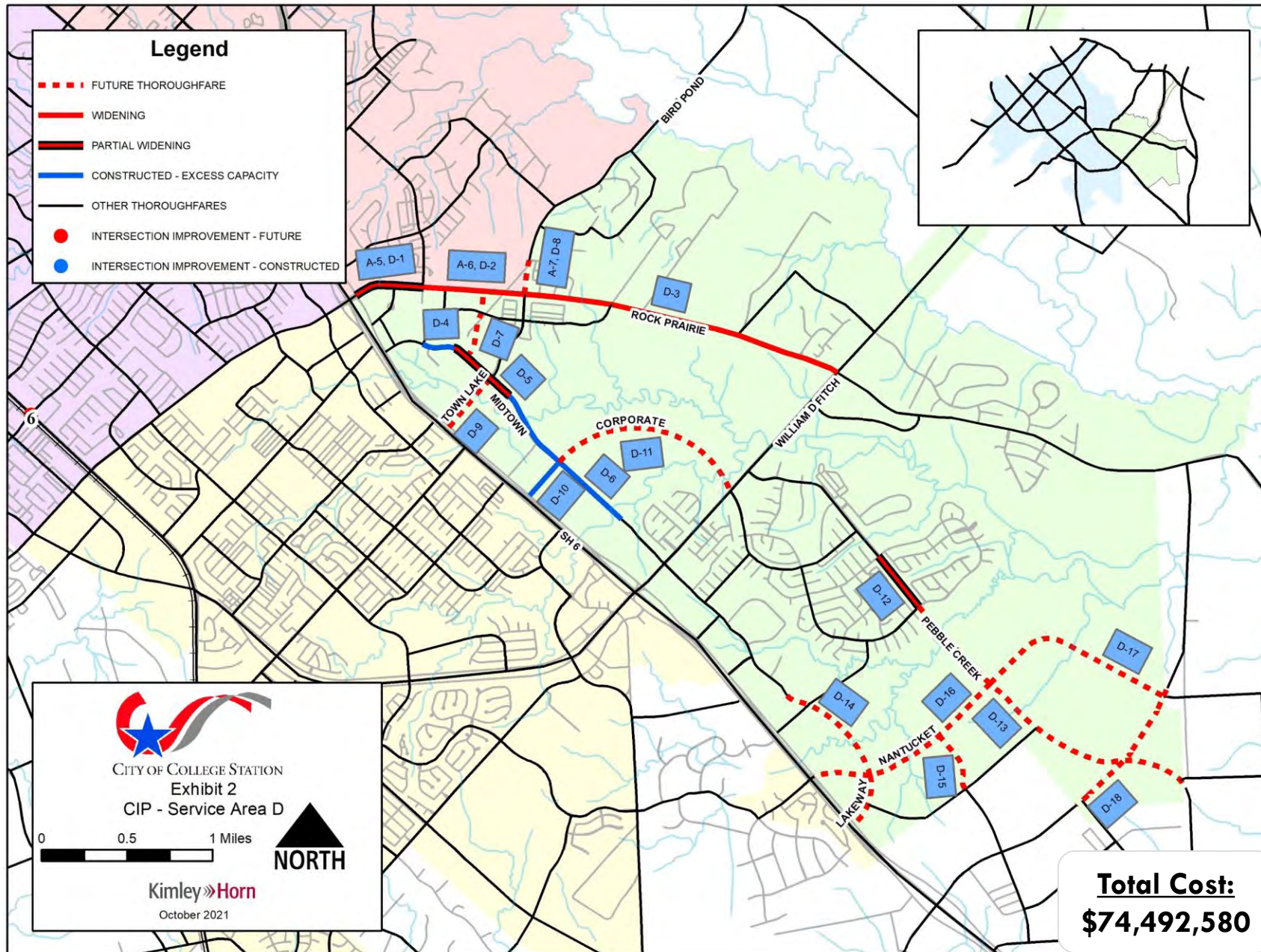
Land Use, CIP, and Impact Fee Calculation











Service Units

A standardized measure of consumption attributable to an individual unit of development.*

Roadway



* Chapter 395 Definition

Roadway Service Units

| Two Variables | |
|---|---|
| <p>Trip Generation</p> <p>ITE Trip Generation Manual 11th Edition</p> | <p>Trip Length</p> <p>National Household Travel Survey</p> <hr/> <p>Legal Requirements from Chapter 395</p> |

Roadway Service Units



ITE Land Use

Single-Family Detached Housing
(ITE # 210)

Trips

0.94 Vehicles (PM Peak)
(ITE Trip Generation)

X Trip Length

4.00 Miles

Vehicle-Miles

3.76 Vehicle-Miles



ITE Land Use

Shopping Center
(ITE #820)

Trips

3.40 Vehicles (PM Peak)
(ITE Trip Generation)

Reduction for Pass-by Trips

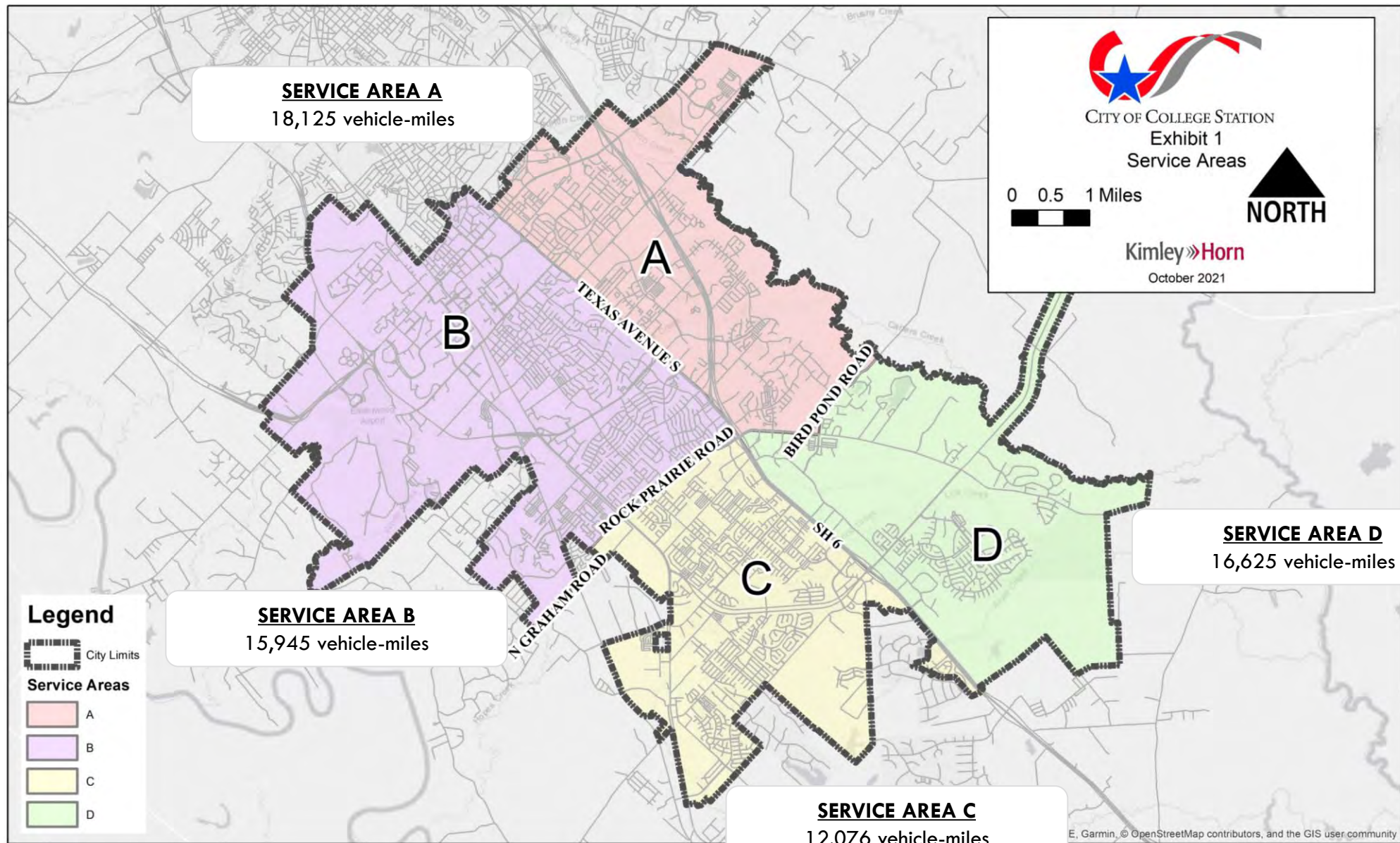
34% *(ITE Trip Generation Handbook)*
2.24 Vehicles (PM Peak)

X Trip Length

2.00 Miles

Vehicle-Miles**

4.49 Vehicle-Miles



Roadway Cost Breakdown

| Service Area | Total Vehicle-Miles of New Demand | Estimate Total Cost Before Financing | Estimated Cost to Meet Existing Demand | Estimated Recoverable Cost of Total Impact Fee CIP | Excess Capacity Beyond 10-Year Window |
|--------------|-----------------------------------|--------------------------------------|--|--|---------------------------------------|
| A | 18,125 | \$13,915,012 | \$4,526,758 | \$9,388,254 | \$0 |
| B | 15,945 | \$48,390,353 | \$22,708,116 | \$20,859,844 | \$4,822,393 |
| C | 12,076 | \$78,250,564 | \$18,441,098 | \$26,639,782 | \$33,169,684 |
| D | 16,625 | \$74,492,580 | \$7,229,646 | \$59,527,697 | \$7,735,237 |

← 9-23-2021 Today →

Financing and Impact
Fee Ad Valorem
Credits to be applied

Roadway Impact Fee Calculation

Determine the maximum assessable fee per service unit:

$$\text{Impact Fee Per Service Unit} = \frac{\text{Cost of CIP Attributable to Growth} + \text{Financing} - \text{Credits}}{\text{New Service Units}}$$

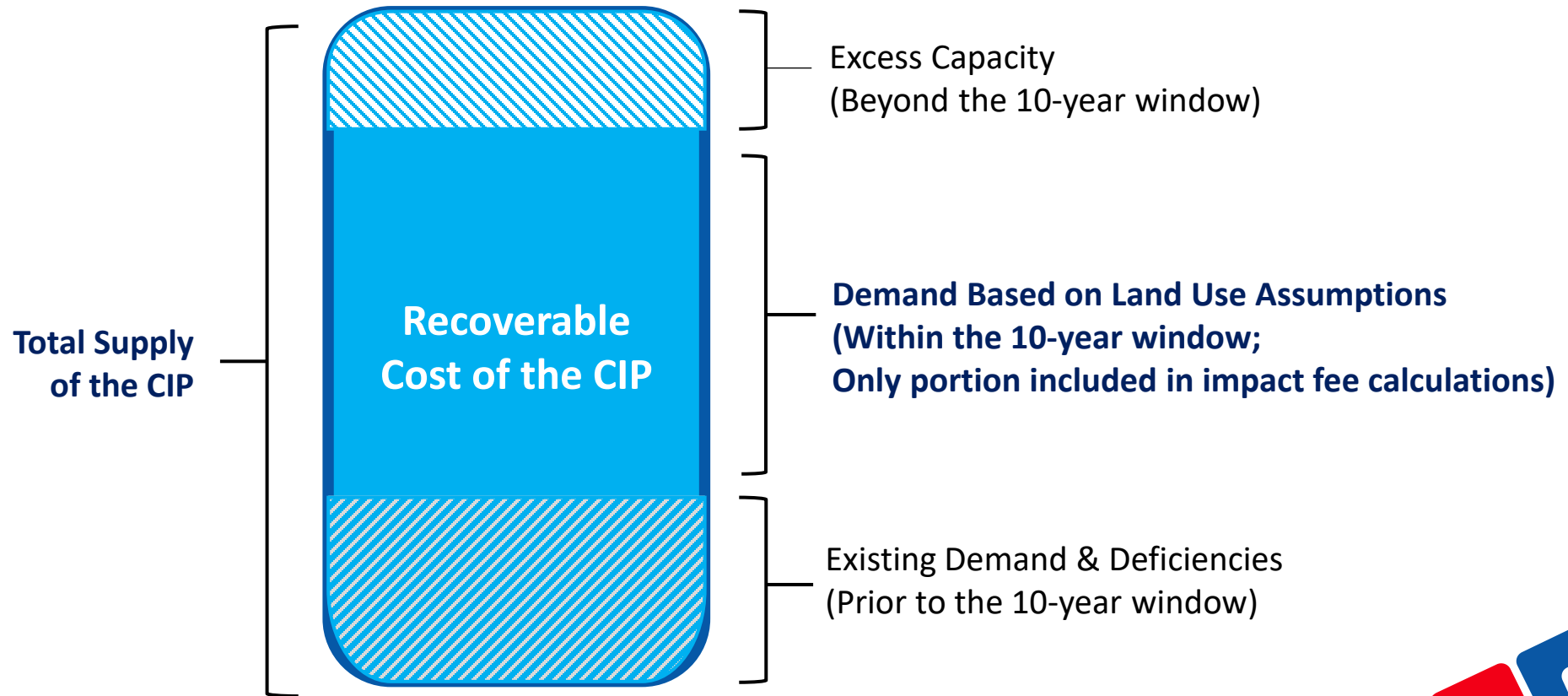
| Roadway Service Area | A | B | C | D |
|---|---------------|----------------|-----------------|-----------------|
| Total Cost of Impact Fee CIP | \$13,915,012 | \$48,390,353 | \$78,250,564 | \$74,492,580 |
| Impact Fee CIP Cost Attributable to Growth | \$9,388,254 | \$20,859,844 | \$ 26,639,782 | \$59,527,697 |
| Financing | +\$1,456,897 | +\$3,237,092 | +\$4,134,040 | +\$9,237,681 |
| Interest | (\$131,440) | (\$292,040) | (\$372,960) | (\$833,390) |
| Credit of Ad Valorem | (\$1,661,061) | (\$3,690,731) | (\$4,713,374) | (\$10,532,225) |
| Total Recoverable Cost (Attributable Costs + Financing - Credits) | \$9,052,650 | \$20,114,165 | \$25,687,488 | \$57,399,762 |
| Service Units | 18,125 | 15,945 | 12,076 | 16,625 |
| Max Assessable Impact Fee per Service Unit | \$499 | \$1,261 | \$ 2,127 | \$ 3,452 |
| Max Assessable Impact Fee per Single Family | \$1,876.24 | \$4,741.36 | \$7,997.52 | \$12,979.52 |

IFAC Comments

Main IFAC Comments / Concerns

- Including completed capital projects in the study result in assessing fees/taxes for those projects multiple times (double dipping).
- Growth projections are below single-family historical trends.
- Growth projections may underestimate amount of residential in Roadway Service Area D.
- Unneeded capital projects are included in Roadway Service Area D.

