

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, APPOINTING THE PLANNING & ZONING COMMISSION TO ACT AS THE WATER AND WASTEWATER IMPACT FEE ADVISORY COMMITTEE; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the Texas Local Government Code, Title 12, Chapter 395, authorizes a governmental entity or political subdivision to enact or impose water and wastewater impact fees on land within their corporate boundaries or extraterritorial jurisdictions, and,

Whereas, a governmental entity or political subdivision may enact or impose such water and wastewater impact fees within their corporate boundaries or extraterritorial jurisdictions only by compliance with the requirements as outlined in Chapter 395 of the Local Government Code, and,

Whereas, Sec. 398.058 (a) of Chapter 395 of the Local Government Code requires the governmental entity or political subdivision to appoint a capital improvements advisory committee, and,

Whereas, Sec. 398.058 (b) of Chapter 395 of the Local Government Code allows the Planning & Zoning Commission of a governmental entity or political subdivision to act as the Advisory Committee provided it includes at least one representative of the real estate, development, or building industry and, if the impact fee is to be applied in the extra territorial jurisdiction of the political subdivision, the committee must include a representative from that area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, HAYS COUNTY, TEXAS, THAT:

Section 1. Findings. The City Council of the City of Kyle finds that:

- A. The Water and Wastewater Impact Fee Advisory Committee serves only in an advisory capacity and is established to:
- i) Advise and assist the City Council in adopting land use assumptions for water and wastewater impact fees,
 - ii) Review the capital improvements plan for the water and wastewater impact fees and file written comments,
 - iii) Monitor and evaluate implementation of the capital improvements plan for the water and wastewater impact fees,
 - iv) File semiannual reports with respect to the progress of the capital improvements plan for the water and wastewater impact fees and report to

City Council any perceived inequities in implementing the plan or imposing the impact fee, and

- v) Advise the City Council of the need to update or revise the land use assumptions for water and wastewater impact fees, capital improvements plan for water and wastewater impact fees, and water and wastewater impact fees.
- B. The City Council hereby appoints the City's Planning & Zoning Commission to act as the Advisory Committee for the Water and Wastewater Impact Fee Study.
- C. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. This Resolution of the City of Kyle, Texas, is hereby adopted in compliance with the requirements set forth in the Charter of the City of Kyle.

Section 3. Effective Date. This City Council Resolution of the City of Kyle, Texas shall take effect from and after the date of its passage as authorized by the Charter of the City of Kyle.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of the said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.

FINALLY PASSED AND APPROVED on this the ____ day of September 2016.

THE CITY OF KYLE, TEXAS

R. Todd Webster, Mayor

ATTEST:

Jennifer Vetrano, City Secretary