

**ORDINANCE NO. 2011-21**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS  
UPDATING AND AMENDING BASTROP CODE OF ORDINANCES, CHAPTER 10, ARTICLE  
10.02, ENTITLED "IMPACT FEES", ESTABLISHING IMPACT FEES FOR WATER AND  
WASTEWATER UTILITIES.**

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**WHEREAS**, the City of Bastrop is responsible for and committed to the provision of public facilities and services (including water and wastewater service) at levels necessary to cure any existing public service deficiencies in already developed areas; and

**WHEREAS**, such facilities and service levels shall be provided by the City of Bastrop utilizing funds allocated in the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein; and

**WHEREAS**, new residential and nonresidential development causes and imposes increased demands upon Bastrop public facilities and services, including water and wastewater facilities, that would not otherwise occur; and

**WHEREAS**, planning projections indicate that such development will continue and will place ever-increasing demands on the City to provide necessary public facilities; and

**WHEREAS**, the development potential and value of properties is strongly influenced and encouraged by City policy as expressed in the Comprehensive Plan and as implemented via the City zoning ordinance and map; and

**WHEREAS**, to the extent that such new development places demands upon the public facility infrastructure, those demands should be satisfied by more equitably assigning responsibility for financing the provision of such facilities from the public at large to the developments actually creating the demands for them; and

**WHEREAS**, the amount of the impact fee to be imposed shall be determined by the cost of the additional public facilities needed to support such development, which public facilities shall be identified in a capital improvements program; and

**WHEREAS**, the City Council, after careful consideration of the matter, hereby finds and declares that impact fees imposed upon residential and nonresidential development to finance specified major public facilities, the demand for which is created by such development, is in the best

interests of the general welfare of the City and its residents, is equitable, and does not impose an unfair burden on such development;

**WHEREAS**, in 1987 the Texas Legislature adopted Senate Bill 336, now Chapter 395 of the Texas Local Government Code, and subsequently amended said Chapter from time to time; and

**WHEREAS**, the City Council finds that in all things the City has complied with said statute in the notice, adoption, promulgation and methodology necessary to adopt Impact Fees;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Part 1:** CHAPTER 10, ARTICLE 10.02 – IMPACT FEES, SHALL BE UPDATED, AMENDED AND CODIFIED TO READ AS FOLLOWS:

ARTICLE 10.02  
IMPACT FEES

SECTION 1  
GENERAL PROVISIONS

Section 10.02.001    Short Title

This Ordinance shall be known and cited as the Water and Wastewater Impact Fees Ordinance.

Section 10.02.002    Intent

This Ordinance is intended to impose water and wastewater impact fees, as established in this Ordinance, in order to finance public facilities, the demand for which is generated by new development in the designated service area.

Section 10.02.003    Authority

The City is authorized to enact this Ordinance by Chapter 395 of the Texas Local Government Code, which authorizes home-rule cities, among others, to enact or impose impact fees on land within their corporate boundaries and in their extraterritorial jurisdictions, and on persons

with whom they have a water or sewer service contract, as charges or assessments imposed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development; and by the Bastrop City Charter. The provisions of this Ordinance shall not be construed to limit the power of the City to adopt such Ordinance pursuant to any other source of local authority, nor to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this Ordinance. Guidelines may be developed by resolution or otherwise to implement and administer this Ordinance.

Section 10.02.004    Definitions

As applied in this Ordinance, the following words and terms shall be used:

1.     Advisory Committee - Advisory committee, appointed by the City Council, consisting of at least five members which are not employees of the City, not less than 40 percent of which shall be representatives of the real estate, development, or building industries, and, if impact fees are to be applied within the extraterritorial jurisdiction of the City, including one member representing the extraterritorial jurisdiction; or consisting of the Planning and Zoning Commission, including one regular or ad hoc member who is not an employee of the City and which is representative of the real estate, development, or building industry, and, if impact fees are to be applied within the extraterritorial jurisdiction of the City, one representative of the extraterritorial jurisdiction area; which committee is appointed to regularly review and update the capital improvements program in accordance with the requirements of Chapter 395 of the Texas Local Government Code, and its successors.
2.     Assessment - The determination of the amount of the maximum impact fee per service unit which can be imposed on new development pursuant to this Ordinance.
3.     Building Permit - Written permission issued by the City for the construction, repair, alteration or addition to a structure.
4.     Capital Construction Cost of Service - Costs of constructing capital improvements or facility expansions, including and limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees), and the fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the City.

5. Capital Improvements Program (CIP) - Plan which identifies water and wastewater capital improvements or facility expansions pursuant to which impact fees may be assessed.
6. City - City of Bastrop.
7. City Council (Council) - Governing body of the City of Bastrop.
8. City Manager (Manager) - Chief executive officer of the City, appointed by the Council. City Manager includes any city employee designated to act in the city manager's behalf.
9. Comprehensive Plan - The comprehensive long-range plan, adopted by the City Council, which is intended to guide the growth and development of the City which includes analysis, recommendations and proposals for the City regarding such topics as population, economy, housing, transportation, community facilities and land use.
10. Effective Impact Fee - Amount of impact fee collected per service unit, which may be equal to or less than the maximum impact fees as set forth in Exhibit AC@ to this ordinance.
11. Existing Development - All development within the service area which has a water or wastewater tap on the City's water or sewer system, as of the date of the adoption of this Ordinance.
12. Facility Expansion - The expansion of the capacity of an existing facility which serves the same function as an otherwise necessary new capital improvement in order that the existing facility may serve new development. Facility expansion does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.
13. Final Subdivision Plat (Final Plat) - The map, drawing or chart on which is provided a subdivider's plan of a subdivision, and which has received final approval by the Planning and Zoning Commission or City Council and which is recorded with the office of the County Clerk.
14. Growth-Related Costs - Capital construction costs of service related to providing additional service units to new development, either from excess capacity in existing

facilities, from facility expansions or from new capital facilities. Growth-related costs do not include:

- (a) Construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;
  - (b) Repair, operation, or maintenance of existing or new capital improvements or facility expansions;
  - (c) Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
  - (d) Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;
  - (e) Administrative and operating costs of the City; or
  - (f) Principal payments and interest or other finance charges on bonds or other indebtedness, except for such payments for growth-related facilities contained in the capital improvements program.
15. Impact Fee - Charge or assessment to be imposed by the City upon new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development. The term includes amortized charges, lump-sum charges, impact fees, contributions in aid of construction, and any other fee that functions as described by this definition. Impact fees do not include dedication of rights-of-way or easements, or construction or dedication of site-related water distribution or wastewater collection facilities, or streets, sidewalks, or curbs if the dedication or construction is required by other valid ordinances of the City Code and is necessitated by and attributable to the new development; lot or acreage fees placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or other pro rata fees for reimbursement of water or sewer mains or lines extended by the City.
16. Inflation Escalator – An inflation escalator is applied to the maximum allowable impact fee each fiscal year for October. That escalator is calculated by dividing the national Engineering News-Record Index Value for October by the national

Engineering News-Record Index Value during the month of the adoption of this ordinance.