Impact Fee Calculation



Growth Assumptions

- Methodology – available land and corresponding density, not specifically using historical permits
- Limited lots within large residential subdivisions within study area
 - Approximately 1,900 lots in Greens Prairie Reserve, Midtown, Mission Ranch, and Pebble Creek
 - Approximately 1,800 lots in Southern Pointe (not included in impact fee study)
- Classification of units – study vs. building permits
- Change in land use – residential vs. non-residential

Service Area D Land Use Scenarios

Land Use Assumptions – Draft (2021-2031)

| Service Area | Single-Family (Units) | Multi-Family (Units) | Basic (Sq. Ft.) | Service (Sq. Ft.) | Retail (Sq. Ft.) | Vehicle- Miles |
|--|--------------------------|-------------------------|--------------------|----------------------|---------------------|-------------------|
| SA D (DRAFT) | 693 | 751 | 984,000 | 1,089,000 | 895,000 | 16,625 |
| SA D – Adjust for Midtown Projections | 1,184 | 1,750 | 984,000 | 689,500 | 690,000 | 16,809 |

**Nominal
Change**

Notes:

- Draft Report had less residential because more service/retail was assumed.

Roadway Impact Fee Calculation

Determine the maximum assessable fee per service unit:

$$\text{Impact Fee Per Service Unit} = \frac{\text{Cost of CIP Attributable to Growth} + \text{Financing} - \text{Credits}}{\text{New Service Units}}$$

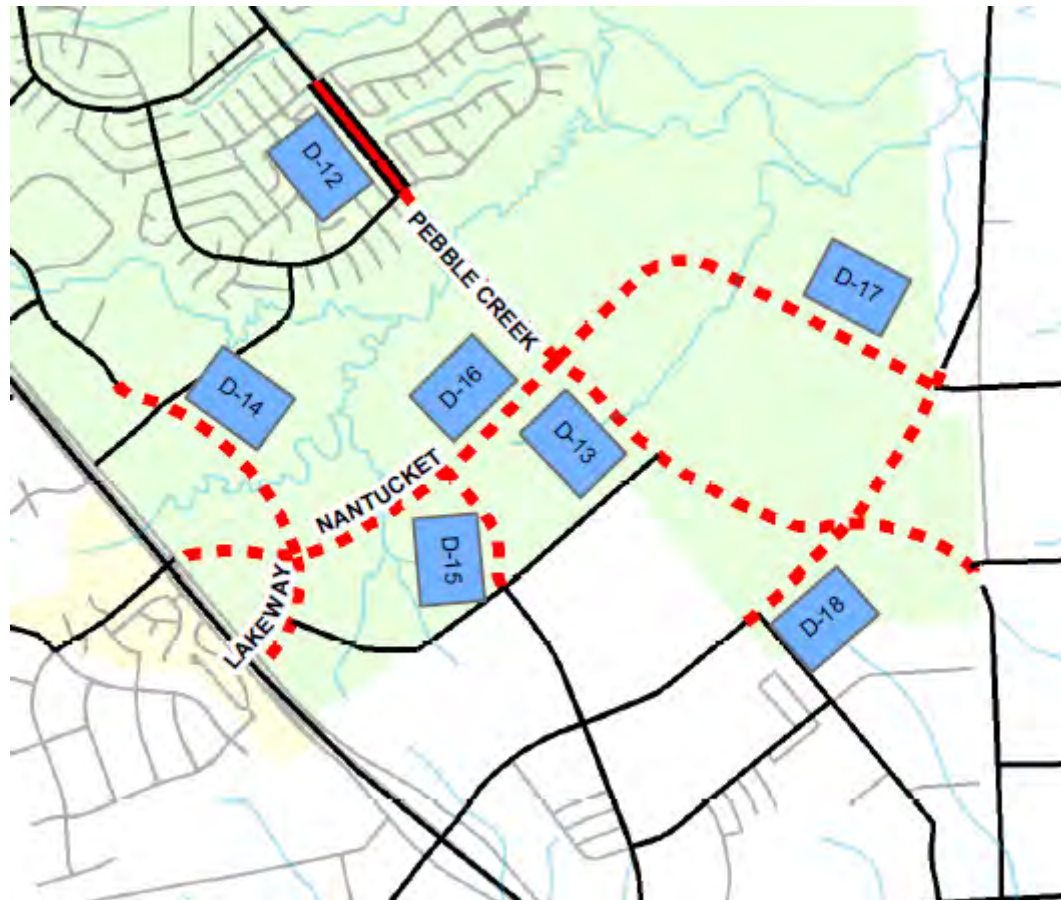
| Roadway Service Area | D – Proposed Study | D – Adjust for Midtown Projections |
|--|-----------------------|--|
| Impact Fee CIP Cost Attributable to Growth | \$59,527,697 | \$60,200,326 |
| Financing | +\$9,237,681 | +\$9,341,887 |
| Interest | (\$833,390) | (\$842,805) |
| Credit of Ad Valorem | (\$10,532,225) | (\$10,617,492) |
| Total Recoverable Cost (Attributable Costs + Financing – Credits) | \$57,399,762 | \$58,081,914 |
| Service Units | 16,625 | 16,809 |
| Max Assessable Impact Fee per Service Unit | \$ 3,452 | \$ 3,455 |
| Max Assessable Impact Fee per Single Family | \$13,669.92 | \$13,681.80 |

*Finance and Credit was estimated

Service Area D Roadway Adjustment

Scenarios:

- Remove the southern roadways
 - Projects D-13 to D-18



Roadway Impact Fee Calculation

Determine the maximum assessable fee per service unit:

$$\text{Impact Fee Per Service Unit} = \frac{\text{Cost of CIP Attributable to Growth} + \text{Financing} - \text{Credits}}{\text{New Service Units}}$$

| Roadway Service Area | D – Proposed Study | D – If Projects D-13 thru D-18 Removed |
|--|-----------------------|--|
| Impact Fee CIP Cost Attributable to Growth | \$59,527,697 | \$41,150,929 |
| Financing | +\$9,237,681 | +\$6,385,801 |
| Interest | (\$833,390) | (\$576,113) |
| Credit of Ad Valorem | (\$10,532,225) | (\$7,257,763) |
| Total Recoverable Cost (Attributable Costs + Financing – Credits) | \$57,399,762 | \$39,702,853 |
| Service Units | 16,625 | 16,625 |
| Max Assessable Impact Fee per Service Unit | \$ 3,452 | \$ 2,388 |
| Max Assessable Impact Fee per Single Family | \$13,669.92 | \$9,456.48 |

* Finance and Credit was estimated
45

Discussion

APPENDIX F

Adopted Ordinance

ORDINANCE NO. 2021-4315

AN ORDINANCE AMENDING CHAPTER 107, “IMPACT FEES,” ARTICLE I “SPECIFIC IMPACT FEES,” AND ARTICLE II, “SYSTEM-WIDE IMPACT FEES,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY: REPEALING ARTICLE I IN ITS ENTIRETY; AMENDING SECTIONS 107-71 “SYSTEM-WIDE IMPACT FEES FOR WATER SERVICES,” 107-72 “SYSTEM-WIDE IMPACT FEES FOR WASTEWATER SERVICES,” AND 107-73 “SYSTEM-WIDE ROADWAY IMPACT FEES” IN THEIR ENTIRETY; ADDING A NEW SECTION 107-74, “UPDATE OF PLAN AND REVISION OF FEES”; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1:** That Chapter 107, “Impact Fees,” Article I, “Specific Impact Fees,” and Article II, “System-wide Impact Fees,” of the Code of Ordinances of the City of College Station, Texas, shall hereby be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance will be effective on January 1, 2022.


PASSED, ADOPTED and APPROVED this 22nd day of November, 2021.

ATTEST:




City Secretary

APPROVED:



Mayor

APPROVED:



City Attorney

EXHIBIT A

That Chapter 107, “Impact Fees,” Article I, “Specific Impact Fees,” is hereby repealed in its entirety.

That Article II, “System-wide Impact Fees,” Sections 107-71 “System-wide impact fees for water services,” 107-72 “System-wide impact fees for wastewater services,” and 107-73 “System-wide roadway impact fees,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended in its entirety as follows:

Sec. 107-71. System-wide impact fee for water services.

- (a) *Purpose.* This section is intended to ensure the provision of adequate public facilities to serve new development in an identified service area by requiring each such new development to pay a share of the costs of water improvements necessitated by and attributable to it as set forth herein and in accordance with Texas Local Government Code ch. 395.
- (b) *Authorization.*
 - (1) This section is adopted pursuant to Texas Local Government Code ch. 395 and other applicable law. Said Chapter 395 supplements this section to the extent that its provisions may be applicable hereto and, to such extent, its provisions are incorporated herein. The provisions of this section shall not be construed to limit the power of the City to utilize other methods authorized under State law or pursuant to other City powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this section. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this section.
 - (2) Impact fees established by this section are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development or subdivision of land, the issuance of building permits, or the sale of water or wastewater taps.
- (c) *Service area.* The impact fee service area for this section is established, consisting of land within the City limits and portions of the City's extraterritorial jurisdiction as shown in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the service area which is attached hereto as Exhibit E, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office along with a copy of the entire Study.
- (d) *Land use assumptions.* The land use assumptions for the impact fee imposed under this section upon which the Capital Improvements Plan for water facilities are based are as set forth in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the land use assumptions which is attached hereto as Exhibits F-1 and F-2, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office.
- (e) *Capital Improvements Plan.* The Capital Improvements Plan for this section identifying capital improvements for the provision of water services in the service area is as set forth in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the Capital Improvements Plan which is attached hereto as Exhibits G-1 and G-2, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office.

- (f) *Service unit.* Service units used to determine the amount of impact fees under this section shall be expressed in terms of land use equivalents (LUEs) with one LUE representing one typical water meter for one single-family residence receiving water service.
- (g) *Impact fee.* In accordance with this section and based upon the land use assumptions and Capital Improvements Plan herein, the maximum assessable impact fee per service unit for water services is as set forth in Exhibits H-1 and H-2, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. The maximum assessable impact fee per service unit for water services will be assessed in accordance with applicable state law and at the time set out below. No action is required by the City. In accordance with this section and based upon the land use assumptions and Capital Improvements Plan herein, there is hereby imposed a collection rate for system-wide water services impact fee per service unit as set forth in Exhibit I, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. This system-wide water services impact fee per service unit as set out in Exhibit I will be collected in accordance with applicable state law. However, the City may vary the rates of the system-wide water services impact fee per service unit to be collected, as set out in Section 107-74, to reasonably further goals and policies affecting the adequacy of water facilities serving new development or for other regulatory purposes affecting type, quality, intensity, economic development potential, or development timing of land uses. The system-wide water services impact fee per service unit to be paid and collected shall be the amount listed in Exhibit I then in effect at the time of collection.
- (h) *Assessment and collection.* Assessment and collection of the impact fees established under this section shall be as set forth herein and in accordance with applicable State law, and with assessment to occur at the time the final plat is recorded when platting is required. If platting is not required, assessment shall occur at the earliest time allowed by law or by agreement as allowed by law.
- (i) *Accounting.* Funds collected through the adoption of the impact fees set forth in this section shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee is adopted.
- (j) *Certification.* The City Council certifies that none of the impact fee under this section will be used or expended for an improvement or expansion not identified in the Capital Improvements Plan.
- (k) *Impact fee waivers or reductions for housing affordability.* System-wide impact fees for water services may be waived or reduced for the purpose of promoting affordability in housing in accordance with state law and pursuant to administrative guidelines promulgated by the City which may be amended from time to time.

