

## A RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS  
AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION WITH FREESE AND  
NICHOLS, INC. FOR PROFESSIONAL SERVICES FOR THE WATER AND WASTEWATER  
IMPACT FEE UPDATE, EXPENDITURE OF THE REQUIRED FUNDS, AND EXECUTION OF ALL  
APPLICABLE DOCUMENTS BY THE CITY MANAGER.**

**WHEREAS**, Local Government Code §395.052 requires a political subdivision imposing an impact fee to update land use assumptions and capital improvement plans at least every five years; and,

**WHEREAS**, the City's water and wastewater impact fees were last updated and adopted on March 5, 2020; and,

**WHEREAS**, Local Government Code §395.014 requires a political subdivision to use qualified professionals to prepare the capital improvement plan and to calculate the impact fee; and,

**WHEREAS**, Freese and Nichols, Inc. successfully completed the City's Water, Wastewater and Reuse Master Plan and conducted the City's 2015 and 2020 impact fee updates; and,

**WHEREAS**, the Capital Improvements Advisory Committee supports this impact fee update to ensure future developments pay their share for new or expanded utility infrastructure; and,

**WHEREAS**, the City Council deems it necessary to conduct a water and wastewater impact fee update in accordance with Texas LGC Chapter 395.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:**

**Section 1** The City Council hereby authorizes the City Manager to execute an agreement with Freese and Nichols, Inc. for the water and wastewater impact fee update, to expend required funds up to \$69,282.00 and to execute any and all applicable documents to effectuate this resolution.

**Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section3.** If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.

**Section 4.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.

**Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED, APPROVED, and ADOPTED on this 5th day of September 2024.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC  
City Secretary

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Denton Navarro Rodriguez Bernal Santee & Zech  
P.C., City Attorney