

CITY OF SANGER, TEXAS

RESOLUTION NO. 2024-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, APPOINTING THE PLANNING AND ZONING COMMISSION AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE; AUTHORIZING ITS EXECUTION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Sanger has undertaken to adopt impact fees as authorized by Ch. 395 of the Texas Local Government Code; and

WHEREAS, it is necessary to appoint a Capital Improvements Advisory Committee to assist in the process of adopting impact fees; and

WHEREAS, this resolution repeals Resolution No. 03-09-03; and

WHEREAS, the City Council finds that the passage of this Resolution is in the best interest of the citizens of Sanger.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. The facts and recitals set forth in the preamble of this resolution are hereby found to be true and correct.

SECTION 2. That the Planning and Zoning Commission of the City of Sanger is hereby appointed to act as the Capital Improvements Advisory Committee as required by Section 395.058 of the Texas Local Government Code.

TEX. LGC Sec. 395.058

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

SECTION 3. The advisory committee serves in an advisory capacity and is established to:

- A. Advise and assist the political subdivision in adopting land use assumptions;
- B. Review the capital improvements plan and file written comments;
- C. Monitor and evaluate implementation of the capital improvements plan;
- D. File semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and
- E. Advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fees.

SECTION 4. The City Council shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

SECTION 5. The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties. The following rules for the advisory committee are adopted, to wit;

- A. The members of the Planning and Zoning Commission shall be members of the Capital Improvements Committee for their terms of office.
- B. Vacancies of commission members shall be filled as provided by the zoning ordinance.
- C. The member of the committee shall serve without compensation.
- D. The committee shall elect a chairman and a vice chairman from its membership. The chairman shall call and preside over all meetings of the committee, and the vice chairman shall perform all the duties of the chairman in the chairman's absence.
- E. The committee shall have the power to make additional rules, regulations and bylaws for its own government, which rules shall not be in conflict with this resolution.
- F. The committee shall perform the duties set out herein in Chapter of the Texas Local Government Code, and as directed by the City Council.

SECTION 6. That this resolution shall become effective from and after its date of passage.

PASSED AND APPROVED THIS THE 21st DAY OF OCTOBER 2024.

ATTEST:

APPROVED:

Thomas E. Muir, Mayor

Kelly Edwards, City Secretary