

ORDINANCE NO. 2021-1

AN ORDINANCE, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAGINAW, TEXAS, CHAPTER 43: WATER AND SANITARY SEWER IMPACT FEES BY REVISING WATER AND SANITARY SEWER IMPACT FEES ON NEW LAND DEVELOPMENT OR REDEVELOPMENT IN THE CITY LIMITS OF THE CITY OF SAGINAW, TEXAS; UPDATING LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PLANS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw currently provides public water facilities that serve land within its City limits; and

WHEREAS, the City is committed to providing public water facilities and minimum levels of service by utilizing funds allocated in the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein; and

WHEREAS, the City Council of the City of Saginaw, Texas previously has approved Land Use Assumptions and Capital Improvements Plans and adopted water and sanitary sewer impact fees by Ordinance No. 2001-05, adopted February 6, 2001, subsequently amended by Ordinance No. 2006-02, adopted February 7, 2006; subsequently amended by Ordinance No. 2011-21, adopted September 20, 2011; and subsequently amended by Ordinance No. 2016-13, adopted November 1, 2016; and

WHEREAS, the City Council has appointed a Capital Improvements Advisory Committee to advise the City Council concerning amendments to land use assumptions, impact fee capital improvements plans and impact fees for water and sanitary sewer facilities; and

WHEREAS, the City Council finds that in all things the City has complied with Chapter 395 of the Texas Local Government Code in the notice, adoption, promulgation and methodology necessary to adopt impact fees; and

WHEREAS, the City has retained consultants to prepare and/or update land use assumptions, capital improvements plans, and impact fees for water facilities; and

WHEREAS, the Capital Improvements Advisory Committee has made its recommendations to the City Council to update and replace Exhibit A, "Meter Equivalency Table," Exhibit B, "Land Use Assumptions, Water Capital Improvement Plan, Sanitary Sewer Capital Improvement Plan" and Exhibit C, "Maximum Assessed Water and Sanitary Sewer Impact Fees for Saginaw and Combined Water and Sanitary Sewer Impact Fees for Saginaw and Fort Worth," for collecting impact fees originally adopted by Ordinance No. 2001-05, adopted February 6, 2001, subsequently amended by Ordinance No. 2006-02, adopted February 7, 2006, subsequently amended by Ordinance No. 2011-21, adopted September 20, 2011; and subsequently amended by Ordinance No. 2016-13, adopted November 1, 2016 and

WHEREAS, the adoption of impact fees and the periodic updates and amendments to the adopted ordinance are intended to ensure the availability of adequate water facilities in order to

serve new development consistent with the policies in the City's Comprehensive Plan and development regulations; and

WHEREAS, to the extent that such new development places demands upon the public infrastructure, finding that those demands should be satisfied by partially shifting responsibility for financing the provision of such facilities from the public at large to the development actually creating the demands for them; and

WHEREAS, the City Council, after careful consideration of the matter, hereby finds and declares that impact fees imposed upon residential, commercial and industrial development to finance specified major public facilities in designated service areas, the demand for which is created by such development, are in the best interest of the general welfare of the City and its residents, are equitable, and do not impose an unfair burden on such development; and

WHEREAS, this ordinance is intended to and satisfies the statutory requirements for adoption of land use assumptions, capital improvements plans and impact fees.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

SECTION 1.

That Exhibit A, "Meter Equivalency Table," Exhibit B, "Land Use Assumptions, Water Capital Improvement Plan, Sanitary Sewer Capital Improvement Plan" and Exhibit C, "Maximum Assessed Water and Sanitary Sewer Impact Fees for Saginaw and Combined Water and Sanitary Sewer Impact Fees for Saginaw and Fort Worth," attached hereto, are hereby adopted and shall replace Exhibits A, B and C attached to Ordinance No. 2016-13, adopted November 1, 2016, codified in Chapter 43 of the Saginaw City Code.

SECTION 2.

CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of ordinances of the City of Saginaw, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Ordinance No. 2001-05, as amended by Ordinance No. 2006-02, Ordinance No. 2011-21 and Ordinance No. 2016-13, shall remain applicable to the assessment and collection of impact fees on properties that are not subject to the assessment and collection of impact fees under this Ordinance.

SECTION 3.

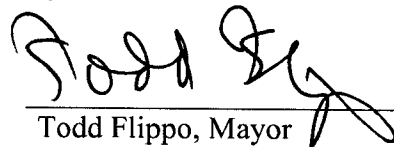
SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

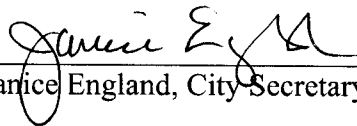
SECTION 5.