17. Land Use Assumptions - Description of the service area and projections of changes in land uses, densities, intensities, and population therein over at least a 10-year period, adopted by the City, as may be amended from time to time, upon which the capital improvement plan is based.
18. Multifamily Development - A single structure containing three or more dwelling units.
19. New Development - Subdivision of land; or the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units. New development includes the sale of water taps resulting from the conversion of an individual well to the City's water utility and the sale of wastewater taps resulting from the conversion of an individual septic or other individual waste disposal system to the City's wastewater utility.
20. Offset - The amount of the reduction of an impact fee designed to fairly reflect the value of system-related facilities, pursuant to rules herein established or administrative guidelines, provided and funded by a developer pursuant to the City's subdivision regulations or requirements.
21. Service Area - Area within the corporate boundaries and within the extraterritorial jurisdiction as defined by the Municipal Annexation Act (Chapter 41, Section 4202, Local Government Code), to be served by the water or wastewater capital improvements or facilities expansions specified in the capital improvements program applicable to the service area. The service area represents the general geographic basis for planning the utility capital improvement programs, used to formulate the fees. The service area is conceptual in nature and does not necessarily represent a definitive commitment for service by the City; the service area boundary also does not necessarily represent limits to service potential or fee assessment.
22. Service Unit - Standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements or facility expansions expressed in service units equivalent.
23. Service Unit Equivalent (SUE) - Basis for establishing equivalency among and within various customer classes, based upon the relationship of the continuous duty flow

rate in gallons per minute for a water meter of a given size and type compared to the continuous duty maximum flow rate in gallons per minute for a 5/8" diameter simple water meter, using American Water Works Association C700-C703 standards. For purposes of this ordinance, 5/8" water meters are considered to equal one (1) SUE; except that for multifamily development, each living unit is equivalent to 0.5 SUE.

**SUE EQUIVALENCIES FOR VARIOUS TYPES AND SIZES OF WATER METERS**

METER TYPE	METER SIZE	CONTINUOUS DUTY MAXIMUM RATE (gpm)	RATIO TO 5/8" METER
SIMPLE	5/8" x 3/4"	10	1.000
SIMPLE	3/4"	15	1.500
SIMPLE	1"	25	2.500
SIMPLE	1-1/2"	50	5.000
SIMPLE	2"	80	8.000
COMPOUND	2"	80	8.000
TURBINE	2"	100	10.000
COMPOUND	3"	160	16.000
TURBINE	3"	240	24.000
COMPOUND	4"	250	25.000
TURBINE	4"	420	42.000
COMPOUND	6"	500	50.000
TURBINE	6"	920	92.000
COMPOUND	8"	800	80.000
TURBINE	8"	1600	160.000
COMPOUND	10"	1150	115.000
TURBINE	10"	2500	250.000
TURBINE	12"	3300	330.000

**SOURCE: AWWA Standards C700, C701, C702, C703.**

24. Site-related Facility - Improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water or wastewater facilities to serve the new development, and which is not included in the capital improvements plan, and for which the developer or property owner is solely responsible under subdivision and other applicable regulations.
25. System-related Facility - A capital improvement or facility expansion which is designated in the Capital Improvements Plan and which is not a site-related facility. A system-related facility may include a capital improvement which is located offsite, within, or on the perimeter of the development site.
26. Tap Purchase - The filing with the City of a written application for a water or wastewater tap and the acceptance of applicable fees by the City. The term "tap purchase" shall not be applicable to a master water meter or master wastewater connection purchased from the City by a wholesale customer such as a water district, political subdivision of the State of Texas, or other wholesale utility customer; nor shall it be applicable to a meter purchased for and exclusively dedicated to fire protection.
27. Wastewater Facility - Improvement for providing wastewater service, including, but not limited to, land or easements, treatment facilities, lift stations, or interceptor mains. Wastewater facility excludes wastewater lines or mains which are constructed by developers, the costs of which are reimbursed from charges paid by subsequent users of the facilities and which are maintained in dedicated trusts. Wastewater facilities also exclude dedication of rights-of-way or easements or construction or dedication of on-site or off-site wastewater collection facilities required by valid ordinances of the City and necessitated by and attributable to the new development.
28. Wastewater Facility Expansion - Expansion of the capacity of any existing wastewater improvement for the purpose of serving new development, not including the repair, maintenance, modernization or expansion of an existing wastewater facility to serve existing development.
29. Wastewater Improvements Plan (Wastewater CIP) - Portion of the CIP, as may be amended from time to time, which identifies the wastewater facilities or wastewater facility expansions and their associated growth-related costs which are necessitated by and which are attributable to new development, for a period not to exceed ten

(10) years, which are to be financed in whole or in part through the imposition of wastewater impact fees pursuant to this Ordinance.

30. Water Facility - Improvement for providing water service, including, but not limited to, land or easements, water supply facilities, treatment facilities, pumping facilities, storage facilities, or transmission mains. Water facility excludes water lines or mains which are constructed by developers, the costs of which are reimbursed from charges paid by subsequent users of the facilities and which are maintained in dedicated trusts. Water facilities also exclude dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution facilities required by valid ordinances of the City and necessitated by and attributable to the new development.
31. Water Facility Expansion - Expansion of the capacity of any existing water improvement for the purpose of serving new development, not including the repair, maintenance, modernization or expansion of an existing water facility to serve existing development.
32. Water Improvements Plan (Water CIP) - Portion of the CIP, as may be amended from time to time, which identifies the water facilities or water facility expansions and their associated growth-related costs which are necessitated by and which are attributable to new development, for a period not to exceed ten (10) years, which are to be financed in whole or in part through the imposition of water impact fees pursuant to this Ordinance.
33. Wholesale Customer - Water or wastewater customer of the City's utilities which purchases utility service at wholesale rates for resale to their retail customers.

Section 10.02.005 Applicability of Impact Fees

- A. This Ordinance shall be uniformly applicable to new development which occurs within the water and wastewater service areas.
- B. No new development shall be exempt from the assessment of impact fees as defined in this Ordinance.

Section 10.02.006 Impact Fees as Conditions of Development Approval

No application for new development shall be approved within the City without assessment of impact fees pursuant to this Ordinance, and no water and wastewater tap shall be issued and no building permit shall be issued unless the applicant has paid the impact fees imposed by and calculated hereinunder.

Section 10.02.007     Establishment of Water and Wastewater Service Areas

- A.     The water and wastewater service areas are established as shown on the Service Area Map which is Exhibit A for this Ordinance.
  
- B.     The service areas shall be established consistent with any facility service area established in the CIP for each utility. Additions to the service area may be designated by the City Council consistent with the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 10.02.008     Land Use Assumptions

Land use assumptions used in the development of the impact fees are contained in Exhibit B of this Ordinance. These assumptions may be revised by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 10.02.009     Service Units

- A.     Service units are established in accordance with generally accepted engineering and planning standards.
  