Exhibit E: Service Area for System-Wide Water Services

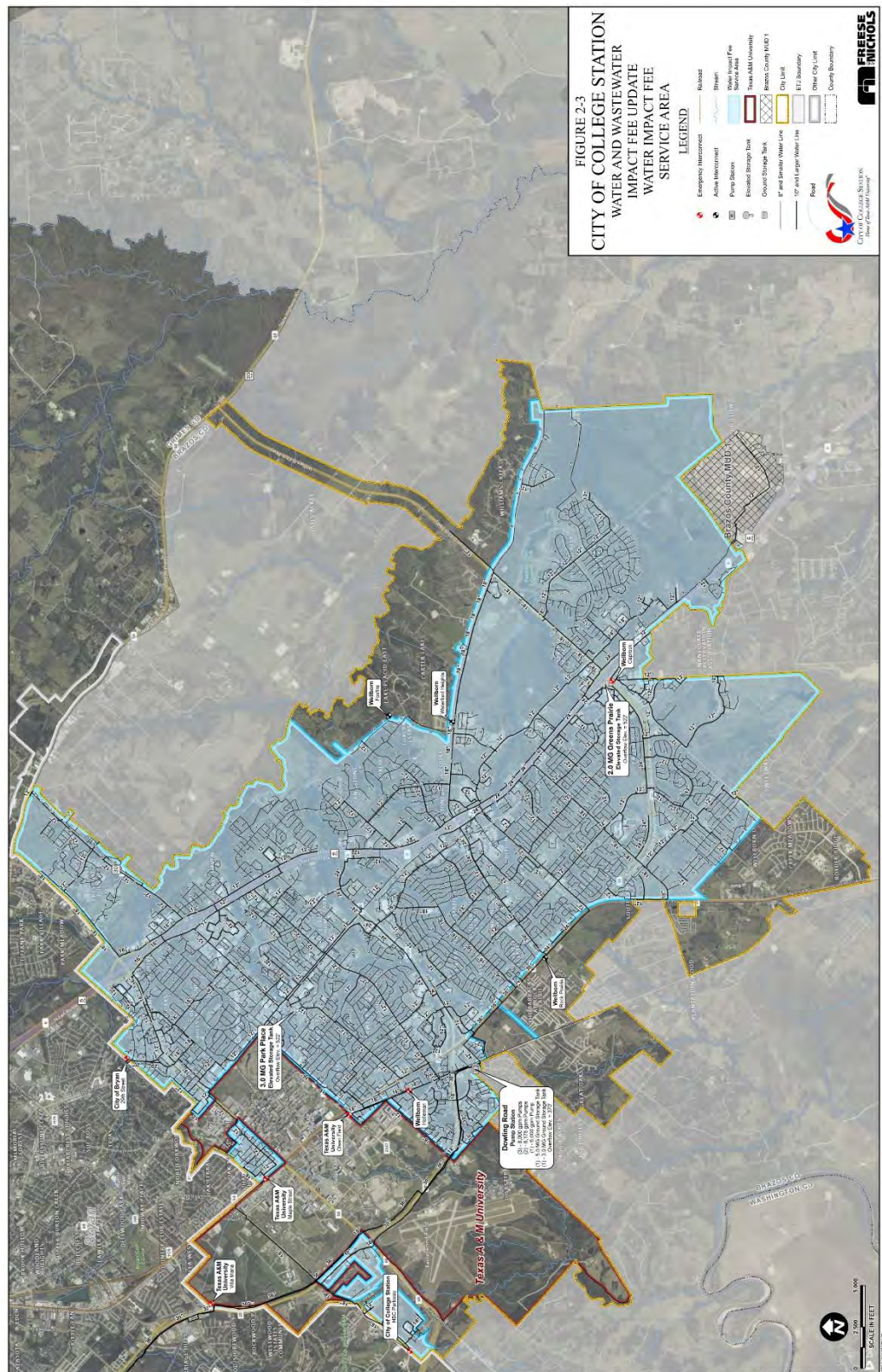


Exhibit F-1: Land Use Assumptions for System-Wide Water Services

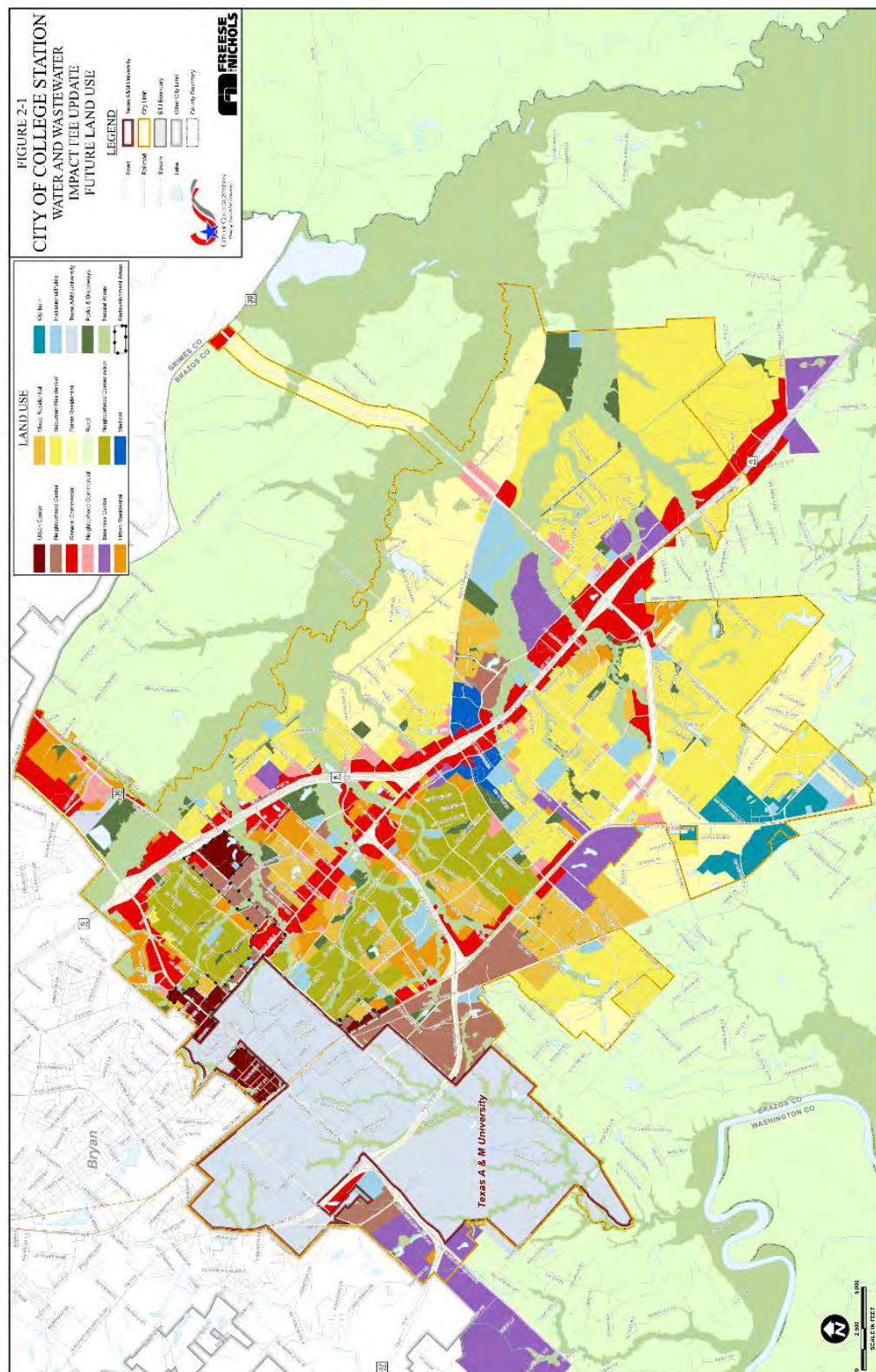


Exhibit F-2: Growth in LUEs for System-Wide Water Services

Table 2-2: Water and Wastewater Impact Fee Service Area LUEs

| Year⁽¹⁾ | Water LUEs | Wastewater LUEs |
|---------------------------|-------------------|------------------------|
| 2021 | 55,780 | 58,423 |
| 2031 | 69,824 | 71,328 |
| Growth in LUEs | 14,044 | 12,905 |

(1) 2021 LUEs estimated based on water meter billing data and meters identified as water only or sewer only meters.

Exhibit G-1: Capital Improvements Plan for System-Wide Water Services

Table 3-3: Impact Fee Eligible Water System Capital Projects

| Project Type | Impact Fee Eligible CIP No. | Description of Project ⁽¹⁾ | Total Capital Cost (2021 Dollars) |
|---|-----------------------------|---|-----------------------------------|
| Recently Completed Projects | A | High Service Pumping Improvements | \$ 3,597,227 |
| | B | BioCorridor Water Line | \$ 998,884 |
| | C | Area 2 Water Line Extension | \$ 1,000,000 |
| | D | Cooling Tower Expansion | \$ 3,795,667 |
| | E | Well No. 10 Land Acquisition | \$ 1,048,633 |
| | F | Well No. 9 and Collection Line | \$ 7,623,202 |
| | G | Midtown Drive 12-inch Water Line | \$ 920,000 |
| | H | The Crossing at Lick Creek Phase 1 - 3 Oversize Participation | \$ 45,233 |
| | I | Embassy Suites Water Line Oversize Participation | \$ 15,030 |
| | J | Brazos Valley Auto Complex Oversize Participation | \$ 84,791 |
| | K | Castlegate II Oversize Participation | \$ 50,871 |
| | L | Greens Prairie Oversize Participation | \$ 96,498 |
| | M | Summit Crossing Phase 3A Oversize Participation | \$ 32,550 |
| | N | SH 6 Water Line Phase 1 and 2 | \$ 1,036,568 |
| Recently Completed Project Subtotal | | | \$ 20,345,154 |
| Ongoing Projects | O | SH 6 Water Line Phase 3 | \$ 3,050,000 |
| | P | 3.0 MG Elevated Storage Tank and Pressure Reducing Valves | \$ 8,690,000 |
| | Q | SH 40 Water Line Phase 1 and 2 | \$ 4,200,000 |
| | R | 2021 Impact Fee Study | \$ 150,000 |
| Ongoing Project Subtotal | | | \$ 16,090,000 |
| Proposed Projects | 1 | New and Replacement 12-inch Rock Prairie Road Water Line | \$ 2,289,500 |
| | 2 | New 18-Inch Midtown Business Center Water Line | \$ 2,796,400 |
| | 3 | BioCorridor Water Line Improvements | \$ 2,741,200 |
| | 4 | Water Supply Well No. 10 | \$ 19,223,900 |
| | 5 | Harvey Mitchel Parkway Water Line Replacement | \$ 4,236,400 |
| Proposed Future Project Subtotal | | | \$ 31,287,400 |
| Total Impact Fee Eligible Water Capital Improvements Cost | | | \$67,722,554 |

(1) Oversize participation projects include only the portion of costs paid for by the City.

Exhibit G-2: Map of Capital Improvements Plan for System-Wide Water Services

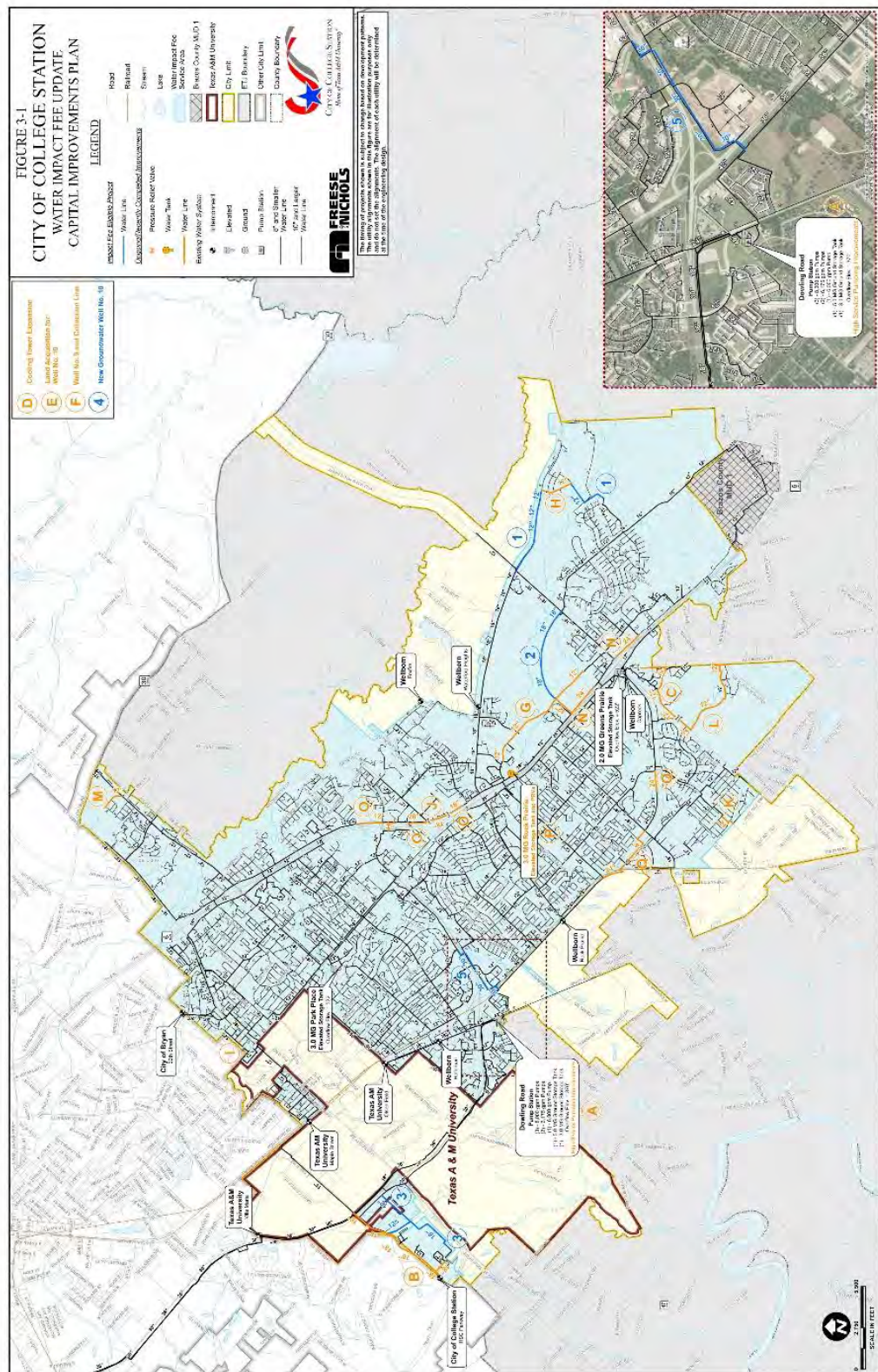


Exhibit H-1: Maximum Assessable Impact Fee Per Service Unit for Water Services

Table: 4-3: Water Impact Fee Calculation

| Water Impact Fee | |
|---|---------------------|
| Total Eligible Capital Improvement Costs | \$43,760,813 |
| Total Eligible Financing Costs | \$12,663,228 |
| Rate Credit | (\$1,966,603) |
| Total Impact Fee Eligible Cost⁽¹⁾ | \$54,457,437 |
| 10-Year Growth in Water LUEs | 14,044 |
| Maximum Allowable Water Impact Fee per LUE⁽²⁾ | \$3,877 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Exhibit H-2: Maximum Assessable Impact Fee Per Meter for Water Services

Water - Maximum Assessable Fee Per Meter

| Water Meter Size | Final Plat Recorded Prior to 01/01/22 | Final Plat Recorded On or After 01/01/22 |
|-------------------------|--|---|
| 5/8"x3/4" | \$2,917 | \$3,877 |
| 1" | \$4,959 | \$12,923 |
| 1-1/2" | \$31,212 | \$41,354 |
| 2" | \$31,212 | \$41,354 |
| 3" | \$77,884 | \$103,386 |
| 4" | \$155,476 | \$206,773 |
| 6" | \$311,244 | \$413,546 |
| 8" | \$525,060 | \$697,860 |
| 10" | \$777,964 | \$1,033,866 |

Exhibit I: Collection Rate Imposed Per Service Unit for System-Wide Water Services

| Water Meter Size | Water Impact Fee Per Meter Building Permit On or After 12/1/2017 |
|-----------------------------|---|
| 5/8"x3/4" | \$500 |
| 1" | \$850 |
| 1-1/2" | \$5,350 |
| 2" | \$5,350 |
| 3" | \$13,350 |
| 4" | \$26,650 |
| 6" | \$53,350 |
| 8" | \$90,000 |
| 10" | \$133,350 |

Sec. 107-72. System-wide impact fees for wastewater services.