EFFECTIVE DATE This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON this the 5th day of January, 2021.



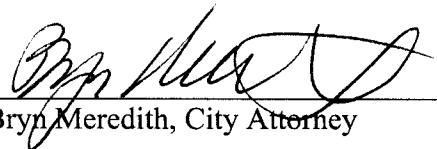
Todd Flippo, Mayor

ATTEST: 

Janice England, City Secretary

EFFECTIVE: 1-05-2021

APPROVED AS TO FORM AND LEGALITY:



Bryn Meredith, City Attorney

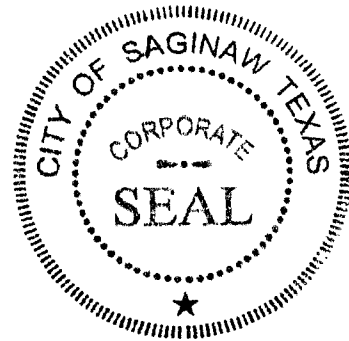


EXHIBIT A**Meter Equivalency Table 6**

Meter Size/Type	Service Unit Equivalent	Maximum Assessable Impact Fee (\$)
3/4" displacement	1.0	\$531
1" displacement	1.7	\$903
1-1/2" displacement	3.3	\$1,753
2" displacement	5.3	\$2,815
2" compound	5.3	\$2,815
2" turbine	5.3	\$2,815
3" compound	11.7	\$6,213
3" turbine	11.7	\$6,213
4" compound	20.0	\$10,620
4" turbine	21.0	\$11,151
6" compound	45.0	\$23,895
6" turbine	43.3	\$22,993
8" compound	53.3	\$28,303
8" turbine	93.3	\$49,543
10" turbine	140.0	\$74,340
Data Sources: American Water Works Association (AWWA) C-700-15, C-701-15 and C-702-15.		

