



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 5, 2024
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance amending Manor Code of Ordinances Appendix A, Article A7.000 Utility Service Charges and Fees by Establishing Stormwater Drainage Fees.

BACKGROUND/SUMMARY:

On May 15, 2024, the City Council adopted Ordinance 742 which established Stormwater as a public utility and established charges to be paid by users of benefited property in the service area. The attached ordinance amends the City's fee schedule to codify the stormwater drainage fee approved by the City Council. This ordinance is provided for your consideration.

History of the Stormwater Drainage Program:

Phase 1 of the city's proposed stormwater utility was approved in April 2022. Phase 1 included an assessment of the city's needs, the feasibility of a stormwater utility, and a draft rate model. Phase 2 was approved in July 2023 and it included finalizing the rate model and data necessary to implement the fee that is before the Council with this Ordinance, and assisting with public outreach when conducted. Phase 3 was approved in February 2024 and included the consultant, Raftelis, implementing the fee into our billing system.

As was provided for in the rate model, the proposed drainage fee per single-family home is \$6.50 per month, with non-single-family properties paying based on the amount of impervious cover on the property. At the July 19, 2023 City Council meeting, staff was provided direction from the City Council to proceed with a starting rate of \$6.50 per ERU.

The Stormwater Drainage ordinance adds the drainage utility to the city's code of ordinances and includes the creation of a utility fund, billing procedures, appeals, penalties, and exemptions. It did not set the rate, as that is being done by a separate ordinance at the June 5th City Council meeting.

The Stormwater Drainage ordinance exempts all allowable properties under the State code as requested by the City Council. Section 552.053 Texas Local Gov't Code provides that a municipality may exempt a governmental entity and their property including the state, a county, a municipality, a school district and open-enrollment charter school, and religious organizations. Furthermore, the ordinance exempts property with proper construction and maintenance of a wholly sufficient and privately owned drainage system; property held and maintained in its natural state until such time that the property is developed and all the public infrastructure constructed has been accepted by the municipality in which the property is located for maintenance; and a

subdivided lot until a structure has been built on the lot and a certificate of occupancy has been issued by the municipality in which the property is located.

The Stormwater Drainage ordinance exempts the State, Travis County, MISD and charter schools, the City, and religious organizations along with the other required exemptions.

The new drainage charge, if approved by the Ordinance currently under consideration, would be effective on July 1, 2024 utility bills.

The stormwater drainage program will fund expenditures such as: system-wide mapping, a stormwater capital improvement plan, 4 dedicated stormwater employees, street sweeper, dump truck, gradall, storm drain medallions, maintenance and repair of pipes, ditches, and streets, and capital project funding.

The intention of the program is to allow the city to better maintain our stormwater system, which historically has not been funded annually and only small, reactive maintenance has been performed. Through the creation of this program, the city aims to be more proactive with maintenance and repairs as well as funding new drainage improvements like regional detention for the downtown area, which currently just surface flows undetained to Gilleland and Wilbarger Creeks. The program too can be used to correct and alleviate flooding issues along creeks and waterways within the city limits, such as the deep drainage channels through Timmermann Park and the downtown Art Park.

If approved, this Ordinance is the final step by the City Council for implementation of the city's Stormwater Drainage program.

LEGAL REVIEW:	Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT:	No
PRESENTATION:	No
ATTACHMENTS:	Yes

- Ordinance No. 748

STAFF RECOMMENDATION:

The City Staff recommends that the City Council approve Ordinance No. 748 amending Manor Code of Ordinances Appendix A, Article A7.000 Utility Service Charges and Fees by Establishing Stormwater Drainage Fees.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
--	---------------------------	--------------------	-------------