- B.     Service units shall be calculated based on service units equivalent as determined by the size of the water meter(s) for the development; or alternatively, as approved the City as a result of an engineering report prepared by a qualified professional engineer licensed to perform such professional engineering services in the State of Texas, which demonstrates that the number of SUE's of service for the new development will be different than those indicated by the size of the water meter.
  
- C.     If the City determines that the water pressure in the City's transmission main is significantly higher or lower than standard pressure such that the size of the water meter is not indicative of actual service demand, the City may adjust the number of

SUE's based on a smaller or larger sized meter which more accurately reflects the flow rate and the system pressure conditions.

- D. If a fire demand meter (tap) is purchased for a property, the meter size utilized to calculate the number of SUE's shall be the dimension of the portion of the fire demand meter which reflects the meter size which would provide only domestic service to the property. Said reduced meter size shall then be utilized to calculate the number of SUE's.
1. The meter types used to calculate the number of SUE's shall be either simple or compound meters.
  2. If the fire protection capacity of the fire demand meter is routinely utilized for domestic purposes as evidenced by the registration of consumption recorded on the City's meter-reading and billing systems, the then-owner of the property shall be assessed the then-current fee for the fire protection capacity which has been converted to domestic capacity by its routine usage as domestic capacity.
  3. To avoid the use of fire flow volumes for domestic usage, the owner of any property for which a fire demand meter is purchased shall be required to execute a restrictive covenant on a form approved by the City, which covenant shall acknowledge the right of the City to assess such fees to subsequent owners of the property. Said covenant shall be executed prior to the purchase of the fire demand meter and shall be filed in the deed records of the County.
  4. No fees shall be collected for the purchase of taps which shall be utilized to provide only fire protection capacity.
- E. Upon wastewater tap purchase for lots for which no water meter has been purchased, service units shall be established by a professional engineer licensed in the State of Texas, shall be reviewed by the City and shall be presented to the City Council, which shall designate the appropriate number of service units.
- F. The City Council may revise the service unit designation according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

- A. The maximum impact fee per service unit for each service area shall be computed by dividing the growth-related capital construction cost of service in the service area identified in the capital improvements plan for that category of capital improvements, by the total number of projected service units anticipated within the service area which are necessitated by and attributable to new development, based on the land use assumptions for that service area, and adjusted by subtracting credits in the form of future rate or tax contributions to water and/or wastewater CIP funding and adding any additional amount as may be yielded in the inflation-escalator portion of the fee assessment formula set forth in Section 1.11. Maximum impact fees per service unit for each service area shall be established by category of capital improvements and shall be set forth in Exhibit C to this Ordinance.
- B. Exhibit C may be amended by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.
- C. The effective Impact Fees per service unit may be amended from time to time by the City Council through ordinance amendment to any amount less than that set forth in Exhibit C to this ordinance.

Section 10.02.011 Assessment of Impact Fees

- A. The approval of any subdivision of land or of any new development shall include as a condition the assessment of the impact fee applicable to such development.
- B. Assessment of the impact fee for any new development shall be made as follows:
  - 1. For new development which is submitted for approval pursuant to the City's subdivision regulations following the effective date of this Ordinance, assessment shall be at the time of final subdivision plat approval, and shall be the value of the effective impact fee per service unit then in effect, as provided in Exhibit C as set forth in Section 1.10(C), multiplied times the inflation escalator then in effect. The City may provide the subdivider with a copy of Exhibit C prior to final subdivision plat approval, but such shall not constitute assessment within the meaning of this Ordinance.
  - 2. For new development which has received final plat approval prior to the effective date of this Ordinance and for which no replatting is necessary prior to the issuance of a building permit, assessment shall be upon the issuance

of a building permit, and shall be the value of the effective impact fee per service unit set forth in Exhibit C.

3. For new development which occurs or is proposed to occur without platting, assessment shall be upon the issuance of a building permit, and shall be the value of the effective impact fee per service unit set forth in Exhibit C.
  4. Fees shall not be assessed to property which has previously purchased taps for the property and which desires to exchange those purchased taps for taps which will reflect an equivalent number of SUE's, as determined under Section 1.09. If the exchange of said taps will result in an increase in the number of SUE's, the purchaser shall be assessed the effective impact fee in effect at the time of tap exchange, based on the additional SUE's required.
  5. Because fire protection is of critical concern to the community as a whole, water demand related solely to fire protection is not subject to collection of an impact fee. However, if the fire protection capacity of the fire demand meter is routinely utilized for domestic purposes as evidenced by the registration of consumption recorded on the City's meter-reading and billing systems, the current owner of the property shall be assessed the impact fees currently in effect at the time such conversion is established by the City for the fire protection capacity which has been converted to domestic capacity by its routine usage as domestic capacity.
- C. Following assessment of the impact fee pursuant to subsection (B), no additional impact fees or increases thereof shall be assessed against that development unless the number of service units increases, as set forth under Section 1.09.
- D. Following the lapse or expiration of approval for a plat, a new assessment must be performed at the time a new application for such development is filed.

Section 10.02.012 Calculation of Impact Fees

- A. Following the request for new development as provided in Section 1.11 of this Ordinance, the City shall compute impact fees due for the new development in the following manner:

1. The total service units for the new development shall be multiplied by the appropriate per-unit effective fee value determined as set forth in Section 1.10; and
  2. Fee offsets shall be subtracted as determined by the process proscribed in Section 1.14 of this Ordinance.
- B. The value of each impact fee due for a new development shall not exceed a value computed by multiplying the effective fee assessed per service unit pursuant to Section 1.10 by the number of service units generated by the development.

Section 10.02.013 Collection of Impact Fees

- A. No water or wastewater tap or building permit shall be issued until all impact fees have been paid to the City, or until a "notice of impact fee due" is recorded as provided in this Section, except as provided otherwise by contract.
- B. Impact fees shall be paid at the time of the issuance of a building permit, except as provided in Section C through Section F.
- C. For land platted outside the corporate boundaries of the City, fees shall be collected at the time an application for connection to the City's water or wastewater system is filed.
- D. If the City lacks authority to issue building permits in the area where the impact fee applies, impact fees shall be collected at the time an application is filed for connection to the City's water or wastewater system.
- E. For new development converting to the City water utility from an individual water well, or to the City wastewater utility from a septic tank or individual waste disposal system, the City may allow the feepayer to pay impact fees in the form of a monthly assessment, as provided below:
1. At the request of the applicant, and with the approval of the City Manager, the impact fees for such customers may be paid in increments over a period of not more than two years, with interest computed on the unpaid balance at the statutory rate as set forth in Article 1.03, Title 79, Revised Statutes (Article 5069-1.03, Vernon's Texas Civil Statutes), or any successor statute.
  2. If the applicant chooses this extended payment option, the applicant shall, as a condition of tap sale and/or building permit issuance, sign and file with the

City Clerk, and consent to the recordation of, a "notice of impact fee due", which shall be recorded as a lien against the subject property. The City shall release the lien held only upon payment in full of the impact fees and any late penalties and applicable interest.

