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CITY OF CLEBURNE
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
MINUTES OF THE FEBRUARY 24, 2020 MEETING**

The Capital Improvements Advisory Committee of the City of Cleburne held a Public Meeting on Monday, February 24th, 2020, at 6:35 p.m. in the Council Chambers of City Hall located at 10 N. Robinson.

COMMITTEE MEMBERS PRESENT:

Dena Day - Chairwoman
Albert Archer, Sr. – Vice Chairman
Stephanie Philips
Summerly Sherlock
Robert Walker
John Finnell-ETJ Representative

COMMITTEE MEMBERS ABSENT:

CITY STAFF PRESENT:

Fritz Quast, City Attorney
Cheryl Taylor, Director of Engineering
Danielle Castillo, P&Z Coordinator
Colt Friedrich, Project Engineer
Leland Peffley, Engineering Tech

CITY STAFF ABSENT:

Willie Stevenson, Building Official
Shane Pace, Director of Community Development

CALL TO ORDER:

The meeting was called to order by Chairwoman Day at 6:43 p.m. It was established that a quorum was present.

APPROVAL OF MINUTES:

The minutes of July 8, 2019 were considered.

Vice Chairman Archer made a motion to approve the minutes of July 8, 2019 and they were seconded by Commissioner Sherlock. **The motion to approve the minutes carried by a vote of 6-0.**

Overview

To consider acceptance of the semi-annual report for City Council, year-end 2019, as to the progress of the Capital Improvement Plan of the City of Cleburne water, wastewater, and roadway impact fees ordinance OR02-2018-10 adopted February 13, 2018. Presented by Cheryl Taylor.

Section 1
Impact Fee Basics

1. Chapter 158: Impact Fees Code of Ordinances

- a. Ordinance OR02-2018-10 adopted February 13, 2018
- b. Assures the provision of adequate public facilities for water, wastewater and roadway facilities to serve new development by requiring each such development to pay its share of the costs of such improvements necessitated by and attributable to such new development.
- c. Impact Fees, included in the city's Code of Ordinances for program administration.

2. One Year Exemption

- a. Properties that received final plat approval before February 13, 2018 were not assessed impact fees if a valid building permit was issued within a year of the effective date of the ordinance.
- b. Effective February 14, 2019 the City of Cleburne began collecting roadway, water and wastewater impact fees for all new building permits prior to connection to the system.

Section 2
Role as a committee

1. Advise and assist in Land Use Assumptions.
2. Review the Impact Fee CIP.
3. File written Comments.
4. Advise the need to update or revise Land use Assumptions, Impact Fee CIP, and Impact Fees.
(1-4 has been completed prior to the adoption of the ordinance by the City)
5. Submit to City Council a semi-annual report evaluating the progress of the city in achieving the CIP and identify any problems in implementing the plan or administering the impact fees.

Cheryl explained that the first four roles of the committee have been previously completed and the current role is to provide updates to City Council concerning the amount of money collected and spent; to which none of the impact fee money has been spent thus far.

Section 3
Roadway Impact Fees

1. Roadway Service Areas

- a. Confined to city limits.
- b. Service areas up to 6-mile diameter.
- c. Structured for future annexation by city.
- d. Fees must be spent in the service area in which they are captured.

A map of the nine roadway service areas was presented. Cheryl explained that impact fees collected could only be spent in the service area that they are collected, only on projects listed in the Impact Fee CIP and that the roadway service areas are structured for future annexation. It was also explained that impact fees are not intended to fully cover the cost of these projects and that additional funding would be required from other sources.

2. Roadway Impact Fee CIP

- a. A chart was provided showing the nine service areas and the intended projects in each area.

3. Roadway Impact Fee Fund Activity (Year-End 2019)

- a. A table was shown representing the Roadway Impact Fee Fund Activity for 2019 broken down by the roadway service areas. The Amount of roadway impact fees collected for each roadway service area was shown in the corresponding roadway service column.
- b. Year-end 2019 Revenues and ending balance total \$306,962.83, not including interest.

A question was asked by Vice Chairman Archer concerning whether that amount was the amount paid, and it was explained that the balance shown, is the total amount that has been paid in roadway impact fees for 2019.

Section 4

Water and Wastewater

1. Maps

- a. Water Service Area
- b. Wastewater Service Area

Cheryl explained that unlike roadway service areas the water and sewer are not required to be within the city limits. Water and sewer are able to extend outside of the city limits to include properties that the city is able to provide with water and sewer.

3. Water Impact Fee CIP

- a. A chart was provided showing the service area and the intended projects.

4. Wastewater Impact Fee CIP

- a. A chart was provided showing the service area and the intended projects.

5. Water & Wastewater Impact Fee Fund Activity (Year-End 2019)

- a. A table was provided that showed the total amount of impact fees collected for water and wastewater broken into corresponding columns.
- b. The total amount of impact fees collected for water and wastewater for year-end 2019 was \$542,825.20.

6. Summary of Impact Fees Collected to Date – Conclusion of Report to the Committee

A question was asked by Commissioner Walker whether there were any past due impact fees. Cheryl Taylor explained there are not any past due impact fees.

A second question was asked by Vice Chairman Archer as to whether there were any situations in which an impact fee is waived. Cheryl stated that impact fees cannot be waived, however the property can be exempted if there was a structure or utility account for the property previously.

A third question was asked by Commissioner Finnell on whether there are any circumstances impact fees had been reimbursed or if all the fees collected had been put back towards development in their respective areas. Cheryl stated that none of the fees collected had been used as they can only be used on the projects listed for that impact fee type and not towards development. Chairwoman Day also explained that impact fees cannot be refunded or returned, and are simply held for future projects for that specific service area.

7. Additional Data Requested by CIAC

- a. A chart was shown with additional data requested by the CIAC last meeting. This chart showed the amount of building permits, water meters, and wastewater taps for May 31, 2019 to December 31, 2019. Impact fee reimbursements from 380 agreements were also shown, with \$0 reimbursed.
- b. A second chart showed the total amount of water connections, wastewater connections, and building permits per month, by year for the years of 2017, 2018 and 2019.

Cheryl noted that the numbers do not correlate with amount of impact fees collected.

8. Draft Report

A draft CIAC Report was provided to the committee to provide to the City Council. It was explained that this report could be revised by the committee members or sent to the city council as written. It was also explained to the committee that the report was representative of, and contained the same information as the slides shown to the committee during this meeting.

Commissioner Walker asked a question regarding roadway impact fees and the 6-mile diameter. Cheryl explained that the size of the city allows for more service areas that are set to a maximum size and that the original study to determine this size was done in previous years with previous staff.

Commissioner Sherlock asked whether the committee would be notified about developers deciding not to proceed with development due to the cost of impact fees. Cheryl explained that the committee would not usually hear about this as many developers who decide not develop due to costs would not formally submit any paperwork.

Vice Chairman Archer asked about infill lots and how their impact fees will be affected. Cheryl explained that City Council passed an ordinance that allows for infill lots to be reimbursed up to \$4,000 from the General Fund for impact fees on a case-by-case basis and determined by City Council. It was also explained that there are certain requirements for the refund to be given to the infill lots.

Commissioner Walker asked a question regarding whether most infill lots already have service provided by the City. It was explained that generally, yes, most infill lots do have service, however this is not always the case.

Vice Chairman Archer called for a motion to adopt the semi-annual, year-end 2019 CIP Report for the water/wastewater and roadway impact fees as presented by staff. Robert Walker seconded the motion. The motion to accept carried by a vote **6-0**.

THERE BEING NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:02 P.M.