

Montgomery City Council
AGENDA REPORT

Meeting Date: April 9, 2024	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on: AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, ORDERING A PUBLIC HEARING CONCERNING AMENDING ARTICLE III, "IMPACT FEES" OF CHAPTER 90 "UTILITIES" OF THE CITY CODE OF ORDINANCES BY ADOPTING NEW IMPACT FEES FOR WATER AND WASTEWATER IMPROVEMENTS THAT ARE ATTRIBUTABLE TO NEW DEVELOPMENT IN THE CITY'S PROPOSED WATER AND WASTEWATER IMPACT FEE SERVICE AREA WITHIN THE CORPORATE BOUNDARIES OF THE CITY; PROVIDING OPEN MEETING AND EFFECTIVE DATE PROVISIONS; AND PROVIDING FOR RELATED MATTERS.

Recommendation

Staff recommends a motion to adopt the Ordinance as presented.

Discussion

Issue:
One of the required steps in updating the city's impact fees is a Public Hearing. In this case, state law requires the Public Hearing to be called by adoption of an order (ordinance).

Regulations:
Chapter 395 of the Texas Local Government Code:
Sec. 395.053. HEARING ON UPDATED LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN. The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.
Sec. 395.054. HEARING ON AMENDMENTS TO LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, OR IMPACT FEE. A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Analysis & Conclusion:
Staff recommends adoption of the Ordinance calling for a Public Hearing to be held on June 11, 2024 at 6:00pm at Montgomery City Hall to discuss and review proposed updates to the Capital Improvement Plan and Land Use Assumptions.

Approved By

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 04/04/2024
--	-------------------	------------------