3. Late payments shall subject the applicant to a penalty of ten percent of the amount due and additional interest in addition to all other remedies available to the City as lien holder.
- F. The City may, at its sole discretion, enter into contracts to establish a different date of fee collection than those provided in this Section.
- G. It shall be the policy of the City to attempt to revise any contracts which might exist with wholesale customers, or which in the future may be entered into for wholesale service, in such a manner that impact fees are collected from the wholesale customer according to the number of SUE's attributable to each retail meter for new development within the wholesale customer's service area.

Section 10.02.014     Offsets Against Impact Fees

- A. The City shall offset the present value of any system-related facilities, pursuant to rules established in this section, which have been dedicated to the City by the feepayer, and have been received by the City, including the value of rights-of-way or capital improvements constructed pursuant to an agreement with the City, against the value of the impact fee due for that category of capital improvement.
- B. All offsets against impact fees shall be subject to the following limitations and shall be granted based on this Ordinance and additional standards promulgated by the City, which may be adopted as administrative guidelines.
1. No offset shall be given for the dedication or construction of site-related facilities.
  2. The unit costs used to calculate the offsets shall not exceed those assumed for the capital improvements included in the capital improvements plan for the category of facility within the service area for which the impact fee is imposed.

3. If an offset applicable to a plat has not been exhausted within ten (10) years from the date of the issuance of the first building permit after the effective date of this ordinance or within such period as may be otherwise designated by contract, such offset shall lapse.
  4. In no event will the City reimburse the property owner or developer for an offset when no impact fees for the new development can be collected pursuant to this Ordinance or for any value exceeding the total impact fees due for the development for that category of capital improvement, unless otherwise agreed to by the City.
- C. An applicant for new development must apply for an offset against impact fees due for the development either at or before the time of plat recordation. The applicant shall file a petition for offsets with the City on a form provided for such purpose. The contents of the petition shall be established by administrative guidelines. The City must provide the applicant, in writing, with a decision on the offset request, including the reasons for the decision. The decision shall specify the maximum value of the offset which may be applied against an impact fee, which value and the date of the determination shall be associated with the plat for the new development.
- D. The available offset associated with the plat shall be applied against an impact fee in the following manner:
1. Such offset shall be prorated equally among all service units, as calculated in Section 1.09, and remain applicable to such service units, to be applied at time of filing and acceptance of an application for a building permit, against impact fees due.
  2. If the total number of service units used by the City in the original offset calculation described in (1) is eventually exceeded by the number of total service units realized by the actual development, the City may, at its sole discretion, collect the full impact fee exclusive of any associated offset for the excess service units.
  3. At its sole discretion, the City may authorize alternative offset agreements upon petition by the owner in accordance with guidelines promulgated by the City.

- A. The City shall establish separate interest-bearing accounts, in a bank authorized to receive deposits of City funds, for each major category of capital facility for which an impact fee is imposed pursuant to this Ordinance.
- B. Interest earned by each account shall be credited to that account and shall be used solely for the purposes specified for funds authorized in Section 1.16.
- C. The City shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized in Section 1.16. Disbursement of funds shall be authorized by the City at such times as are reasonably necessary to carry out the purposes and intent of this Ordinance; provided, however, that any fee paid shall be expended within a reasonable period of time, but not to exceed ten (10) years from the date the fee is deposited into the account.
- D. The City shall maintain and keep adequate financial records for each such account, which shall show the source and disbursement of all revenues, which shall account for all monies received, and which shall ensure that the disbursement of funds from each account shall be used solely and exclusively for the provision of uses specified in the capital improvements program as system-related facilities. The City shall also maintain such records as are necessary to ensure that refunds are appropriately made under the provision in Section 1.18 of this Ordinance, and such other information as may be necessary for the proper implementation of this Ordinance.

Section 10.02.016 Use of Proceeds of Impact Fee Accounts

- A. The impact fees collected pursuant to this Ordinance may be used to finance or to recoup capital construction costs of service. Impact fees may also be used to retire bonds or to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the City to finance such capital construction costs of service.
- B. Impact fees collected pursuant to this Ordinance shall not be used to pay for any of the following expenses:
  - 1. Construction, acquisition or expansion of capital improvements or assets other than those identified in the associated capital improvements plans;

2. Repair, operation, or maintenance of existing or new capital improvements or facilities expansions;
3. Upgrading, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
4. Upgrading, expanding or replacing existing capital improvements to provide better service to existing development; provided however, that impact fees may be used to pay the costs of upgrading, expanding or replacing existing capital improvements in order to meet the need for new capital improvements generated by new development; or
5. Administrative and operating costs of the City.

Section 10.02.017 Appeals

- A. The property owner or applicant for new development may appeal the following decisions to the City Manager:
  1. The applicability of an impact fee to the development;
  2. The basis for fee calculation;
  3. The amount of fee due.
  4. The availability or the value of an offset;
  5. The application of an offset against an impact fee due;
  6. The amount of the refund due, if any.
- B. The burden of proof shall be on the appellant to demonstrate that the value of the fee or the value of the offset was not calculated according to the applicable impact fee schedule or the guidelines established for determining offsets.
- C. If the appeal application is accompanied by a bond or other sufficient surety satisfactory to the City Manager in an amount equal to the original determination of the impact fee due, the development application or tap purchase or building permit application may

be processed while the appeal is pending.

- D. The appellant may appeal the decision of the City Manager to the Council. A notice of appeal to the Council must be filed by the applicant with the City Secretary within thirty (30) days following the City Manager's decision. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the City Attorney in an amount equal to the original determination of the capital recovery fee due, the development application or tap purchase or building permit issuance may be processed while the appeal is pending.

Section 10.02.018    Refunds

- A. Any impact fee or portion thereof collected pursuant to this Ordinance which has not been expended within ten (10) years from the date of payment, shall be refunded, upon application, to the record owner of the property at the time the refund is paid, or, if the impact fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Article 1.03, Title 79, Revised Statutes (Article 5069-1.03, Vernon's Texas Civil Statutes), or any successor statute.
- B. An impact fee collected pursuant to this Ordinance shall be considered expended if the total expenditures for capital improvements or facilities expansions authorized in Section 1.16 within ten (10) years following the date of payment exceeds the total fees collected for such improvements or expansions during such period.
- C. If a refund is due pursuant to subsections (A) and (B), the City shall pro-rate the same by dividing the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record owner or governmental entity shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.
- D. Upon the request of an owner of the property on which an impact fee has been paid, the City shall refund such fees if:
1. Existing service is available and service is denied; or

2. Service was not available when the fee was collected and the City has failed to commence construction of facilities to provide service within two years of fee payment; or
  3. Service was not available when the fee was collected and has not subsequently been made available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in any event later than five years from the date of fee payment.
- E. The City shall refund an appropriate proportion of impact fee payments in the event that a previously purchased unused water meter is replaced with a smaller meter, based on the SUE differential of the two meter sizes and the per-SUE fee at the time of the original fee payment, less an administrative charge of \$50.
- F. Petition for refunds shall be submitted to the City on a form provided by the City for such purpose. Within one month of the date of receipt of a petition for refund, the City must provide the petitioner, in writing, with a decision on the refund request, including the reasons for the decision. If a refund is due to the petitioner, the City Manager shall cause a refund payment be made to the petitioner.

