



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** City Manager's Office

**CM/ DCM/ ACM:** Mario Canizares

**DATE:** March 20, 2018

### **SUBJECT**

Consider approval of an ordinance creating a capital improvements advisory committee pursuant to Texas Local Government Code §395.058 as a requirement before authorizing impact fees; appointing the Planning and Zoning Commission members as members of the Capital Improvements Advisory Committee; providing for the appointment of one additional ad hoc member the Capital Improvements Advisory Committee from the Extraterritorial jurisdiction of the City of Denton, Texas; providing for the adoption of procedural rules for the Capital Improvements Advisory Committee to follow in performing out its duties; and providing for an effective date.

### **BACKGROUND**

Denton collects impact fees on all new water and wastewater connections to help offset a portion of the cost of new infrastructure to accommodate new demand. Under Chapter 395 of the Local Government Code, Denton must update the land use assumptions and capital improvements plans used to calculate its impact fees every five years. Denton completed its last impact fee study and update in 2013.

As part of the update process, Chapter 395 requires appointment of a Capital Improvements Advisory Committee to review and comment on land use assumptions, capital improvements plans, and proposed impact fees. The next step in the update process required by Chapter 395 is to appoint the Capital Improvements Advisory Committee which is charged with advising and assisting in adopting land use assumptions, reviewing the proposed capital improvements plans for water and wastewater, monitor the implementation of the capital improvements plan, and advise on the need to update impact fees.

Section 395.058 of the Local Government Code allows for the Planning & Zoning Commission (P&Z) plus a representative of the ETJ (Extra Territorial Jurisdiction) to serve as the Capital Improvements Advisory Committee. Since the first implementation of the water/wastewater impact fees in 1998 and the subsequent 5-year mandated updates in 2003, 2008 and 2013, the P&Z plus one member from the ETJ has been appointed by the City Council to serve as the Capital Improvements Advisory Committee. Staff is recommending that the Council appoint the Planning and Zoning Commission plus one additional member to represent the City of Denton ETJ interests.

Staff further recommends that Robin Harris, P.E. be appointed to serve as the ETJ member on the Advisory Committee. Robin is a licensed Professional Engineer in Texas and an Associate in the consulting firm Teague Nall & Perkins in the Denton office. Robin has been involved in several water and wastewater design projects for Denton over the years, with the most recent one being the Fort Worth Drive Utility Relocation project. Robin will bring the technical expertise to the Capital Improvements Advisory Committee in evaluating the impact fee study results. His knowledge of the city and ETJ area as well as his understanding of the issues facing Denton will bring valuable insight to the impact fee process.

Once complete, the updated study and proposed impact fees will be also be presented to the Public Utilities Board for review and an impact fee adoption recommendation to the City Council.

### **ESTIMATED SCHEDULE OF PROJECT**

Based on the proposed schedule, the impact fee adoption public hearing is slated for the September 18, 2018 City Council meeting.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

September 25, 2017- PUB approved the contract with Kimley Horn Associates for update of the impact fees.

### **FISCAL INFORMATION**

The Kimley Horn contract was approved for \$91,400 and funded from the revenue funds allocated for the study in the water and wastewater budgets.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area: Public Infrastructure**

**Related Goal: 2.3 Promote superior utility services and City facilities**

### **EXHIBITS**

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance

Respectfully submitted:  
Kenneth Banks.  
General Manager of Utilities