
City Council Regular Meeting

DEPARTMENT: Public Works
FROM: Eric Oscarson, Public Works Director
MEETING: September 6, 2022

SUBJECT:

Receive a report, hold a discussion, and give staff direction regarding the Capital Improvements Program Advisory Committee. (*Staff Presenter: Eric Oscarson, Public Works Director*)

SUMMARY:

Impact fees are a one-time charge assessed to new development to generate revenue to fund roadway, water and sewer capital facilities necessitated by new development. These fees are authorized under Chapter 395 of the Texas Local Government Code and are based on the anticipated demand for infrastructure that new development creates.

Cost of infrastructure to support growth significantly exceeds traditional tax and fee collection rates in fast-growing cities. Available funding for capital improvements by the federal government have decreased since the 1980's which prompted the desire for city governments to find an alternate funding mechanism to offset costs to their existing tax payers. The thought behind impact fees is that new growth should pay for a proportionate share of the costs associated with new infrastructure to support the growth.

If impact fees are collected by a governing body, Chapter 395 requires the creation of a Capital Improvements Program Advisory Committee (CIPAC). CIPAC serves in an advisory capacity to the City Council regarding long-term growth issues. The committee advises and assists the Council in adopting land use assumptions, reviews the Capital Improvements Plan, and monitors its implementation. The Committee also reviews impact fees and recommends any adjustments that those fees.

CIPAC is made up of at least five members with no less than two members (40%) must be representatives of the development, real estate, or building industry. If impact fees are imposed in the City's Extraterritorial Jurisdiction (ETJ), one member must reside in the ETJ. The Planning and Zoning Commission may serve as the CIPAC as long as one member represents the development, real estate or building industry. If no such representative exists, a voting ad hoc member must be appointed to serve on the CIPAC committee. In addition, a voting ad hoc member who resides in the ETJ must be appointed.

The CIPAC membership is subject to Article II, Section 2-31, Appointments; terms; removal; exceptions. All appointments begin on October 1 and the term shall be for three years. The term of each member shall not exceed three consecutive full terms. A member must remain off that particular committee for one full term before the member can be reappointed. To date, all committee members have exceeded the allowed three consecutive full terms. Staff will present options to the City Council for membership to the CIPAC.

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