- (a) *Purpose.* This section is intended to ensure the provision of adequate public facilities to serve new development in an identified service area by requiring each such new development to pay a share of the costs of wastewater collection and treatment improvements necessitated by and attributable to it as set forth herein and in accordance with Texas Local Government Code ch. 395.
- (b) *Authorization.*
 - (1) This section is adopted pursuant to Texas Local Government Code ch. 395 and other applicable law. Said Chapter 395 supplements this section to the extent that its provisions may be applicable hereto and, to such extent, its provisions are incorporated herein. The provisions of this section shall not be construed to limit the power of the City to utilize other methods authorized under State law or pursuant to other City powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this section. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this section.
 - (2) Impact fees established by this section are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development or subdivision of land, the issuance of building permits, or the sale of water or wastewater taps.
- (c) *Service area.* The impact fee service area for this section is established, consisting of land within the City limits and portions of the City's extraterritorial jurisdiction as depicted in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the service area which is attached hereto as Exhibit J, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office along with a copy of the entire Study.
- (d) *Land use assumptions.* The land use assumptions for the impact fee imposed under this section upon which the Capital Improvements Plan for wastewater facilities are based are set forth in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the land use assumptions which is attached hereto as Exhibits K-1 and K-2, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office.
- (e) *Capital improvements plan.* The Capital Improvements Plan for this section identifying capital improvements for the provision of wastewater services in the service area is as set forth in the 2021 Water and Wastewater Impact Fee Update Study prepared by Freese and Nichols, Inc., dated November 2021, a portion showing the Capital Improvements Plan which is attached hereto as Exhibits L-1 and L-2, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office.
- (f) *Service units.* Service units used to determine the amount of impact fees under this section shall be expressed in terms of land use equivalents (LUEs) with one LUE representing one typical water meter for one single-family residence receiving wastewater services.
- (g) *Impact fee.* In accordance with this section and based upon the land use assumptions and Capital Improvements Plan above, the maximum assessable impact fee per service unit for

wastewater collection and treatment services is as set forth in Exhibits M-1 and M-2, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. The maximum assessable impact fee per service unit for wastewater collection and treatment services will be assessed in accordance with applicable state law and at the time set out below. No action is required by the City. In accordance with this section and based upon the land use assumptions and Capital Improvements Plan above, there is hereby imposed a collection rate for system-wide wastewater collection and treatment impact fee per service unit as set forth in Exhibit N, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. This system-wide wastewater collection and treatment services impact fee per service unit as set out in Exhibit N will be collected in accordance with applicable state law. However, the City may vary the rates of system-wide wastewater collection and treatment services impact fee per service unit to be collected, as set out in Section 107-74, to reasonably further goals and policies affecting the adequacy of wastewater collection and treatment facilities serving new development or for other regulatory purposes affecting type, quality, intensity, economic development potential, or development timing of land uses. The system-wide wastewater collection and treatment services impact fee per service unit to be paid and collected shall be the amount listed in Exhibit N then in effect at the time of collection.

- (h) *Assessment and collection.* Assessment and collection of the impact fees established under this section shall be as set forth herein and in accordance with applicable State law, and with assessment to occur at the time the final plat is recorded when platting is required. If platting is not required, assessment shall occur at the earliest time allowed by law or by agreement as allowed by law.
- (i) *Accounting.* Funds collected through the adoption of the impact fees set forth in this section shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee is adopted.
- (j) *Certification.* The City Council certifies that none of the impact fees under this section will be used or expended for an improvement or expansion not identified in the Capital Improvements Plan.
- (k) *Impact fee waivers or reductions for housing affordability.* System-wide impact fees for wastewater collection and treatment services may be waived or reduced for the purpose of promoting affordability in housing in accordance with state law and pursuant to administrative guidelines promulgated by the City which may be amended from time to time.

Exhibit J: Service Area for System-Wide Wastewater Collection and Treatment Services

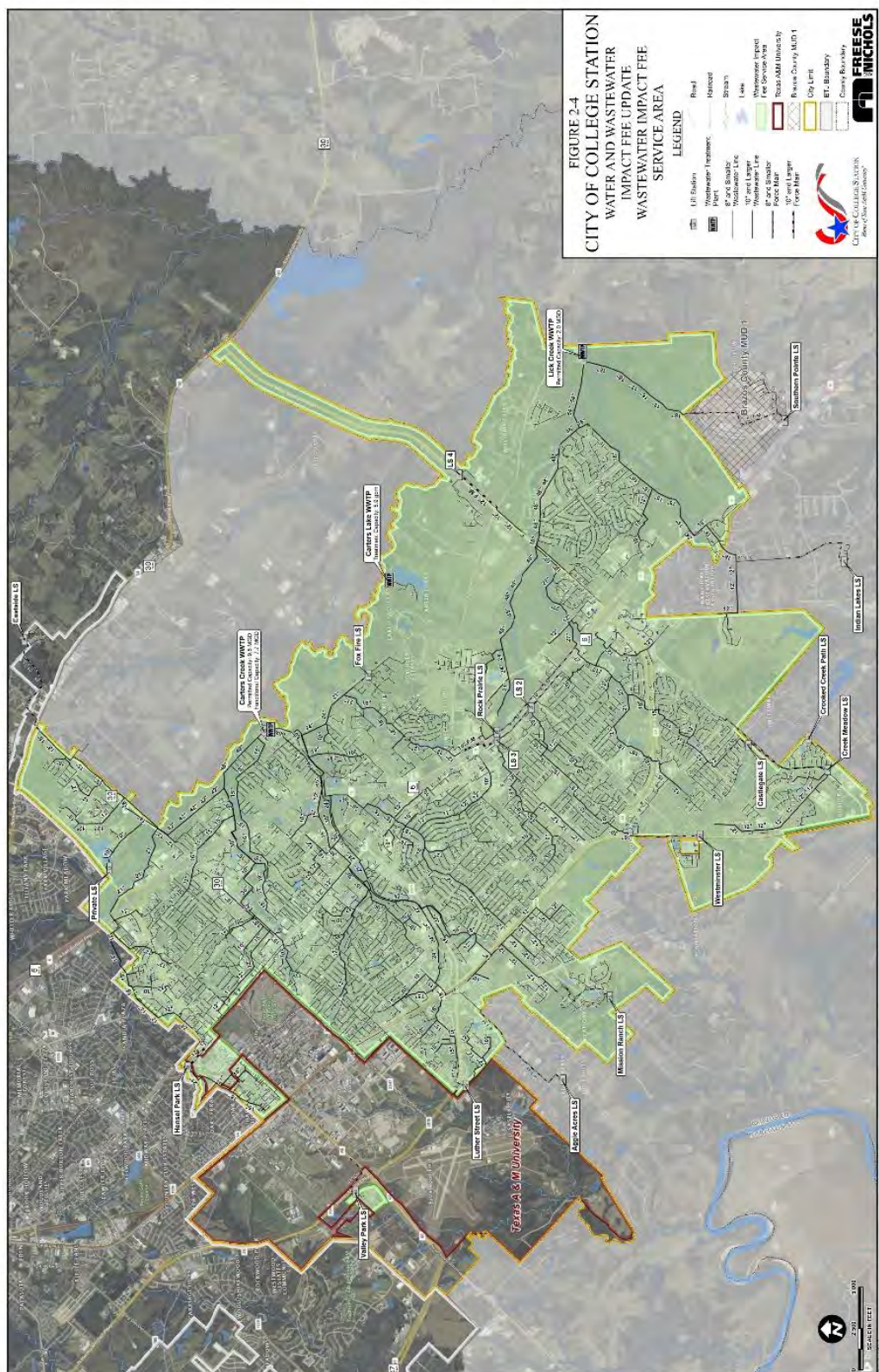


Exhibit K-1: Land Use Assumption for System-Wide Wastewater Collection and Treatment Services

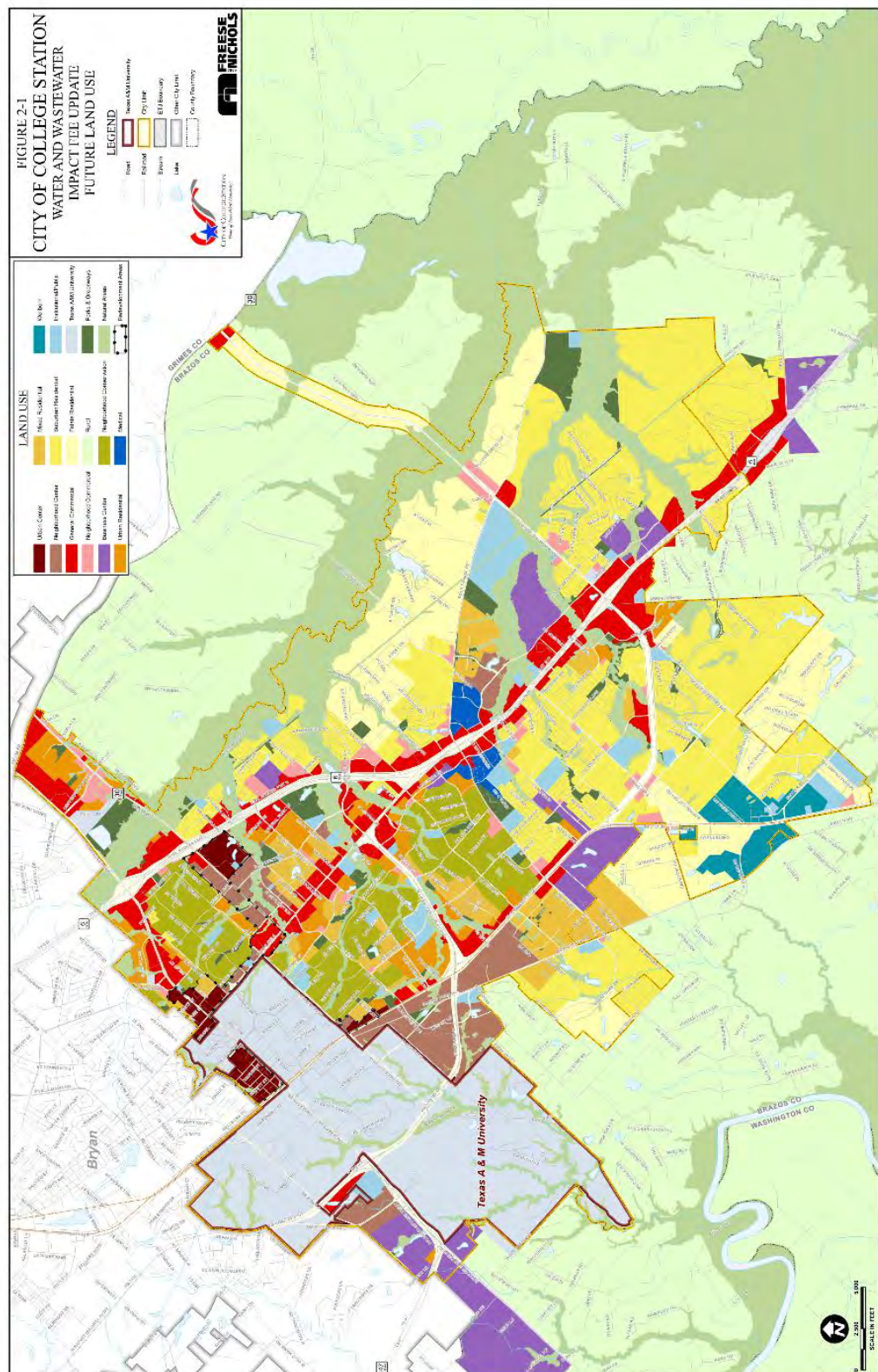


Exhibit K-2: Growth in LUEs for System-Wide Wastewater Collection and Treatment Services

Table 2-2: Water and Wastewater Impact Fee Service Area LUEs

| Year⁽¹⁾ | Water LUEs | Wastewater LUEs |
|---------------------------|-------------------|------------------------|
| 2021 | 55,780 | 58,423 |
| 2031 | 69,824 | 71,328 |
| Growth in LUEs | 14,044 | 12,905 |

(1) 2021 LUEs estimated based on water meter billing data and meters identified as water only or sewer only meters.

Exhibit L-1: Capital Improvements Plan for System-Wide Wastewater Collection and Treatment Services

Table 3-4: Impact Fee Eligible Wastewater System Capital Projects

| Project Type | Impact Fee Eligible CIP No. | Description of Project ⁽¹⁾ | Total Capital Cost (2021 Dollars) |
|--|-------------------------------------|--|-----------------------------------|
| Recently Completed Projects | A | Royder/Live Oak Sewer Service | \$ 1,691,256 |
| | B | Bee Creek Interceptor Phase 1 and 2 | \$ 8,472,421 |
| | C | Lick Creek Trunk Line | \$ 14,020,058 |
| | D | Medical District Trunk Line Phase 1 (Participation Agreement) | \$ 1,770,375 |
| | E | Northeast Trunk Line Phase 1 and 2 | \$ 6,558,738 |
| | F | Southwood Valley Trunk Line Phase 1 | \$ 1,518,488 |
| | G | 18-Inch Harvey Road Gravity Line | \$ 188,790 |
| | H | Creek Meadows Lift Station Upsizing and Force Main | \$ 212,587 |
| | I | Nagle Street Student Housing Oversize Participation | \$ 26,854 |
| | Recently Completed Project Subtotal | | |
| Ongoing Projects | J | Bee Creek Interceptor Phase 3 | \$ 3,900,000 |
| | K | Medical District Trunk Line Phase 2 and 3 | \$ 3,250,000 |
| | L | Northeast Trunk Line Phase 3 and 4 | \$ 13,861,000 |
| | M | Carters Creek Diversion Lift Station Phase 1 | \$ 13,900,000 |
| | N | Lick Creek WWTP Phase 1 Expansion | \$ 39,014,049 |
| | O | 2021 Impact Fee Update | \$ 174,150 |
| | Ongoing Project Subtotal | | |
| Proposed Projects | 1 | 15/18/24/30/36-inch Southwood Valley Interceptor Phase 2 | \$ 7,314,800 |
| | 2 | 18/21/24-Inch Bee Creek Trunk Line Phase 4 | \$ 5,357,800 |
| | 3 | 18/21-Inch Alum Creek Sewer Trunk Line | \$ 11,136,600 |
| | 4 | 8-Inch Creek Meadows Force Main Re-Routed to Alum Creek Trunk Line | \$ 2,517,900 |
| | 5 | Lick Creek WWTP Phase 2 Expansion (to 8.0 MGD) | \$ 49,946,000 |
| | 6 | 21/24-Inch Harvey Road Replacement Gravity Line | \$ 4,916,300 |
| | Proposed Project Subtotal | | |
| Total Impact Fee Eligible Wastewater Capital Improvements Cost | | | \$ 189,748,166 |

(1) Oversize participation projects include only the portion of costs paid for by the City.