Section 10.02.019 Updates to Plan and Revision of Fees

The City shall review the land use assumptions and capital improvements plan for water and wastewater facilities at least every five years, the first five year period commencing from the date of adoption of the capital improvements plan referenced herein. The City Council shall accordingly then make a determination of whether changes to the land use assumptions, capital improvements plan or impact fees are needed and shall, in accordance with the procedures set forth in Chapter 395 of the Texas Local Government Code, or any successor statute, either update the fees or make a determination that no update is necessary.

Section 10.02.020 Functions of Advisory Committee

- A. The functions of the Advisory Committee are those set forth in Chapter 395 of the Texas Local Government Code, or any successor statute, and shall include the following:
1. Advise and assist the City in adopting land use assumptions;

2. Review the capital improvements plan regarding water and wastewater capital improvements and file written comments thereon;
  3. Monitor and evaluate implementation of the capital improvements program;
  4. Advise the City of the need to update or revise the land use assumptions, capital improvements program and impact fees; and
  5. File semiannual reports evaluating the progress of the City in achieving the capital improvements plans and identifying any problems in implementing the plans or administering the impact fees, and any perceived inequities in administration of the fee.
  6. In October of each year, the Committee shall review the impact fees being assessed to determine whether said fees should be adjusted to reflect (a) any changed circumstances encountered by the City; and (b) any increases in the Consumer Price Index.
- B. The City shall make available to the Advisory Committee any professional reports prepared in the development or implementation of the capital improvements plan.
- C. The Council shall adopt procedural rules for the committee to follow in carrying out its duties.

Section 10.02.021 Agreement for Capital Improvements

The City Council may approve the owner of a new development to construct or finance some of the public improvements identified in the CIP. In the case of such approval, the property owner must enter into an agreement with the City prior to fee collection. The agreement shall be on a form approved by the City, and shall establish the estimated cost of improvement, the schedule for initiation and completion of the improvement, a requirement that the improvement shall be completed to City standards, and any other terms and conditions the City deems necessary. The City Manager or his/her designee shall review the improvement plan, verify costs and time schedules, determine if the improvement is contained in the CIP, and determine the amount of the applicable offset for such improvement to be applied to the otherwise applicable impact fee before submitting the proposed agreement to the Council for approval.

Section 10.02.022 Use of Other Financing Mechanisms

- A. The City may finance water and wastewater capital improvements or facilities expansions designated in the capital improvements plan through the use of operating cash transfers, through the issuance of bonds, through the formation of public improvement districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.
- B. Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

Section 10.02.023 Impact Fees as Additional and Supplemental Regulation

- A. Impact fees established by this Ordinance are additional and supplemental to, and not in substitution of, any other requirements imposed by the City on the development of land or the issuance of building permits or the sale of water or wastewater taps or the issuance of certificates of occupancy. Such fees are intended to be consistent with and to further the policies of City's Comprehensive Plan, capital improvements plan, zoning ordinance, subdivision regulations and other City policies, ordinances and resolutions by which the City seeks to ensure the provision of adequate public facilities in conjunction with the development of land.
- B. This Ordinance shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of public improvements subject to the zoning and subdivision regulations or other regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such development.

Section 10.02.024 Relief Procedures

- A. Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the City Council to determine whether any duty required by this ordinance has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the act be performed within sixty (60) days of the request. If the Council

determines that the duty is required pursuant to the ordinance and is late in being performed, it shall cause the duty to commence within sixty (60) days of the date of the request and to continue until completion.

Section 10.02.025 Exemption from Ordinance

No exemptions will be granted from payment of applicable water and wastewater impact fees, except as provided for in Section 1.14.

Section 10.02.026 Certification of Compliance Required

- A. The City Manager or designee shall submit a written certification verifying compliance with this chapter to the attorney general each year not later than the last day of the City=s fiscal year.
- B. The certification must be signed by the presiding officer of the City Council and include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

*SECTION 2*  
*WATER FACILITIES IMPACT FEES*

Section 10.02.027    Water Service Area

- A.    There is hereby established a water service area as depicted on Exhibit A, attached hereto and incorporated herein by reference.
  
- B.    The boundaries of the water service area may be amended from time to time, and new water service areas may be delineated, pursuant to the procedures in Section 1.07.

Section 10.02.028    Water Improvements Plan

- A.    The Water Improvements Plan for the City is hereby adopted as Exhibit D attached hereto and incorporated by reference herein.
  
- B.    The Water Improvements Plan may be amended from time to time, pursuant to the procedures set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 10.02.029    Water Impact Fees

- A.    The maximum impact fee values per service unit for water facilities are hereby adopted and incorporated in Exhibit C attached hereto and made a part hereof by reference.
  
- B.    The impact fee values per service unit for water facilities may be amended from time to time, pursuant to the procedures in Section 1.10.

*SECTION 3*  
*WASTEWATER FACILITIES IMPACT FEES*

Section 10.02.030    Wastewater Service Area

- A.    There is hereby established a wastewater service area as depicted on Exhibit A, attached hereto and incorporated herein by reference.
  
- B.    The boundaries of the wastewater service area may be amended from time to time, and new wastewater service areas may be delineated, pursuant to the procedures in Section 1.07.

Section 10.02.031    Wastewater Improvements Plan

- A.    The Wastewater Improvements Plan for the City is hereby adopted as Exhibit E attached hereto and incorporated by reference herein.
  
- B.    The Wastewater Improvements Plan may be amended from time to time, pursuant to the procedures set forth in Chapter 395 of the Texas Local Government Code and its successors.

Section 10.02.032    Wastewater Impact Fees

- A.    The maximum impact fee values per service unit for wastewater facilities are hereby adopted and incorporated in Exhibit C attached hereto and made a part hereof by reference.
  
- B.    The impact fee values per service unit for wastewater facilities may be amended from time to time, pursuant to the procedures in Section 1.10.

**PART 2.** This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**PART 3:** If any sentence, section, subsection, clause, phrase, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**PART 4:** The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

**PART 5:** Any violation of this ordinance can be enjoined by a suit filed in the name of the City in court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City.

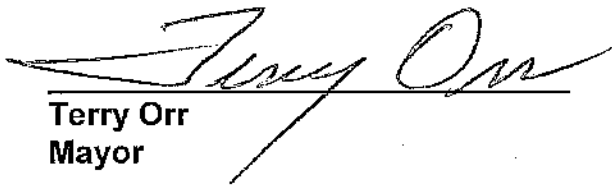
**PART 6:** This Ordinance shall take effect immediately upon passage of the second reading.

READ and APPROVED on first reading this the 26<sup>th</sup> day of July 2011.

READ and ADOPTED on second reading this the 9<sup>th</sup> day of August 2011.

