

AN ORDINANCE **101157**

RECEIVING THE UPDATES OF THE LAND USE ASSUMPTIONS PLAN AND THE WATER SUPPLY CAPITAL IMPROVEMENTS PLAN AND WATER SUPPLY MAXIMUM IMPACT FEE AND ESTABLISHING A PUBLIC HEARING TO BE HELD ON SEPTEMBER 15, 2005 AT 11:00 A.M. IN THE CITY COUNCIL CHAMBERS TO DISCUSS AND REVIEW BOTH PLANS AND TO CONSIDER AN UPDATE TO THE WATER SUPPLY IMPACT FEE.

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WHEREAS, Chapter 395 of the Texas Local Government Code establishes the requirements and the process that must be followed if a municipality is to assess and collect impact fees; and

WHEREAS, pursuant to Chapter 395 of the Local Government Code, a Capital Improvements Advisory Committee (“CIAC”) was created to advise City Council on the development and implementation of impact fees; and

WHEREAS, the San Antonio Water System (“SAWS”) developed the 2005-2015 Water Supply Land Use Assumptions Plan (“LUAP”) and the 2005-2015 Water Supply Capital Improvements Plan and Water Supply Maximum Impact Fee (“CIP”); and

WHEREAS, SAWS has identified the Western Canyon Project (the “Project”) in the 2005-2015 CIP as a necessary project to serve new growth and impact fees must be collected to fund the Project; and

WHEREAS, although the CIP must be updated to include this Project, the inclusion of the Project does not affect the service area covered by the LUAP and the CIP (the “Plans”) because the updated Plans include the same service area as the original plans; and

WHEREAS, the CIAC and SAWS Board of Trustees have approved the updated Plans, which include a maximum impact fee of \$2,916, and have both recommended a proposed water supply impact fee of \$852 per equivalent dwelling unit (EDU) or household; and

WHEREAS, Chapter 395 requires that City Council must, within 60 days after the date it receives the updated Plans, adopt an order setting a public hearing to discuss and review the updates and consider amendments to the Plans; and

WHEREAS, within 30 days following such a public hearing, the City Council must approve or disapprove the amendments to the Plans and the modification of the impact fee to be charged; and

LB
08/11/05
Item #6

WHEREAS, copies of the updated Plans have been made available at the City Clerk's Office and at SAWS' website at www.saws.org ; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The updated LUAP and CIP are hereby received. The updated LUAP and CIP, including the proposed maximum impact fee, are attached hereto and incorporated herein as Attachment I.

SECTION 2. The request to establish September 15, 2005 as the date of the public hearing required by Chapter 395 of the Texas Local Government Code, to be held at 11:00 a.m. in City Council Chambers, to discuss and review updates of the LUAP and the CIP and to consider an update to the water supply impact fee is hereby approved.

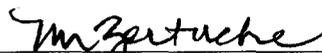
SECTION 3. This Ordinance shall be effective immediately upon passage by eight (8) affirmative votes; otherwise this Ordinance shall take effect on the tenth (10th) day after passage.

PASSED AND APPROVED, this 11th day of August, 2005



M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for Acting City Attorney

Agenda Voting Results

Name: 6.

Date: 08/11/05

Time: 10:09:22 AM

Vote Type: Multiple selection

Description: An Ordinance receiving the updates of the Land Use Assumptions Plan and the Water Supply Capital Improvements Plan and Water Supply Maximum Impact Fee and establishing a public hearing to be held on September 15, 2005 at 11:00 a.m. in the City Council Chambers to discuss and review both plans and consider an update to the Water Supply Impact Fee. [Presented by Ben Gorzell, Jr., Director, Public Utilities; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. McNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		