Exhibit L-2: Map of Capital Improvements Plan for System-Wide Wastewater Collection and Treatment Services

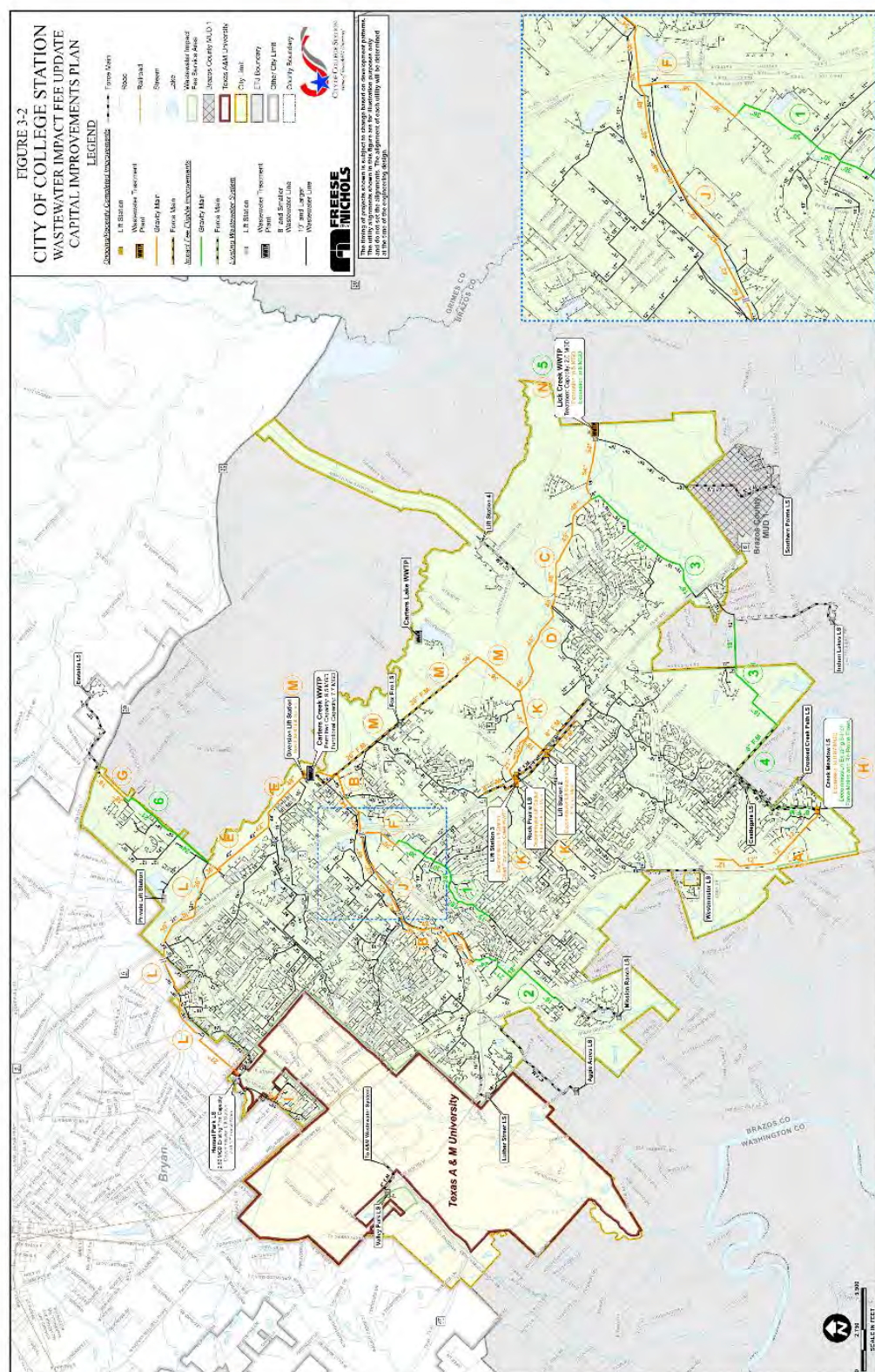


Exhibit M-1: Maximum Assessable Impact Fee Per Service Unit for Wastewater Collection and Treatment Services

Table 4-4: Wastewater Impact Fee Calculation

| Wastewater Impact Fee | |
|--|---------------------|
| Total Eligible Capital Improvement Costs | \$65,290,309 |
| Total Eligible Financing Costs | \$9,135,832 |
| Rate Credit | (\$2,507,952) |
| Total Eligible Impact Fee Cost⁽¹⁾ | \$71,918,188 |
| 10-Year Growth in Wastewater LUEs | 12,905 |
| Maximum Allowable Wastewater Impact Fee per LUE⁽²⁾ | \$5,572 |

(1) Total eligible capital and financing costs minus the rate credit

(2) Total eligible costs divided by the growth in LUEs

Exhibit M-2: Maximum Assessable Impact Fee Per Meter for Wastewater Services

Wastewater - Maximum Assessable Fee Per Meter

| Water Meter Size | Final Plats Recorded Prior to 01/01/22 | Final Plats Recorded On or After 01/01/22 |
|-------------------------|---|--|
| 5/8"x3/4" | \$5,519 | \$5,572 |
| 1" | \$9,382 | \$18,573 |
| 1-1/2" | \$59,053 | \$59,434 |
| 2" | \$59,053 | \$59,434 |
| 3" | \$147,357 | \$148,586 |
| 4" | \$294,163 | \$297,173 |
| 6" | \$588,877 | \$594,346 |
| 8" | \$993,420 | \$1,002,960 |
| 10" | \$1,471,917 | \$1,485,866 |

Exhibit N: Collection Rate Per Service Unit for System-Wide Wastewater Collection and Treatment Services

| Water Meter Size | Wastewater Impact Fee per meter Building Permit On or After 12/1/2017 |
|-----------------------------|--|
| 5/8"x3/4" | \$3,000 |
| 1" | \$5,100 |
| 1-1/2" | \$16,050 |
| 2" | \$16,050 |
| 3" | \$40,050 |
| 4" | \$79,950 |
| 6" | \$160,050 |
| 8" | \$270,000 |
| 10" | \$400,050 |

Sec. 107-73. System-wide roadway impact fees.

- (a) *Purpose.* This section is intended to ensure the provision of adequate public facilities to serve new development in an identified service area by requiring each such development to pay its pro rata share of the costs of roadway improvements necessitated by and attributable to such new development as set forth herein and consistent with Texas Local Government Code ch. 395.
- (b) *Authorization.*
 - (1) This section is adopted pursuant to Texas Local Government Code ch. 395 and other applicable law. Chapter 395 supplements this section to the extent that its provisions may be applicable hereto and, to such extent, its provisions are incorporated herein by reference. The provisions of this section shall not be construed to limit the power of the City to utilize other methods authorized under State law or pursuant to other City powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this section. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this section.
 - (2) Impact fees established by this section are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development or subdivision of land or the issuance of building permits.
- (c) *Service area.* There are four roadway service areas established for this section, consisting of land within the City limits as shown in the Roadway Impact Fee Update prepared by Kimley Horn, dated November 2021, and which is attached hereto as Exhibit O, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office along with a copy of the entire Study.
- (d) *Land use assumptions.* The land use assumptions for the impact fee imposed under this section upon which the Capital Improvements Plan for roadway facilities are based are as set forth in the Roadway Impact Fee Update prepared by Kimley Horn, dated November 2021, and which is attached hereto as Exhibits P-1 and P-2, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office along with a copy of the entire Study.
- (e) *Capital Improvements Plan.* The Capital Improvements Plan for this section identifying capital improvements for the provision of roadway services in the four service areas is as set forth in the Roadway Impact Fee Update prepared by Kimley Horn, dated November 2021, and which is attached hereto as Exhibit Q, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office along with a copy of the entire Study.
- (f) *Service units.* Service units used to determine the amount of impact fees under this section shall be expressed in terms of vehicle-mile which shall be the capacity consumed in a single lane in the p.m. peak hour by a vehicle making a trip one mile in length and as further described in the Roadway Impact Fee Update prepared by Kimley Horn, dated November 2021, a copy of which shall be made available to view at the City Secretary's Office.
- (g) *Impact fee.* In accordance with this section and based upon the land use assumptions and Capital Improvements Plan herein, calculations and other information presented in the study

prepared by Kimley Horn, the maximum assessable impact fee per service unit for each service area for roadway impact fees shall be as set forth in Exhibit R, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. The maximum assessable impact fee per service unit for each service area for roadway impact fees will be assessed in accordance with applicable state law and at the time set out below. No action is required by the City. In accordance with this section and based upon the land use assumptions and Capital Improvements Plan herein, there is hereby imposed a roadway impact fee collection rate per service unit for each service area for roadway impact fees as set forth in Exhibit S, attached hereto, incorporated herein for all purposes and a copy of which shall be made available to view at the City Secretary's Office. This roadway impact fee per service unit for each service area as set out in Exhibit S will be collected in accordance with applicable state law. However, the City may vary the rates of roadway impact fee per service unit for each service area to be collected, as set out in Section 107-74, to reasonably further goals and policies affecting the adequacy of roadway facilities serving new development or for other regulatory purposes affecting type, quality, intensity, economic development potential, or development timing of land uses. The roadway impact fee per service unit for each service area to be paid and collected shall be the amount listed in Exhibit S then in effect at the time of collection.

- (h) *Assessment and collection.* Assessment and collection of the impact fees established under this section shall be as set forth herein and in accordance with applicable State law. Assessment shall occur at the time the final plat is recorded when platting is required. If platting is not required, assessment shall occur at the earliest time allowed by law or by agreement as allowed by law.
- (i) *Credits.* The City may credit the contribution of land, construction of improvements or funding for construction of any capital improvement that is a part of the Capital Improvements Plan adopted under this section or that otherwise affects it and that is required or agreed to by the City, pursuant to rules established in this section or pursuant to administrative guidelines promulgated by the City which may be amended from time to time. In determining such credit, the maximum impact fee set forth in Exhibit R may be used to assist in approximating and determining the appropriate roadway contributions related to new development. It is expressly declared that where the roadway impact fee collected is less than the maximum, same shall not automatically create a credit equal to the maximum impact fee, nor automatically create an exception to other applicable rules and regulations.
- (j) *Accounting.* Funds collected through the adoption of the impact fees set forth in this section shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee is adopted.
- (k) *Certification.* The City Council certifies that none of the impact fees under this section will be used or expended for an improvement or expansion not identified in the Capital Improvements Plan.
- (l) *Impact fee waivers or reductions for housing affordability.* Roadway impact fees may be waived or reduced for the purpose of promoting affordability in housing in accordance with state law and pursuant to administrative guidelines promulgated by the City which may be amended from time to time.