**APPROVED:**

**ATTEST:**

  
Terry Orr  
Mayor


  
Teresa Valdez  
City Secretary

EXHIBIT A  
SERVICE AREA MAP



**EXHIBIT B**  
**LAND USE ASSUMPTIONS**

**TABLE 5-1  
POPULATION AND LAND USE PROJECTIONS FOR THE CITY OF  
BASTROP**

LAND USE	2010		2020	
	ACRES	%	ACRES	%
Single-Family Residential	1,021	4.33%	1,511	6.40%
Multi-Family	39	0.17%	58	0.25%
Other Residential	78	0.33%	115	0.49%
Retail/Office	224	0.95%	331	1.40%
Commercial	185	0.78%	273	1.16%
Industrial	39	0.17%	58	0.25%
Public / Semi-Public	370	1.57%	547	2.32%
Parks and Open Space	97	0.41%	144	0.61%
Nonurban / Undeveloped	21,552	91.30%	20,568	87.13%
<b>TOTAL ACREAGE</b>	<b>23,605</b>	<b>100.00%</b>	<b>23,605</b>	<b>100.00%</b>
Population	9,725		14,395	
Water Service Population	7,274		11,944	
Sewer Service Population	7,750		12,420	
Water SUEs	4,546		7,464	
Sewer SUEs	4,843		7,761	
Population per Urban Acre	4.74		4.74	
Population per Acre (Total Acres)	0.41		0.61	

EXHIBIT C  
MAXIMUM AND EFFECTIVE IMPACT FEES

**MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES  
CITY OF BASTROP**

METER TYPE	METER SIZE	MULTIPLIER	MAXIMUM IMPACT FEE			EFFECTIVE IMPACT FEE		
			WATER	SEWER	BOTH	WATER	SEWER	BOTH
SIMPLE	5/8" x 3/4"	1.0	\$1,871.87	\$2,107.32	\$3,979.19	\$1,871.87	\$2,107.32	\$3,979.19
SIMPLE	3/4"	1.0	\$1,871.87	\$2,107.32	\$3,979.19	\$1,871.87	\$2,107.32	\$3,979.19
SIMPLE	1"	2.5	\$4,679.68	\$5,268.30	\$9,947.98	\$4,679.68	\$5,268.30	\$9,947.98
SIMPLE	1-1/2"	5.0	\$9,359.35	\$10,536.60	\$19,895.95	\$9,359.35	\$10,536.60	\$19,895.95
SIMPLE	2"	8.0	\$14,974.96	\$16,858.56	\$31,833.52	\$14,974.96	\$16,858.56	\$31,833.52
COMPOUND	2"	8.0	\$14,974.96	\$16,858.56	\$31,833.52	\$14,974.96	\$16,858.56	\$31,833.52
TURBINE	2"	10.0	\$18,718.70	\$21,073.20	\$39,791.90	\$18,718.70	\$21,073.20	\$39,791.90
COMPOUND	3"	16.0	\$29,949.92	\$33,717.12	\$63,667.04	\$29,949.92	\$33,717.12	\$63,667.04
TURBINE	3"	24.0	\$44,924.88	\$50,575.68	\$95,500.56	\$44,924.88	\$50,575.68	\$95,500.56
COMPOUND	4"	25.0	\$46,796.75	\$52,683.00	\$99,479.75	\$46,796.75	\$52,683.00	\$99,479.75
TURBINE	4"	42.0	\$78,618.54	\$88,507.44	\$167,125.98	\$78,618.54	\$88,507.44	\$167,125.98
COMPOUND	6"	50.0	\$93,593.50	\$105,366.00	\$198,959.50	\$93,593.50	\$105,366.00	\$198,959.50
TURBINE	6"	92.0	\$172,212.04	\$193,873.44	\$366,085.48	\$172,212.04	\$193,873.44	\$366,085.48
COMPOUND	8"	80.0	\$149,749.60	\$168,585.60	\$318,335.20	\$149,749.60	\$168,585.60	\$318,335.20
TURBINE	8"	160.0	\$299,499.20	\$337,171.20	\$636,670.40	\$299,499.20	\$337,171.20	\$636,670.40
COMPOUND	10"	115.0	\$215,265.05	\$242,341.80	\$457,606.85	\$215,265.05	\$242,341.80	\$457,606.85
TURBINE	10"	250.0	\$467,967.50	\$526,830.00	\$994,797.50	\$467,967.50	\$526,830.00	\$994,797.50
TURBINE	12"	330.0	\$617,717.10	\$695,415.60	\$1,313,132.70	\$617,717.10	\$695,415.60	\$1,313,132.70

EXHIBIT D  
WATER IMPROVEMENTS PLAN

**TABLE 5-2**  
**CAPACITY DEMAND FOR EACH NEW WATER SUE**

<b>FACILITY</b>	<b>BASIS</b>	<b>CAPACITY PER SUE</b>
Supply	Peak Day	864 gallons daily
Booster Pumps	Peak Day	864 gallons daily
Total Storage	TCEQ Requirement	200 gallons
Elevated Storage	TCEQ Requirement	100 gallons

*Source: K Friese & Associates, 2010.*

**LUE EQUIVALENCIES FOR VARIOUS TYPES AND SIZES OF  
WATER METERS**

<b>METER TYPE</b>	<b>METER SIZE</b>	<b>CONTINUOUS DUTY MAXIMUM RATE (gpm)</b>	<b>RATIO TO 5/8" METER</b>
SIMPLE	5/8" x 3/4"	10	1.0
SIMPLE	3/4"	15	1.5
SIMPLE	1"	25	2.5
SIMPLE	1-1/2"	50	5.0
SIMPLE	2"	80	8.0
COMPOUND	2"	80	8.0
TURBINE	2"	100	10.0
COMPOUND	3"	160	16.0
TURBINE	3"	240	24.0
COMPOUND	4"	250	25.0
TURBINE	4"	420	42.0
COMPOUND	6"	500	50.0
TURBINE	6"	920	92.0
COMPOUND	8"	800	80.0
TURBINE	8"	1600	160.0
COMPOUND	10"	1150	115.0
TURBINE	10"	2500	250.0
TURBINE	12"	3300	330.0

*SOURCE: AWWA Standards C700, C701, C702, C703.*

**TABLE 5-4  
CURRENT METER COUNT AND ESTIMATION OF LIVING UNITS EQUIVALENT**

METER SIZE (Excluding Residential Master Meters)	LUES PER METER	NUMBER OF METERS	NUMBER OF RETAIL LUES (Excluding Residential Master Meters)	MASTER- METERED RESIDENTIAL UNITS	LUES @ 0.5 LUES PER UNIT	TOTAL LUES
5/8" and 3/4"	1.0	2,454	2,454			
1"	2.5	122	305			
1¼, 1½"	5.0	50	250			
2"	8.0	84	672			
2" Compound	8.0	4	32			
3"	16.0	12	192			
3" Compound	24.0	4	96			
4"	25.0	3	75			
4" Compound	42.0	2	84			
6"	50.0	1	50			
8"	80.0	0	0			
<b>Total</b>		<b>2,736</b>	<b>4,210</b>	<b>671</b>	<b>336</b>	<b>4,546</b>
Service Population						<b>7,274</b>
Population/LUE						<b>1.60</b>