EXHIBIT B

Land Use Assumptions Water Capital Improvement Plan

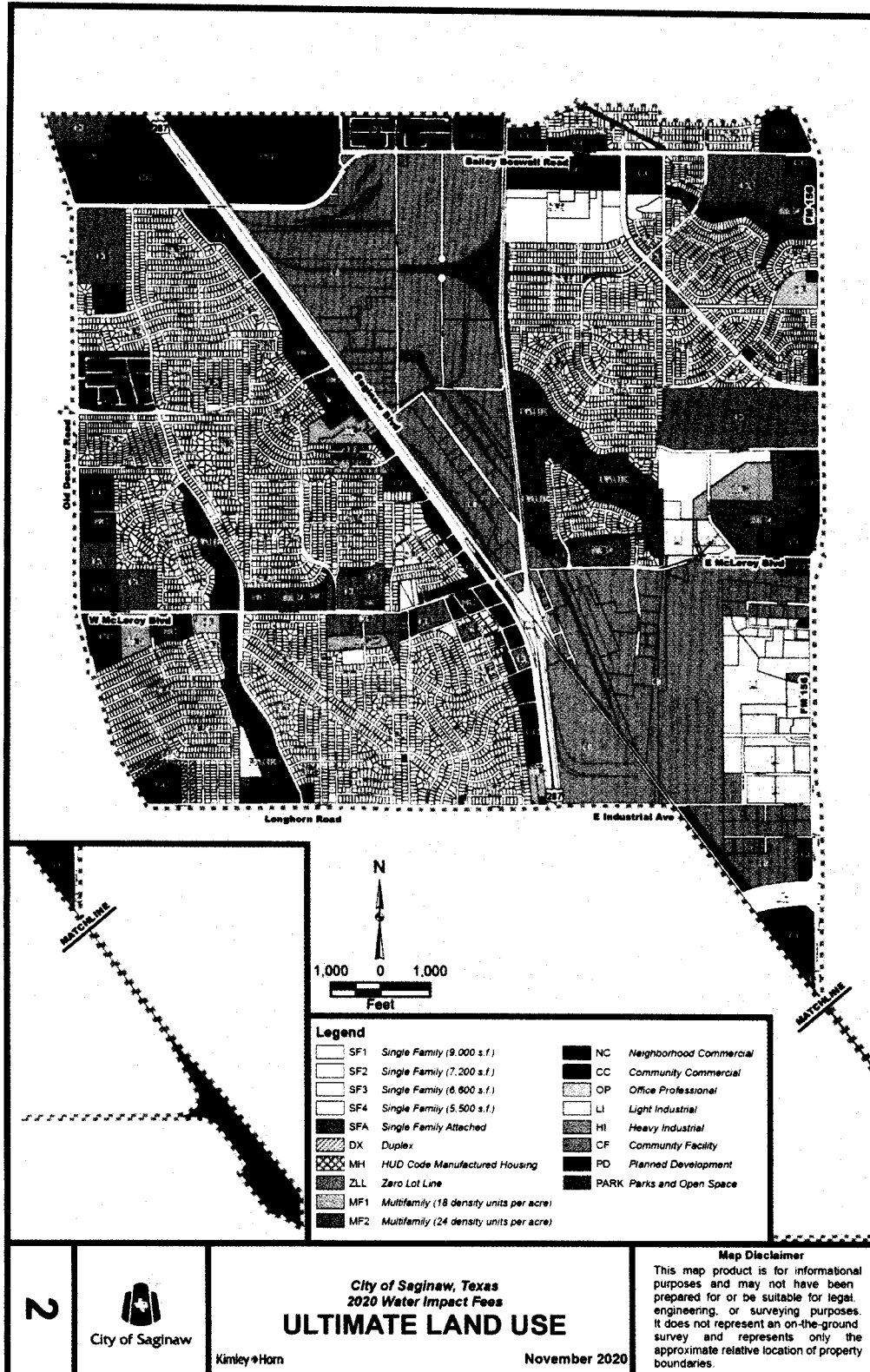


EXHIBIT B

Land Use Assumptions Water Capital Improvement Plan

Project Number	Description	2020 Required Capacity (Percent Utilization)	2030 Required Capacity (Percent Utilization)	2020-2030 Required Capacity (Percent Utilization)	2030 Projected Recoverable Cost	Total Project Cost
Existing						
1	SAGINAW BLVD 12" WATER LINE PH. 1	64%	82%	18%	\$95,148	\$529,614
2	JARVIS RD. 1.5 MG ELEVATED STORAGE TANK	77%	88%	12%	\$282,290	\$2,421,600
3	JARVIS RD. 16" WATER LINE (AND 12" WATER LINE ON BAILEY BOSWELL)	64%	82%	18%	\$111,807	\$622,339
4	SAGINAW BLVD. AND HAMPSHIRE ST. WATER LINE IMPROVEMENTS	64%	82%	18%	\$121,135	\$674,262
5	2020 WATER IMPACT FEE UPDATE	0%	100%	100%	\$15,500	\$15,500
Existing Subtotal					\$625,880	\$4,263,315
Proposed						
1	SAGINAW BLVD 16" WATER LINE PH. 2	0%	82%	82%	\$912,986	\$1,111,923
2	W. McLEROY 12" WATER LINE PH. 2	0%	82%	82%	\$266,854	\$325,000
3	NORTHWEST BOOSTER PUMP STATION	0%	100%	100%	\$462,500	\$462,500
4	FORT WORTH METER STATION UPGRADE	77%	88%	12%	\$29,143	\$250,000
Proposed Subtotal					\$1,671,483	\$2,149,423
Total					\$2,297,363	\$6,412,738

EXHIBIT C

Maximum Assessed Water and Sanitary Sewer Impact Fees for Saginaw and Combined Water and Sanitary Sewer Impact Fees for Saginaw and Fort Worth

Size	Maximum Assessable Water Impact Fee (\$)		
	Fort Worth	Saginaw	Total*
3/4" displacement	\$2,637	\$531	\$3,168
1" displacement	\$4,396	\$903	\$5,299
1-1/2" displacement	\$8,791	\$1,753	\$10,544
2" displacement	\$14,066	\$2,815	\$16,881
2" compound	\$14,066	\$2,815	\$16,881
2" turbine	\$14,066	\$2,815	\$16,881
3" compound	\$38,242	\$6,213	\$44,455
3" turbine	\$38,242	\$6,213	\$44,455
4" compound	\$65,934	\$10,620	\$76,554
4" turbine	\$65,934	\$11,151	\$77,085
6" compound	\$140,660	\$23,895	\$164,555
6" turbine	\$140,660	\$22,993	\$163,653
8" compound	\$246,155	\$28,303	\$274,458
8" turbine	\$246,155	\$49,543	\$295,698
10" turbine	\$369,233	\$74,340	\$443,573

*Total includes current City of Fort Worth Impact Fees.