

ORDINANCE 26-M-002

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING CHAPTER 90 ARTICLE V. WATER AND WASTEWATER CAPITAL RECOVERY FEES, SCHERTS CODE OF ORDINANCES, SECTION 90-142 – DEFINITIONS, CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

WHEREAS, Texas State legislature passed updates at the last legislative session amending local government code Chapter 395 and the requirements for local Capital Improvement Advisory Committee's (CIAC) regarding the minimum committee size and who is allowed to be part of this committee; and

WHEREAS, the Capital Improvement Advisory Committee (CIAC) for the City of Schertz assists with the approval and planning of how impact fees are used; and

WHEREAS, the City of Schertz, collects impact fees from new developments to finance needed Capital Improvements that support these new developments; and

WHEREAS, the City ordinance needs updated to remain in compliance with the updates from the Texas State legislature to continue to collect impact fees from new developments to help fund public infrastructure improvements; and

WHEREAS, on February 3, 2026 the City Council conducted a public hearing and after considering the matter, determined that the proposed amendment are appropriate.

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

Section 1. The City shall amend Chapter 90 Article V. Water and Wastewater Capital Recovery Fees, Section 90-142 Definitions, Capital Improvement Advisory Committee (CIAC) definition as set forth on Exhibit A hereto.

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 Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance 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 Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED AND APPROVED on the _____ day of _____, 2026.

CITY OF SCHERTZ, TEXAS

Ralph Rodriguez, Mayor

ATTEST:

Sheila Edmondson, TRMC
City Secretary

EXHIBIT "A"

PART II - CODE OF ORDINANCES

Chapter 90 - UTILITIES

ARTICLE V. WATER AND WASTEWATER CAPITAL RECOVERY FEES

ARTICLE V. WATER AND WASTEWATER CAPITAL RECOVERY FEES

DIVISION 1. GENERALLY

Sec. 90-142. Definitions.

Capital improvements advisory committee (advisory committee) means an advisory committee, consisting 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 50 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 impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.