**TABLE 5-6  
ESTIMATED WATER SERVICE DEMAND BY FACILITY TYPE**

FACILITY TYPE	VOLUME	
	2010	2020
SUE'S (a)	4,546	7,464
WATER SUPPLY MGD: (b)		
Estimated Demand	3.927	6.449
Existing Capacity (f)	3.708	3.708
<b>Excess/(Deficiency)</b>	<b>(0.219)</b>	<b>(2.741)</b>
BOOSTER PUMP MGD: (c)		
Estimated Demand	3.927	6.449
Existing Capacity (f)	3.651	3.651
<b>Excess/(Deficiency)</b>	<b>(0.276)</b>	<b>(2.798)</b>
GROUND STORAGE MG: (d)		
Estimated Demand	0.455	0.746
Existing Capacity (f)	1.000	1.000
<b>Excess/(Deficiency)</b>	<b>0.545</b>	<b>0.279</b>
ELEVATED WATER STORAGE MG: (e)		
Estimated Demand	0.455	0.746
Existing Capacity (f)	1.477	1.477
<b>Excess/(Deficiency)</b>	<b>1.022</b>	<b>0.731</b>

(a) 2010 SUE's based on count of equivalent meters. 2020 SUE's determined by 2010 persons per SUE (SUE = 1.87 persons) applied to projected service population.

(b) Capacity Demand = 540 gallons/SUE/day.

(c) Capacity Demand = 540 gallons/SUE/day.

(d) Capacity Demand = 100 gallons/SUE.

(e) Capacity Demand = 100 gallons/SUE.

(f) Existing Capacity details are contained in **Table 5-8**.

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (a)
<b>WATER SUPPLY</b>							
<b>EXISTING FACILITIES</b>		<b>AVG. MGD</b>					
Willow Street Plant	\$781,865	3.132					
Bob Bryant Park Site	\$957,783	0.576					
<i>Subtotal Existing Supply</i>	<i>\$1,739,648</i>	<i>3.708</i>	<i>3.708</i>	<i>0.000</i>	<i>0.000</i>	<i>\$0</i>	
<b>FUTURE FACILITIES</b>							
Additional Wells at Bob Bryant Park	\$849,240	0.580					
Well Site J (Simsboro-Preliminarily Sited near WWTP#4)	\$1,303,765	1.440					
<i>Subtotal Future Supply</i>	<i>\$2,153,005</i>	<i>2.020</i>	<i>0.219</i>	<i>1.801</i>	<i>0.000</i>	<i>\$1,919,270</i>	
<b>TOTAL WATER SUPPLY</b>	<b>\$3,892,653</b>	<b>5.728</b>	<b>3.927</b>	<b>1.801</b>	<b>0.000</b>	<b>\$1,919,270</b>	<b>\$657.67</b>

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (a)
<b>PUMPING</b>							
<b>EXISTING FACILITIES</b>		<b>PEAK HOUR MGD</b>					
HS PS at Willow Street Plant	\$69,000	2.499					
Loop 150 Transfer Pump	\$2,036	1.152					
<i>Subtotal Existing Pumpage</i>	<i>\$71,036</i>	<i>3.651</i>	<i>3.651</i>	<i>0.000</i>	<i>0.000</i>	<i>\$0</i>	
<b>FUTURE FACILITIES</b>							
HS PS at Bob Bryant Park	\$1,303,503	1.728					
HS PS at Well Site J	\$960,931	1.440					
<i>Subtotal Future Pumpage</i>	<i>\$2,264,434</i>	<i>3.168</i>	<i>0.276</i>	<i>2.521</i>	<i>0.376</i>	<i>\$1,802,244</i>	
<b>TOTAL WATER PUMPAGE</b>	<b>\$2,335,470</b>	<b>6.819</b>	<b>3.927</b>	<b>2.521</b>	<b>0.376</b>	<b>\$1,802,244</b>	<b>\$617.57</b>

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (a)
<b>GROUND STORAGE</b>							
<b>EXISTING FACILITIES</b>		MG					
Tank 1 at Willow Street	\$350,000	0.500					
Tank 2 at Willow Street	\$350,000	0.500					
<i>Subtotal Existing Facilities</i>	<i>\$700,000</i>	<i>1.000</i>	<i>0.455</i>	<i>0.069</i>	<i>0.545</i>	<i>\$0</i>	
<b>FUTURE FACILITIES</b>							
GST at Bob Bryant Park	\$218,106	0.286					
GST at Well Site J	\$247,471	0.350					
<i>Subtotal Future Facilities</i>	<i>\$465,577</i>	<i>0.636</i>	<i>0.000</i>	<i>0.292</i>	<i>0.377</i>	<i>\$213,629</i>	
<b>TOTAL GROUND STORAGE</b>	<b>\$1,165,577</b>	<b>1.636</b>	<b>0.455</b>	<b>0.292</b>	<b>0.922</b>	<b>\$213,629</b>	<b>\$73.20</b>

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (a)
<b>ELEVATED STORAGE</b>							
<b>EXISTING FACILITIES</b>		MG					
EST at Loop 150	\$375,000	0.250					
Standpipe at Loop 150	\$700,000	1.000					
GST at Loop 150	\$140,000	0.227					
<i>Subtotal Existing Facilities</i>	<i>\$1,215,000</i>	<i>1.477</i>	<i>0.455</i>	<i>0.042</i>	<i>0.980</i>	<i>\$34,550</i>	
<b>FUTURE FACILITIES</b>							
Elevated Storage Tank West of River	\$823,800	0.250	0.000	0.250	0.000	\$823,229	
<i>Subtotal Future Facilities</i>	<i>\$823,800</i>	<i>0.250</i>	<i>0.000</i>	<i>0.250</i>	<i>0.000</i>	<i>\$823,229</i>	
<b>TOTAL ELEVATED STORAGE</b>	<b>\$2,038,800</b>	<b>1.727</b>	<b>0.455</b>	<b>0.292</b>	<b>0.980</b>	<b>\$857,778</b>	<b>\$293.63</b>

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST.	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (¢)
<b>MAJOR TRANSMISSION LINES</b>							
<b>EXISTING FACILITIES</b>							
		%					
8-inch line on Old Austin Hwy	\$146,690						
8-inch line on Cedar RR/Hwy 95	\$171,255						
12-inch line on Pecan Chestnut/71	\$143,956						
8-inch line on Pecan Chestnut/71	\$5,775						
8-inch line on Pecan Chestnut/71	\$33,945						
8-inch line on Walnut Pecan/Main	\$54,986						
12-inch line on Perkins/Higgins	\$96,491						
8-inch line on Perkins/Eskew ROW	\$60,467						
8-inch line on Jones/Higgins	\$39,258						
12-inch line on Eskew/Loop 150	\$48,904						
8-inch line on Eskew/Loop 150	\$75,410						
10-inch line Hwy 71 River Bridge	\$86,683						
8-inch line on Main RR to Farm	\$171,862						
8-inch line on Cedar RR/Pecan	\$136,356						
<i>Subtotal Existing Facilities</i>	\$1,288,936	100.00%	13.00%	13.00%	74.00%	\$164,962	

