



CITY COUNCIL COMMUNICATION

September 9, 2008

SUBJECT: Receipt of Verification of Maximum Impact Fees and Authorize Mayor to Certify Compliance to the Attorney General

SUBMITTED BY: Ron Young, Director of Public Works

REFERENCE NO:

ACTION REQUESTED:

Receive verification of the maximum impact fees for water and sanitary sewer and authorize the Mayor to certify to the Attorney General that the impact fees of the City of Euless comply with state law.

ALTERNATIVES:

- Approve the request
- Deny the request
- Table

SUMMARY OF SUBJECT:

The 77th Texas Legislature passed Senate Bill 243, which made changes concerning the calculation and collection of impact fees by cities. Senate Bill 243 modifies the formula used to calculate the maximum impact fees for water and sanitary sewer and contains a provision that the mayor of cities that impose impact fees must submit a written certification to the Attorney General verifying compliance.

The consulting engineer that calculated the maximum impact fees was asked to review the impact fees based on the requirements of Senate Bill 243. By letter dated August 24, 2001, the consulting engineer verified that the maximum impact fees remained unchanged. Since the Land Use Assumptions and the Water and Sewer Capital Improvement Plan have not been amended or changed, the maximum impact fees are still valid.

In 1999 the City Council set the impact fees to be imposed at 50% of the maximum allowable impact fees. In 2007, the City Council approved Resolution No. 07-1263 which affirmed and extended the collection of impact fees as set in 1999. Since the impact fees imposed are 50% of the maximum impact fees, the City of Euless' impact fees are in compliance with the provisions of Senate Bill 243.

The Mayor's certification to the Attorney General must be submitted prior to September 30, 2008. This certification must be made annually.

FINANCIAL CONSIDERATIONS:

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Total Expenditure:

Over/Under Projection By:

Other Comments:

SUPPORTING DOCUMENTS:

- Mayor's Letter
- Consulting Engineer's Letter (8/24/01)
- Resolution No. 07-1263

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office