

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF CASTROVILLE, TEXAS, CREATING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE PURSUANT TO CHAPTER 395, TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR MEMBERSHIP, DUTIES, AND PROCEDURES; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 395 of the Texas Local Government Code requires cities adopting or updating impact fees to appoint a Capital Improvements Advisory Committee (“CIAC”) to provide oversight and recommendations regarding land use assumptions, capital improvements plans, and impact fees; and

**WHEREAS**, the City Council of the City of Castroville, Texas (the “City Council”), recognizes that the CIAC is intended to ensure transparency, fairness, and accountability in the calculation, adoption, collection, and use of impact fees so that new development pays a fair and proportionate share of public infrastructure costs; and

**WHEREAS**, the City Council finds it necessary and beneficial to formally establish such a committee by ordinance so that the City of Castroville (“City”) is in full compliance with state law and can proceed with the continued administration and updating of impact fees; and

**WHEREAS**, the City Council further finds that establishing the CIAC will provide an open process for developers, citizens, and staff to participate in and review the assumptions and plans on which impact fees are based.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS:**

**Section 1. Establishment.**

The Capital Improvements Advisory Committee (“CIAC”) is hereby created in accordance with Section 395.058 of the Texas Local Government Code.

## **Section 2. Membership.**

(a) **Number of Members.** The CIAC shall consist of not fewer than five (5) members appointed by the City Council.

(b) **Industry Representation.** Not less than fifty percent (50%) of the members shall be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity, including one (1) representative of the extraterritorial jurisdiction (ETJ) if the City imposes impact fees within its ETJ.

(c) **Residency.** Remaining members shall be qualified voters residing within the City limits of Castroville.

(d) **Terms.** Members shall serve two-year staggered terms unless otherwise determined by the City Council. Members may be reappointed.

(e) **Vacancies.** Vacancies shall be filled by appointment of the City Council for the remainder of the unexpired term.

## **Section 3. Duties.**

The CIAC shall perform the following duties, consistent with Chapter 395 of the Texas Local Government Code:

### **Review Land Use Assumptions.**

Advise and assist the City in adopting land use assumptions upon which impact fees are based.

### **Review Capital Improvements Plan.**

Review the City's Capital Improvements Plan (CIP) and the impact fee study, and file written comments with the City Council before the public hearing on the adoption of impact fees.

### **Advise on Reasonableness.**

Advise City Council on whether the land use assumptions, CIP, and impact fee calculations are reasonable.

### **Monitor Implementation.**

Monitor and evaluate the implementation of the CIP, and ensure impact fees are used for eligible projects.

### **Semiannual Reports.**

File semiannual written reports to the City Council on the progress of the CIP and the collection and expenditure of impact fees.

**Recommend Updates.**

Advise City Council on the need to update or revise the land use assumptions, CIP, and impact fees at least every three (3) years.

**Perform Other Duties.**

Carry out any other advisory responsibilities imposed by Chapter 395 or delegated by the City Council.

**Section 4. Organization and Procedure.**

- (a) The CIAC shall organize by electing a Chairperson and Vice-Chairperson from among its members.
- (b) The Committee shall establish rules of procedure consistent with City policy and Robert's Rules of Order, as applicable.
- (c) Meetings shall be called as necessary to fulfill the Committee's duties, but no fewer than two (2) times per year to prepare the required semiannual reports.
- (d) All meetings of the CIAC shall be subject to the Texas Open Meetings Act, and notice shall be posted accordingly.
- (e) Minutes of each meeting shall be kept and filed with the City Secretary.

**Section 5. Reporting Requirements.**

All reports, written comments, and recommendations of the CIAC shall be filed with the City Secretary and delivered to the City Council for consideration at a regular Council meeting.

**Section 6. Severability.**

If any provision of this Ordinance shall be held invalid, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

**Section 7. Repealer.**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of conflict only.

**Section 8. Effective Date.**

This Ordinance shall take effect immediately upon its passage and approval as required by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CASTROVILLE, TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

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**BRUCE ALEXANDER, MAYOR**

Attest:

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Debra Howe, City Secretary