Exhibit O: Service Areas for City-Wide Roadway Impact Fees

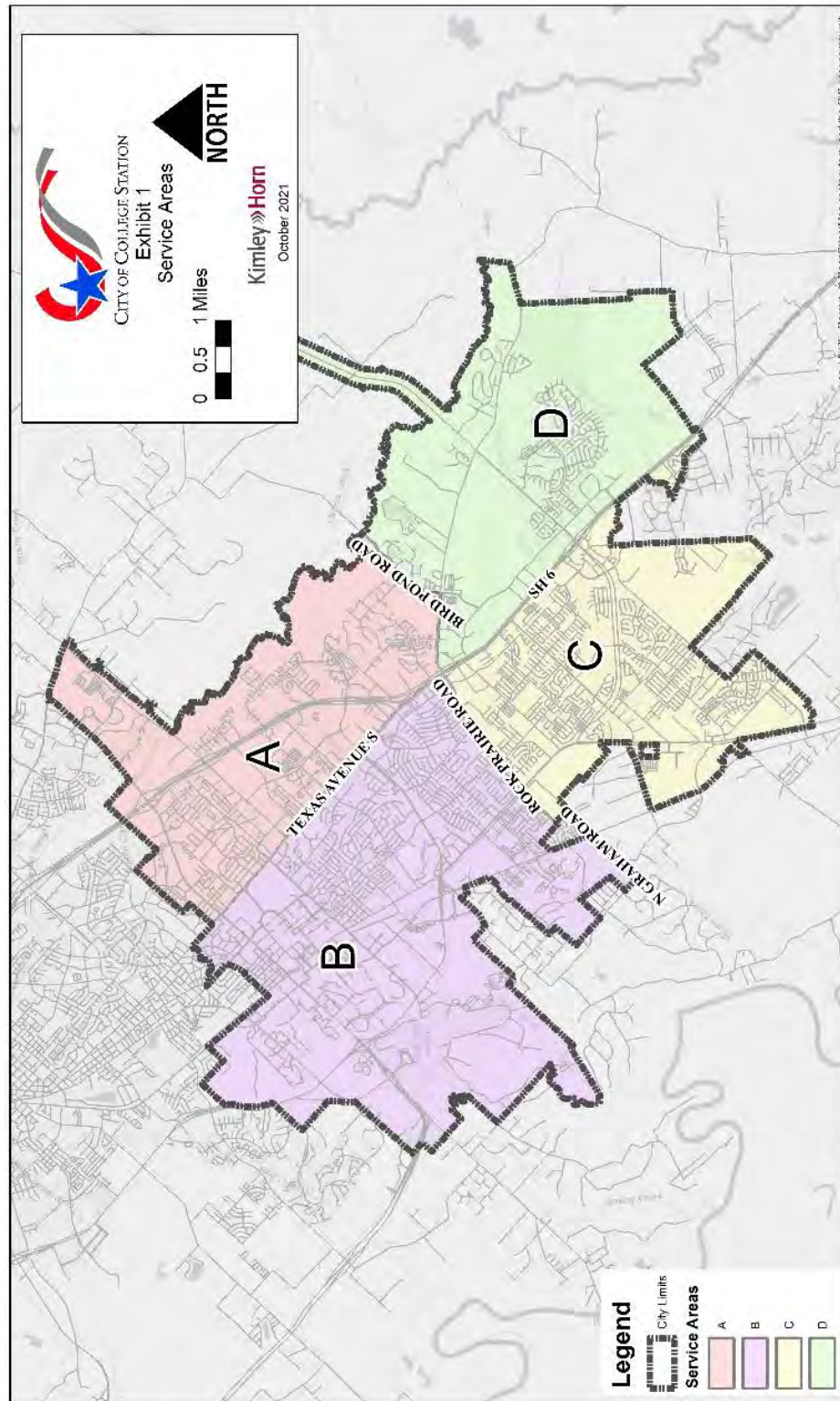


Exhibit P-1: Land Use Assumptions for City-Wide Roadway Impact Fees

| Table 1. Residential and Nonresidential/Employment 10-Year Projections | | | | | |
|---|----------------|--------------|---------------------------|-----------|-----------|
| | Residential | | Nonresidential/Employment | | |
| Service Area | Single Family | Multi-Family | Basic | Service | Retail |
| | Dwelling Units | | Square Feet | | |
| A | 410 | 2,038 | - | 1,174,000 | 1,480,000 |
| B | 429 | 1,937 | 350,000 | 1,063,000 | 953,000 |
| C | 1,824 | 127 | - | 506,000 | 469,000 |
| D | 693 | 751 | 984,000 | 1,089,000 | 895,000 |
| Sub-Total | 3,356 | 4,853 | 1,334,000 | 3,832,000 | 3,797,000 |
| Total | 8,209 | | 8,963,000 | | |

Exhibit P-2: Growth in Vehicle Miles for System-Wide Roadway Impact Fees

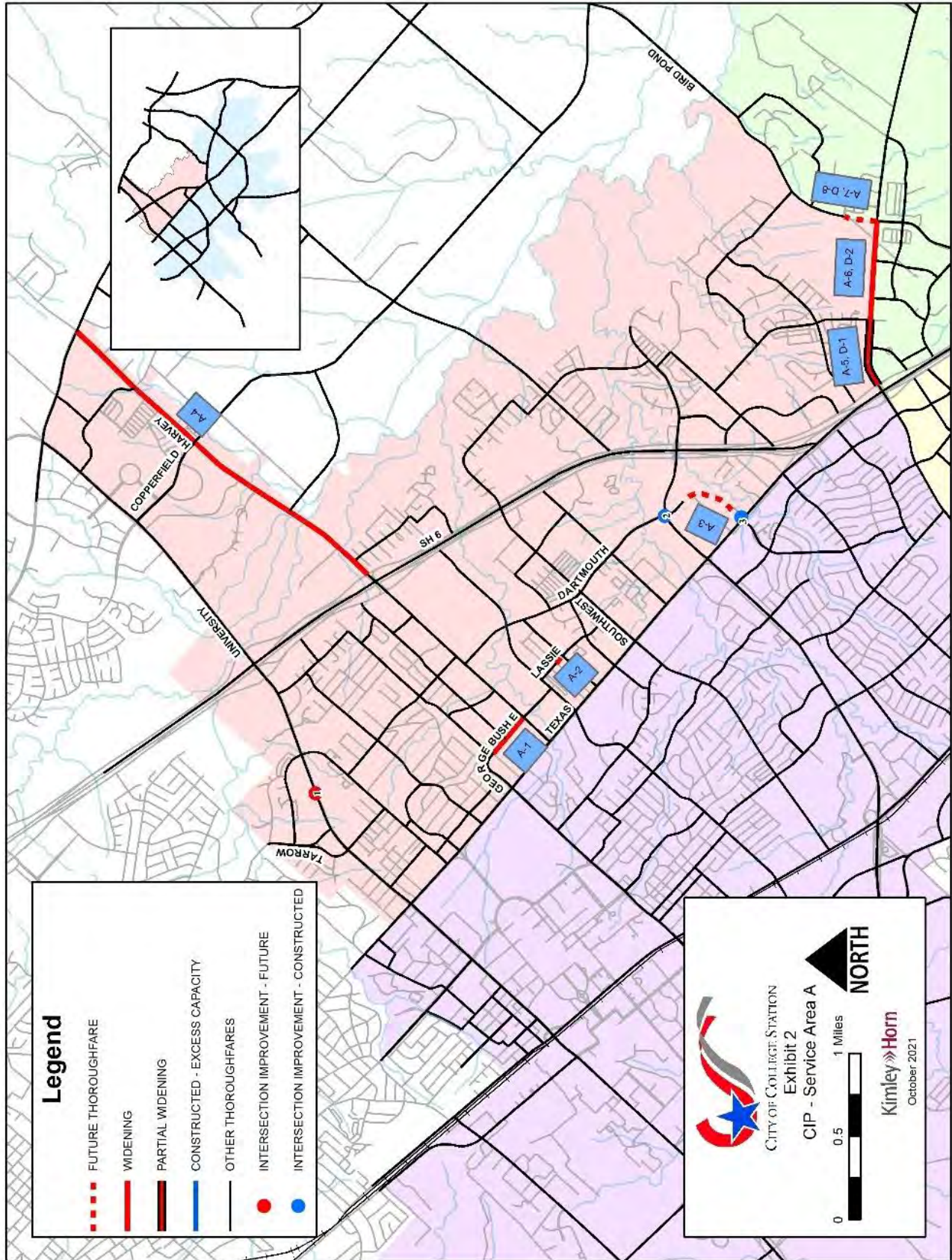
| Roadway Service Area | Vehicle Miles of Demand Generated |
|-----------------------------|--|
| A | 18,125 |
| B | 15,945 |
| C | 12,076 |
| D | 16,625 |

Exhibit Q: Capital Improvement Plans for City-Wide Roadway Impact Fees

10-Year Roadway Impact Fee Capital Improvements Plan—Service Area A

| Service Area | Proj. # | Class | Roadway | Limits | Length (mi) | % In Service Area | Total Project Cost | Cost in Service Area |
|------------------------------|---|-------------------------------|---------------------|---|-------------|-------------------|--------------------|----------------------|
| A | A-1 | 4 LANE MINOR ARTERIAL | GEORGE BUSH DRIVE E | DOMINIK DRIVE TO HARVEY ROAD | 0.29 | 100% | \$ 2,409,500 | \$ 2,409,500 |
| | A-2 | 2 LANE MAJOR COLLECTOR | LASSIE LANE | STERLING STREET TO MANUEL DRIVE | 0.06 | 100% | \$ 860,066 | \$ 860,066 |
| | A-3 | 2 LANE MAJOR COLLECTOR | DARTMOUTH STREET | 720' S OF HARVEY MITCHELL PARKWAY S TO TEXAS AVENUE S | 0.42 | 100% | \$ 2,423,520 | \$ 2,423,520 |
| | A-4 | 4 LANE MAJOR ARTERIAL - TxDOT | HARVEY ROAD | SH 6 NBFR TO BOONVILLE ROAD | 2.29 | 100% | \$ 2,509,696 | \$ 2,509,696 |
| | A-5, D-1 | 4 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | SH 6 NBFR TO STONEBROOK DRIVE | 0.41 | 50% | \$ 2,164,000 | \$ 1,082,000 |
| | A-6, D-2 | 4 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | STONEBROOK DRIVE TO TOWN LAKE DRIVE | 0.59 | 50% | \$ 5,136,000 | \$ 2,568,000 |
| | A-7, D-8 | 4 LANE MAJOR ARTERIAL | BIRD POND ROAD | ROCK PRAIRIE ROAD TO 1055' E OF ROCK PRAIRIE ROAD | 0.20 | 50% | \$ 1,738,000 | \$ 879,000 |
| | 1 | | | UNIVERSITY DRIVE E AND UNIVERSITY TOWNE CENTER SIGNAL | | 100% | \$ 400,000 | \$ 400,000 |
| | 2 | | | HARVEY MITCHELL PARKWAY S AND DARTMOUTH STREET | | 100% | \$ 566,992 | \$ 566,992 |
| | 3 | | | TEXAS AVENUE S AND BROTHERS BOULEVARD | | 50% | \$ 397,476 | \$ 198,738 |
| | Service Area Project Roadway Cost Subtotal | | | | | | | \$ 12,731,782 |
| | Service Area Project Intersection Cost Subtotal | | | | | | | \$ 1,165,730 |
| | 2021 Roadway Impact Fee Study Cost Per Service Area | | | | | | | \$ 17,500 |
| Total Cost in SERVICE AREA A | | | | | | | \$ 13,915,012 | |

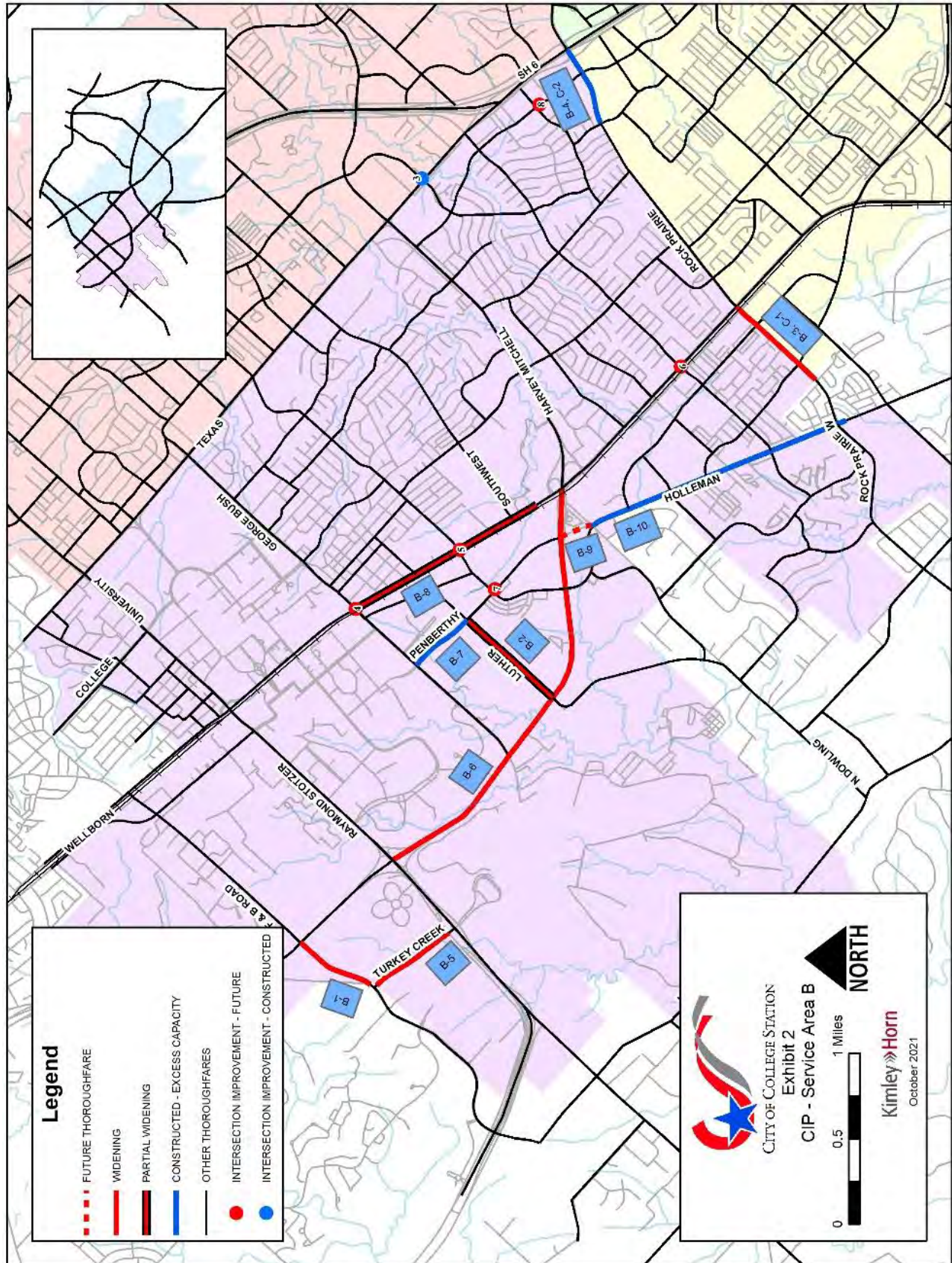
Note: The 10-Year Roadway Impact Fee CIP is not in a prioritized order.
These are planning level cost projections.



