

RESOLUTION NO. 21-R-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER THE APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES FOR ROADS, WATER, WASTEWATER AND DRAINAGE FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Schertz has authorized an impact fee study to determine whether to adopt updated Land Use Assumptions (LUA), Capital Improvement Plans, and Impact Fees for roadway facilities in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (*Ch. 395 of the TLGC*) and Article VII, Roadway Capital Recovery Fees, of Chapter 78, *Streets and Sidewalks*, of the City of Schertz Municipal Code of Ordinances; and

WHEREAS *Ch. 395 of the TLGC* requires the City Council of the City of Schertz to provide notice of and hold a public hearing to consider whether to update the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway facilities.

Section 1. A public hearing of the City Council shall be held on February 1, 2022, at 6:00 PM at City Hall, 1400 Schertz Parkway, Building #4 Schertz, Texas, for the purpose of considering amendments to the Land Use Assumptions, Capital Improvement Plans, and Impact Fees for roadway facilities.

Section 2. Notice of the public hearing shall be published in the City's newspaper of record at least 30-days prior to the public hearing date.

Section 3. The recitals contained in the preamble hereof 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 City Council.

Section 4. 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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 7. 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, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

PASSED AND ADOPTED, this 14th day of December 2021.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Brenda Dennis

(CITY SEAL)