

RESOLUTION NO. 22-R-99

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS UPDATING THE FEE SCHEDULE FOR FY 2022-23 TO WAIVE CERTAIN FEES WITHIN THE MAIN STREET EMPOWERMENT ZONE, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Schertz (the “City”) has established by ordinances and resolutions for fees for licenses, permits, and services provided by the City; and

WHEREAS, due to the need for periodic modification of said fees and for the purposes of efficiency, the City Council desires to adopt future fee changes by resolution rather than by ordinance; and

WHEREAS, the City of Schertz has created the Schertz Main Street Area Neighborhood Empowerment Zone; and

WHEREAS, goals of the Schertz Main Street Area Neighborhood Empowerment Zone include promoting affordable housing and increasing economic development; and

WHEREAS, power of an empowerment zone include waiving city fees related to the construction of buildings, including impact fees within the zone; and

WHEREAS, the City Council desires to waiver City capital recovery fees for water, sewer and roadway; tap and street cut fees; and tree mitigation fees; and

WHEREAS, the Schedule of Fees attached as Exhibit A reflects revisions to certain fees, a restatement of certain fees not revised, and a consolidation of all such fees; and

WHEREAS, the City Council has determined that it is in the best interest of the City to update the fee schedule.

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

Section 1. The City Council amends the FY 2022-23 Fee Schedule to waive the Tree Mitigation Fee, the Grading and Clearing Permit Fee, the City’s Capital Recovery Fee, the City’s Sewer Collection Impact Fee, the Roadway Impact Fee, and the Tie Into a Manhole or Street Cut Fee in Exhibit A.

Section 2. 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 3. 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 11th day of October 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A: FY 2022/23 Fee Schedule with New Main Street Fee Waivers Highlighted in Red