10-Year Roadway Impact Fee Capital Improvements Plan—Service Area B

| Service Area | Proj. # | Class | Roadway | Limits | Length (mi) | % In Service Area | Total Project Cost | Cost in Service Area |
|---|----------|-------------------------------|---------------------------|---|-------------|-------------------|--------------------|----------------------|
| B | B-1 | 4 LANE MINOR ARTERIAL | F & B ROAD | 160' E OF TURKEY CREEK ROAD TO HARVEY MITCHELL PARKWAY S | 0.49 | 100% | \$ 4,106,520 | \$ 4,106,520 |
| | B-2 | 4 LANE MINOR ARTERIAL (1/2) | LUTHER STREET W | HARVEY MITCHELL PARKWAY TO JONES BUTLER ROAD | 0.68 | 100% | \$ 2,903,600 | \$ 2,903,600 |
| | B-3, C-1 | 4 LANE MINOR ARTERIAL | ROCK PRAIRIE ROAD WEST | 715' W OF TOWERS PARKWAY TO WELLBORN ROAD | 0.63 | 50% | \$ 4,659,868 | \$ 2,329,934 |
| | B-4, C-2 | 6 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | NORMAND DRIVE TO SH 6 | 0.48 | 50% | \$ 4,017,530 | \$ 2,008,765 |
| | B-5 | 2 LANE MAJOR COLLECTOR | TURKEY CREEK ROAD | 775' N OF RAYMOND STOTZER PARKWAY WBFR TO RAYMOND STOTZER PARKWAY W | 0.53 | 100% | \$ 3,278,140 | \$ 3,278,140 |
| | B-6 | 6 LANE MAJOR ARTERIAL - TxDOT | HARVEY MITCHELL PARKWAY S | RAYMOND STOTZER PARKWAY TO WELLBORN ROAD | 2.62 | 100% | \$ 1,407,527 | \$ 1,407,527 |
| | B-7 | 4 LANE MINOR ARTERIAL | PENBERTHY ROAD | GEORGE BUSH DRIVE TO LUTHER STREET W | 0.4 | 100% | \$ 3,080,683 | \$ 3,080,683 |
| | B-8 | 6 LANE MAJOR ARTERIAL - TxDOT | WELLBORN ROAD | GEORGE BUSH DRIVE TO 940' N OF HARVEY MITCHELL PARKWAY S | 1.23 | 100% | \$ 1,486,464 | \$ 1,486,464 |
| | B-9 | 2 LANE MAJOR COLLECTOR | JONES BUTLER ROAD | HARVEY MITCHELL PARKWAY S TO HOLLEMAN DRIVE S | 0.22 | 100% | \$ 9,652,780 | \$ 9,652,780 |
| | B-10 | 4 LANE MINOR ARTERIAL | HOLLEMAN DRIVE S | N DOWLING ROAD TO 290' S OF ROCK PRAIRIE ROAD W | 1.62 | 100% | \$ 10,631,012 | \$ 10,631,012 |
| | 3 | | | TEXAS AVENUE S AND BROTHERS BOULEVARD | | 50% | \$ 397,476 | \$ 198,738 |
| | 4 | | | WELLBORN ROAD AND GEORGE BUSH DRIVE | | 100% | \$ 1,190,232 | \$ 1,190,232 |
| | 5 | | | WELLBORN ROAD AND HOLLEMAN DRIVE | | 100% | \$ 644,445 | \$ 644,445 |
| | 6 | | | WELLBORN ROAD AND DEACON DRIVE | | 100% | \$ 4,532,013 | \$ 4,532,013 |
| | 7 | | | HOLLEMAN DRIVE W AND JONES BUTLER ROAD | | 100% | \$ 572,000 | \$ 572,000 |
| | 8 | | | LONGMIRE DRIVE AND PONDEROSA DRIVE | | 100% | \$ 350,000 | \$ 350,000 |
| Service Area Project Roadway Cost Subtotal | | | | | | | | \$ 40,885,425 |
| Service Area Project Intersection Cost Subtotal | | | | | | | | \$ 7,487,428 |
| 2021 Roadway Impact Fee Study Cost Per Service Area | | | | | | | | \$ 17,500 |
| Total Cost in SERVICE AREA B | | | | | | | | \$ 48,390,353 |

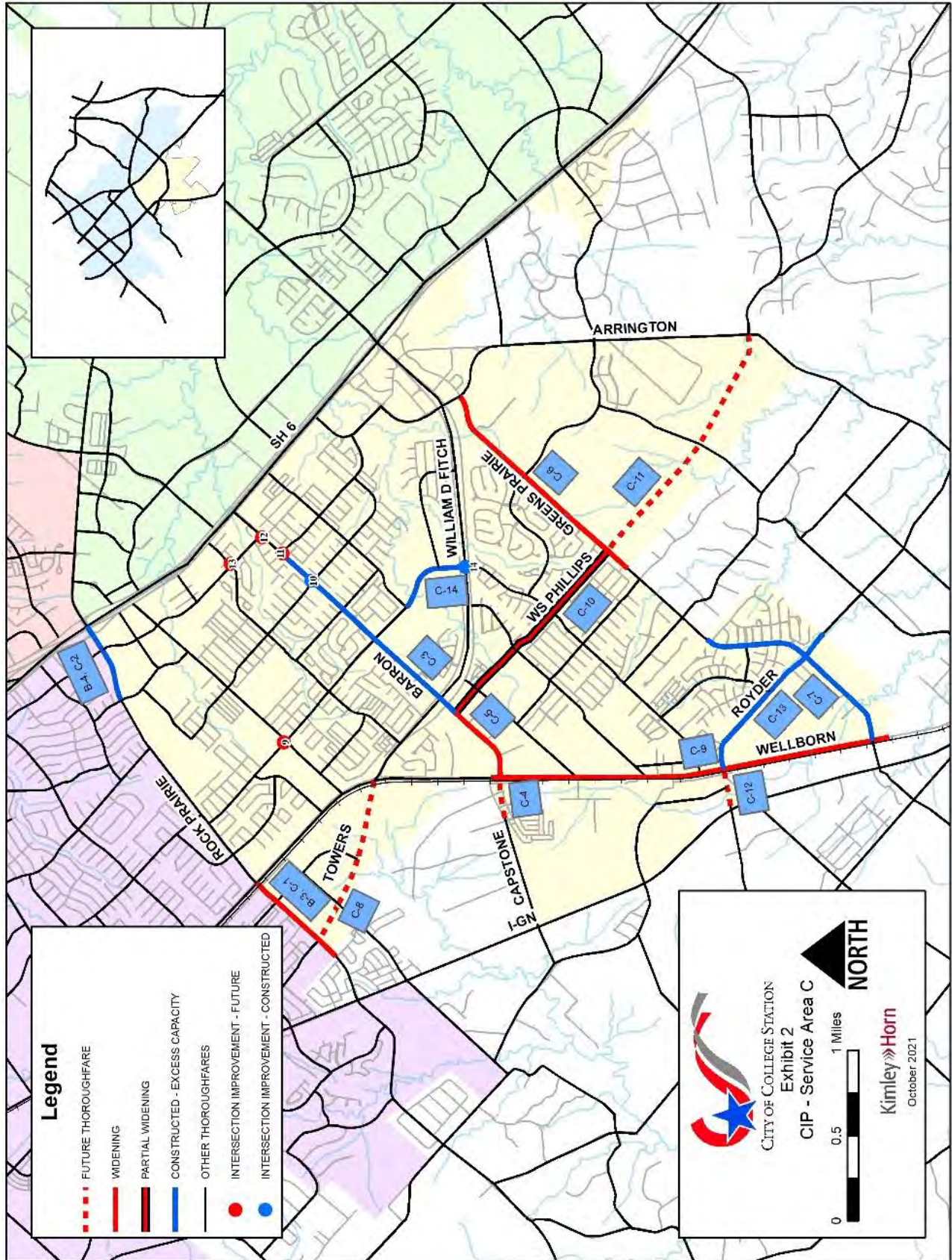
Note: The 10-Year Roadway Impact Fee CIP is not in a prioritized order.
These are planning level cost projections.



10-Year Roadway Impact Fee Capital Improvements Plan—Service Area C

| Service Area | Proj. # | Class | Roadway | Limits | Length (mi) | % In Service Area | Total Project Cost | Cost in Service Area |
|---|----------|-------------------------------|------------------------|---|-------------|-------------------|--------------------|----------------------|
| C | B-3, C-1 | 4 LANE MINOR ARTERIAL | ROCK PRAIRIE ROAD WEST | 715' W OF TOWERS PARKWAY TO WELLBORN ROAD | 0.63 | 50% | \$ 4,659,868 | \$ 2,329,934 |
| | B-4, C-2 | 6 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | NORMAND DRIVE TO SH 6 | 0.48 | 50% | \$ 4,017,530 | \$ 2,008,765 |
| | C-3 | 4 LANE MINOR ARTERIAL | BARRON ROAD | W'S PHILLIPS PARKWAY TO DECATUR DRIVE | 1.39 | 100% | \$ 5,795,317 | \$ 5,795,317 |
| | C-4 | 4 LANE MINOR ARTERIAL | CAPSTONE DRIVE | 1265' W OF WELLBORN ROAD TO WELLBORN ROAD | 0.24 | 100% | \$ 2,765,575 | \$ 2,765,575 |
| | C-5 | 4 LANE MINOR ARTERIAL | BARRON ROAD | WELLBORN ROAD TO W'S PHILLIPS PARKWAY | 0.49 | 100% | \$ 4,712,977 | \$ 4,712,977 |
| | C-6 | 4 LANE MINOR ARTERIAL | GREENS PRAIRIE ROAD | 820' W OF W'S PHILLIPS PARKWAY TO ARRINGTON ROAD | 1.43 | 100% | \$ 10,550,324 | \$ 10,550,324 |
| | C-7 | 4 LANE MINOR ARTERIAL | GREENS PRAIRIE ROAD | WELLBORN ROAD TO 1290' E OF CREEK MEADOW BOULEVARD N | 1.27 | 100% | \$ 8,918,740 | \$ 8,918,740 |
| | C-8 | 4 LANE MAJOR ARTERIAL | TOWERS PARKWAY | ROCK PRAIRIE ROAD W TO WELLBORN ROAD | 1.00 | 100% | \$ 10,030,680 | \$ 10,030,680 |
| | C-9 | 4 LANE MAJOR ARTERIAL - TxDOT | WELLBORN ROAD | CAPSTONE DRIVE TO 540' S OF GREENS PRAIRIE ROAD | 2.36 | 100% | \$ 2,407,328 | \$ 2,407,328 |
| | C-10 | 4 LANE MINOR ARTERIAL (1/2) | W'S PHILLIPS PARKWAY | BARRON ROAD TO GREENS PRAIRIE ROAD | 1.31 | 100% | \$ 5,844,160 | \$ 5,844,160 |
| | C-11 | 4 LANE MINOR ARTERIAL (50%) | W'S PHILLIPS PARKWAY | GREENS PRAIRIE ROAD TO ARRINGTON ROAD | 1.55 | 100% | \$ 7,311,480 | \$ 7,311,480 |
| | C-12 | 4 LANE MINOR ARTERIAL (50%) | ROYDER ROAD EXTENSION | 1-GN ROAD TO WELLBORN ROAD | 0.22 | 100% | \$ 3,360,000 | \$ 3,360,000 |
| | C-13 | 4 LANE MINOR ARTERIAL | ROYDER ROAD | WELLBORN ROAD TO 885' S OF GREENS PRAIRIE ROAD | 1.03 | 100% | \$ 7,686,614 | \$ 7,686,614 |
| | C-14 | 2 LANE MAJOR COLLECTOR | VICTORIA AVENUE | SOUTHERN PLANTATION DRIVE TO WILLIAM D. FITCH PARKWAY | 0.48 | 100% | \$ 1,973,927 | \$ 1,973,927 |
| 9 | | | | GRAHAM ROAD AND VICTORIA AVENUE | 0.00 | 100% | \$ 350,000 | \$ 350,000 |
| 10 | | | | BARRON ROAD AND ALEXANDRIA AVENUE | 0.00 | 100% | \$ 320,994 | \$ 320,994 |
| 11 | | | | BARRON ROAD AND DECATUR DRIVE | 0.00 | 100% | \$ 350,000 | \$ 350,000 |
| 12 | | | | BARRON ROAD AND LONGMIRE DRIVE | 0.00 | 100% | \$ 350,000 | \$ 350,000 |
| 13 | | | | LONGMIRE DRIVE AND EAGLE AVENUE | 0.00 | 100% | \$ 350,000 | \$ 350,000 |
| 14 | | | | WILLIAM D. FITCH PARKWAY AND VICTORIA AVENUE SIGNAL | 0.00 | 100% | \$ 816,249 | \$ 816,249 |
| Service Area Project Roadway Cost Subtotal | | | | | | | \$ 75,695,821 | |
| Service Area Project Intersection Cost Subtotal | | | | | | | \$ 2,537,243 | |
| 2021 Roadway Impact Fee Study Cost Per Service Area | | | | | | | \$ | \$ 17,500 |
| Total Cost in SERVICE AREA C | | | | | | | \$ | \$ 78,250,564 |

Note: The 10-Year Roadway Impact Fee CIP is not in a prioritized order. These are planning level cost projections.



10-Year Roadway Impact Fee Capital Improvements Plan—Service Area D

| Service Area | Proj. # | Class | Roadway | Limits | Length (mi) | % In Service Area | Total Project Cost | Cost in Service Area |
|---|----------|-----------------------------|-------------------------|---|-------------|-------------------|--------------------|----------------------|
| D | A-5, D-1 | 4 LANE MAJOR ARTERIAL (1/2) | ROCK PRAIRIE ROAD | SH 6 NBFR TO STONEBROOK DRIVE | 0.41 | 50% | \$ 2,164,000 | \$ 1,082,000 |
| | A-6, D-2 | 4 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | STONEBROOK DRIVE TO TOWN LAKE DRIVE | 0.59 | 50% | \$ 5,136,000 | \$ 2,568,000 |
| | D-3 | 4 LANE MAJOR ARTERIAL | ROCK PRAIRIE ROAD | TOWN LAKE DRIVE TO WILLIAM D. FITCH PARKWAY | 1.89 | 100% | \$ 17,245,000 | \$ 17,245,000 |
| | D-4 | 4 LANE MINOR ARTERIAL | MIDTOWN DRIVE | MEDICAL AVENUE TO 990' E OF MEDICAL AVENUE | 0.19 | 100% | \$ 1,028,820 | \$ 1,028,820 |
| | D-5 | 4 LANE MINOR ARTERIAL (1/2) | MIDTOWN DRIVE | 990' E OF MEDICAL AVENUE TO 800' S OF TOWN LAKE DRIVE | 0.43 | 100% | \$ 4,535,000 | \$ 4,535,000 |
| | D-6 | 2 LANE MAJOR COLLECTOR | MIDTOWN DRIVE | 800' S OF TOWN LAKE DRIVE TO 2605' S OF CORPORATE PARKWAY | 0.98 | 100% | \$ 5,374,808 | \$ 5,374,808 |
| | D-7 | 2 LANE MAJOR COLLECTOR | DURHAM DRIVE | MIDTOWN DRIVE TO ROCK PRAIRIE ROAD | 0.4 | 100% | \$ 981,960 | \$ 981,960 |
| | A-7, D-8 | 4 LANE MAJOR ARTERIAL | BIRD POND ROAD | ROCK PRAIRIE ROAD TO 1055' E OF ROCK PRAIRIE ROAD | 0.2 | 50% | \$ 1,758,000 | \$ 879,000 |
| | D-9 | 4 LANE MINOR ARTERIAL (50%) | TOWN LAKE DRIVE | SH 6 NBFR TO MIDTOWN DRIVE | 0.37 | 100% | \$ 1,753,000 | \$ 1,753,000 |
| | D-10 | 2 LANE MAJOR COLLECTOR | CORPORATE PARKWAY | SH 6 NBFR TO MIDTOWN DRIVE | 0.26 | 100% | \$ 1,436,192 | \$ 1,436,192 |
| | D-11 | 2 LANE MAJOR COLLECTOR | CORPORATE PARKWAY | MIDTOWN DRIVE TO WILLIAM D. FITCH PARKWAY | 1.21 | 100% | \$ 9,894,000 | \$ 9,894,000 |
| | D-12 | 4 LANE MINOR ARTERIAL (1/2) | PEBBLE CREEK PARKWAY | ROYAL ADELADE DRIVE TO ST ANDREWS DRIVE | 0.38 | 100% | \$ 2,137,000 | \$ 2,137,000 |
| | D-13 | 4 LANE MINOR ARTERIAL (50%) | PEBBLE CREEK PARKWAY | ST ANDREWS DRIVE TO 275' S OF LONE STAR LANE | 1.96 | 100% | \$ 9,181,000 | \$ 9,181,000 |
| | D-14 | 2 LANE MAJOR COLLECTOR | LAKESIDE DRIVE | 1645' S OF GATEWAY BOULEVARD TO SH 6 NBFR | 1.02 | 100% | \$ 2,635,080 | \$ 2,635,080 |
| | D-15 | 2 LANE MAJOR COLLECTOR | MATHER PARKWAY | NANTUCKET DRIVE TO 1920' S OF NANTUCKET DRIVE | 0.36 | 100% | \$ 882,000 | \$ 882,000 |
| | D-16 | 4 LANE MINOR ARTERIAL (50%) | NANTUCKET DRIVE | SH 6 NBFR TO PEBBLE CREEK PARKWAY | 1.22 | 100% | \$ 5,877,000 | \$ 5,877,000 |
| | D-17 | 2 LANE MAJOR COLLECTOR | NANTUCKET DRIVE | PEBBLE CREEK PARKWAY TO SOUTHERN POINTE PARKWAY | 1.2 | 100% | \$ 3,083,220 | \$ 3,083,220 |
| | D-18 | 4 LANE MINOR ARTERIAL (50%) | SOUTHERN POINTE PARKWAY | 205' W OF PIPELINE ROAD TO 280' E OF NANTUCKET DRIVE | 0.87 | 100% | \$ 3,902,000 | \$ 3,902,000 |
| Service Area Project Roadway Cost Subtotal | | | | | | | \$ 74,475,080 | |
| Service Area Project Intersection Cost Subtotal | | | | | | | \$ - | |
| 2021 Roadway Impact Fee Study Cost Per Service Area | | | | | | | \$ 17,500 | |
| Total Cost in SERVICE AREA D | | | | | | | \$ 74,492,580 | |

Note: The 10-Year Roadway Impact Fee CIP is not in a prioritized order.
These are planning level cost projections.

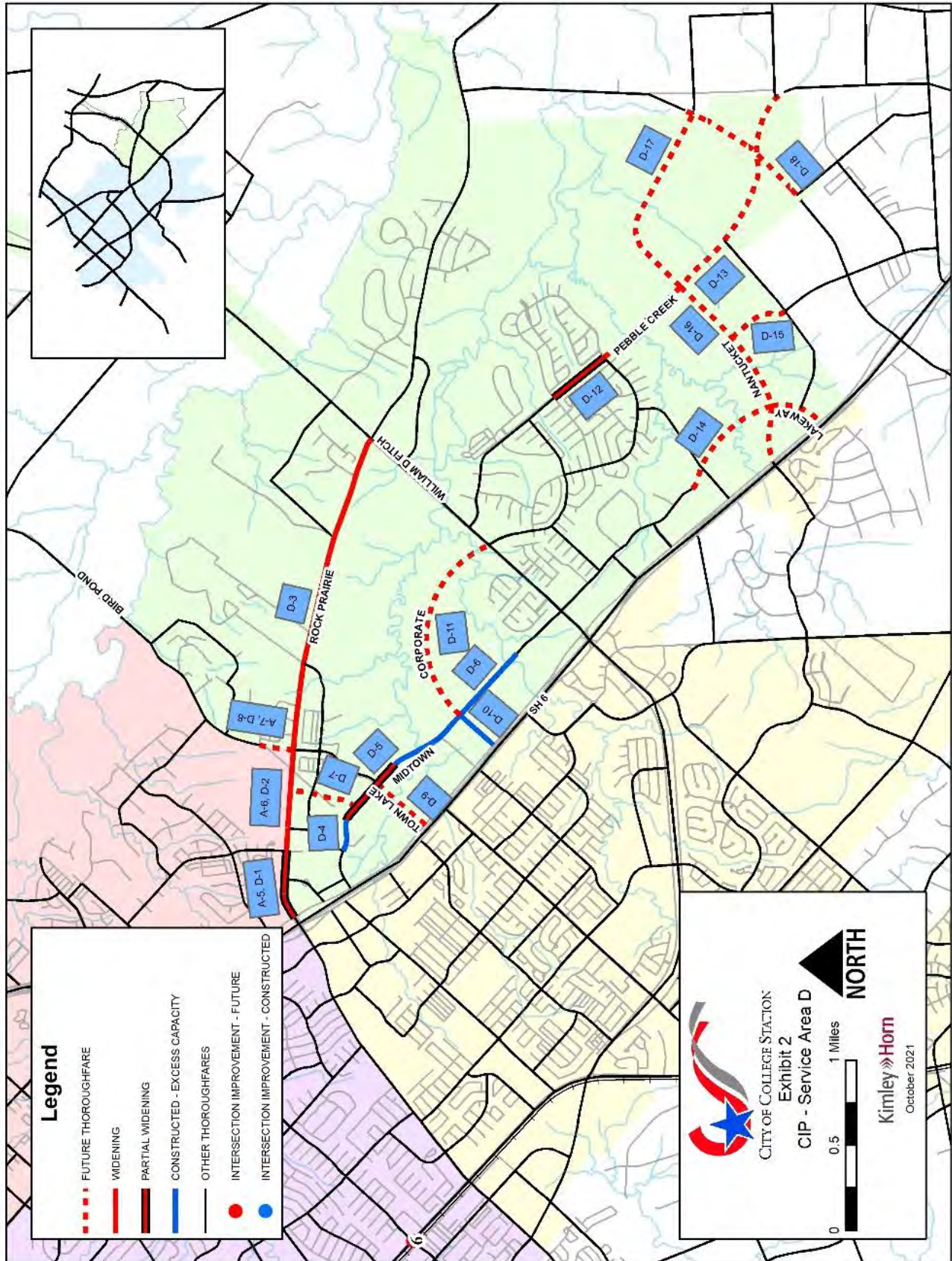


Exhibit R: Maximum Fee Per Service Unit for Roadway Impact Fees

| Service Areas | Maximum Assessable Roadway Impact Fee Per Service Unit | |
|----------------|---|---|
| | Final Plat Recorded Prior to 01/01/2022 | Final Plat Recorded On or After 01/01/2022 |
| Service Area A | \$ 1,061 | \$ 499 |
| Service Area B | \$ 1,072 | \$ 1,261 |
| Service Area C | \$ 2,556 | \$ 2,127 |
| Service Area D | \$ 4,004 | \$ 3,452 |

Exhibit S: Collection Rate Per Service Unit for Roadway Impact Fees

| Date of building permit application | On or After 12/1/2018 | |
|---|-----------------------|-----------------|
| Service Areas | Land Use Type | |
| | Residential | Non-Residential |
| A | \$375.00 | \$80.00 |
| B | \$375.00 | \$80.00 |
| C | \$375.00 | \$80.00 |
| D | \$375.00 | \$80.00 |

That Chapter 107, “Impact Fees,” Article II, “System-wide Impact Fees,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to add Section 107-74, “Update of Plan and Revision of Fees” as follows:

Sec. 107-74 - Update of plan and revision of fees.

- (a) The City shall update its land use assumptions and capital improvements plans at least every five (5) years, commencing approximately from the date of adoption of such plans, and shall recalculate the impact fees based thereon in accordance with the procedures set forth in Chapter 395 of the Texas Local Government Code, or in any successor statute.
- (b) The City may review its land use assumptions, impact fees, capital improvements plans and other factors such as market conditions more frequently than provided in subsection (a) to determine whether the land use assumptions and capital improvements plans should be updated and the impact fee recalculated accordingly, or whether the maximum allowable or assessable impact fees as set out in Exhibits H-1 and H-2, M-1 and M-2, or R herein, or the imposed impact fees or collection rates set out in Exhibits I, N, or S herein should be changed. Imposed impact fees or collection rates may be amended without revising land use assumptions and capital improvements plans at any time prior to the update provided for in subsection (a), provided that the impact fees to be collected do not exceed the maximum allowable or assessable impact fees assessed.
- (c) If, at the time an update is required pursuant to subsection (a), the City Council determines that no change to the land use assumptions, capital improvements plan or impact fee is needed, it may dispense with such update by following the procedures in Texas Local Government Code § 395.0575.
- (d) The City may amend by resolution the imposed impact fees or collection rates set out in Exhibits I, N, or S herein, at any time prior to the update provided for in subsection (a), provided that the number of service units associated with a particular land use shall not be increased.

ORDINANCE NO. 2021-4316

AN ORDINANCE AMENDING CHAPTER 107, "IMPACT FEES," ARTICLE II, "SYSTEM-WIDE IMPACT FEES," SECTION 107-71, "SYSTEM-WIDE IMPACT FEES FOR WATER SERVICES", SECTION 107-72, "SYSTEM-WIDE IMPACT FEES FOR WASTEWATER COLLECTION AND TREATMENT SERVICES", AND SECTION 107-73, "SYSTEM-WIDE ROADWAY IMPACT FEES" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO WATER, WASTEWATER, AND ROADWAY IMPACT FEE COLLECTION RATES; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1:** That Chapter 107, "Impact Fees," Article II, "System-Wide Impact Fees," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit "A"** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance will be effective January 1, 2022.

PASSED, ADOPTED and APPROVED this 22nd day of November, 2021.

ATTEST:



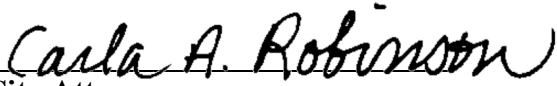
City Secretary

APPROVED:



Mayor

APPROVED:



City Attorney

EXHIBIT A

That Chapter 107, “Impact Fees,” Article II, “System-Wide Impact Fees,” Section 107-71, “System-Wide Impact Fees for Water Services,” Section 107-72, “System-Wide Impact Fees for Wastewater Services,” and Section 107-73, “System-Wide Roadway Impact Fees” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to replace Exhibit I, “Collection Rate Imposed Per Service Unit for System-Wide Water Services”, Exhibit N, “Collection Rate Imposed Per Service Unit for System-Wide Wastewater Collection and Treatment Services, and Exhibit S, “Collection Rate Per Service Unit for Roadway Impact Fees” as follows:

Exhibit I: Collection Rate Imposed Per Service Unit for System-Wide Water Services

| Water Meter Size | Building Permit Application Date | | |
|------------------|----------------------------------|------------------------|-----------------|
| | Residential | | Non-Residential |
| | 12/01/2017 - 02/28/2022 | On or After 03/01/2022 | As of 12/1/2017 |
| 5/8" x 3/4" | \$500 | \$550 | \$500 |
| 1" | \$850 | \$935 | \$850 |
| 1-1/2" | \$5,350 | \$5,885 | \$5,350 |
| 2" | \$5,350 | \$5,885 | \$5,350 |
| 3" | \$13,350 | \$14,685 | \$13,350 |
| 4" | \$26,650 | \$29,315 | \$26,650 |
| 6" | \$53,350 | \$58,685 | \$53,350 |
| 8" | \$90,000 | \$99,000 | \$90,000 |
| 10" | \$133,350 | \$146,685 | \$133,350 |

Exhibit N: Collection Rate Imposed Per Service Unit for System-Wide Wastewater Collection and Treatment Services

| Water Meter Size | Building Permit Application Date | | |
|------------------|----------------------------------|------------------------|-----------------|
| | Residential | | Non-Residential |
| | 12/01/2017 - 02/28/2022 | On or After 03/01/2022 | As of 12/1/2017 |
| 5/8" x 3/4" | \$3,000 | \$3,300 | \$3,000 |
| 1" | \$5,100 | \$5,610 | \$5,100 |
| 1-1/2" | \$16,050 | \$17,655 | \$16,050 |
| 2" | \$16,050 | \$17,655 | \$16,050 |
| 3" | \$40,050 | \$44,055 | \$40,050 |
| 4" | \$79,950 | \$87,945 | \$79,950 |
| 6" | \$160,050 | \$176,055 | \$160,050 |
| 8" | \$270,000 | \$297,000 | \$270,000 |
| 10" | \$400,050 | \$440,055 | \$400,050 |

Exhibit S: Collection Rate Per Service Unit for Roadway Impact Fees

| Service Areas | Building Permit Date | | | |
|---------------|-------------------------|-----------------|------------------------|-----------------|
| | 12/01/2018 - 02/28/2022 | | On or After 03/01/2022 | |
| | Land Use Type | | Land Use Type | |
| | Residential | Non-Residential | Residential | Non-Residential |
| A | \$375 | \$80 | \$438.83 | \$80 |
| B | \$375 | \$80 | \$438.83 | \$80 |
| C | \$375 | \$80 | \$438.83 | \$80 |
| D | \$375 | \$80 | \$438.83 | \$80 |