**TABLE 5-8  
CIP INVENTORY AND COSTING  
WATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST.	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (¢)
<b>FUTURE FACILITIES</b>							
8-inch Main from Well Site J	\$752,427						
Loop 150 Water Line Replacement-size increase	\$120,900						
River Crossing at Highway 71 - 8-inches	\$474,308						
8-inch Main to Industrial Park (c)	\$0						
8-inch Mains for Pecan Crossing & Pecan Park (c)	\$0						
12-inch Extension Along Highway 21 (c)	\$0						
8-inch Main to serve Hunter's Crossing West	\$144,218						
<i>Subtotal Future Facilities</i>	\$1,491,853	100.00%	0.00%	47.00%	53.00%	\$701,171	
<b>TOTAL TRANSMISSION LINES</b>	<b>\$2,780,789</b>	<b>100.00%</b>				<b>\$866,133</b>	<b>\$296.80</b>
<b>TOTALS</b>	<b>\$4,219,709</b>					<b>\$1,659,055</b>	<b>\$1,938.18</b>

EXHIBIT E  
WASTEWATER IMPROVEMENTS PLAN

**TABLE 5-3**  
**CAPACITY DEMAND FOR EACH NEW WASTEWATER SUE**

FACILITY	BASIS	CAPACITY PER SUE
Treatment	Average Day	145 gallons/day (current flows) 240 gallons/day (growth)
Pumping	Engineering Analysis	1,746 gallons/day

*Source: K Friese & Associates, 2010.*

**LUE EQUIVALENCIES FOR VARIOUS TYPES AND SIZES OF  
WATER METERS**

<b>METER TYPE</b>	<b>METER SIZE</b>	<b>CONTINUOUS DUTY MAXIMUM RATE (gpm)</b>	<b>RATIO TO 5/8" METER</b>
SIMPLE	5/8" x 3/4"	10	1.0
SIMPLE	3/4"	15	1.5
SIMPLE	1"	25	2.5
SIMPLE	1-1/2"	50	5.0
SIMPLE	2"	80	8.0
COMPOUND	2"	80	8.0
TURBINE	2"	100	10.0
COMPOUND	3"	160	16.0
TURBINE	3"	240	24.0
COMPOUND	4"	250	25.0
TURBINE	4"	420	42.0
COMPOUND	6"	500	50.0
TURBINE	6"	920	92.0
COMPOUND	8"	800	80.0
TURBINE	8"	1600	160.0
COMPOUND	10"	1150	115.0
TURBINE	10"	2500	250.0
TURBINE	12"	3300	330.0

**SOURCE: AWWA Standards C700, C701, C702, C703.**

**TABLE 5-7  
ESTIMATED WASTEWATER SERVICE DEMAND BY  
FACILITY TYPE**

FACILITY TYPE	VOLUME	
	2010	2020
SUE's (a)	4,843	7,761
<b>WASTEWATER TREATMENT AVERAGE MGD:</b>		
Estimated Demand (b)	0.700	1.400
Existing Capacity (d)	1.400	1.400
<b>Excess/(Deficiency)</b>	<b>0.700</b>	<b>0.000</b>
<b>WASTEWATER PUMPING:</b>		
Estimated Demand (c)	8.454	13.548
Existing Capacity (d)	6.348	6.348
<b>Excess/(Deficiency)</b>	<b>(2.106)</b>	<b>(7.200)</b>

(a) Same number of SUE's per person as water.

(b) Capacity demand = 145 gallons/SUE/daily for existing customers and 240 gallons/SUE daily for growth.

(c) Capacity demand = 1,746 gallons/SUE/daily

(d) Existing Capacity details are contained in Table 5-9.

**TABLE 5-9  
CIP INVENTORY AND COSTING  
WASTEWATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST.	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE (j)
<b>TREATMENT</b>							
<b>EXISTING FACILITIES</b>		<b>AVG MGD</b>					
WWTP No. 1	\$505,014	1.040					
WWTP No. 2	\$654,392	0.360					
<i>Subtotal Existing Facilities</i>	<i>\$1,159,406</i>	<i>1.400</i>	<i>0.780</i>	<i>0.300</i>	<i>0.400</i>	<i>\$248,444</i>	
<b>FUTURE FACILITIES</b>							
Add 0.4 MGD Package Plant to WWTP #1	\$2,000,000	0.400					
<i>Subtotal Future Facilities</i>	<i>\$2,000,000</i>	<i>0.400</i>	<i>0.000</i>	<i>0.400</i>	<i>0.000</i>	<i>\$2,000,000</i>	
<b>TOTAL WASTEWATER TREATMENT</b>	<b>\$3,159,406</b>	<b>1.800</b>	<b>0.780</b>	<b>0.700</b>	<b>0.400</b>	<b>\$2,248,444</b>	<b>\$770.4</b>

**TABLE 5-9  
CIP INVENTORY AND COSTING  
WASTEWATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2020	
		TOTAL	CURRENT CUST.	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE
<b>PUMPING</b>							
<b>EXISTING FACILITIES</b>		<b>MGD</b>					
Home Depot LS	\$70,000	0.115	0.092	0.022	0.001	\$13,391	
Riverside Grove LS	\$69,500	0.576	0.406	0.115	0.055	\$13,876	
Old Austin LS	\$52,000	0.180	0.026	0.007	0.147	\$2,022	
Central LS	\$255,730	1.339	1.339	0.000	0.000	\$0	
Hunters Crossing LS	\$100,000	1.166	0.268	0.638	0.268	\$54,717	
River LS	\$100,000	0.648	0.392	0.086	0.170	\$13,272	
North Pecan LS	\$66,500	0.475	0.045	0.010	0.420	\$1,400	
Lincoln LS	\$50,000	0.049	0.024	0.007	0.018	\$7,143	
Wilson LS	\$15,000	0.072	0.026	0.007	0.039	\$1,458	
Main Street LS	\$100,000	0.648	0.548	0.000	0.000	\$0	
Mauna Loa LS	\$250,000	0.432	0.432	0.000	0.000	\$0	
Gills Branch LS	\$250,000	0.648	0.648	0.000	0.000	\$0	
<i>Subtotal Existing Facilities</i>	<i>\$1,570,730</i>	<i>6.348</i>	<i>4.346</i>	<i>0.892</i>	<i>1.110</i>	<i>\$102,279</i>	
<b>FUTURE FACILITIES</b>							
Relocate and Upgrade Gills Branch LS	\$948,000	1.368	0.014	1.212	0.142	\$839,895	
Upgrade Mauna Loa LS	\$127,500	0.288	0.027	0.210	0.051	\$92,969	
New Lift Station and Force Main at CLS site to WWTP #1, 2	\$750,000	2.780	0.000	2.780	0.000	\$750,000	
Localized Lift Stations	(b)						
<i>Subtotal Future Facilities</i>	<i>\$1,825,500</i>	<i>4.436</i>	<i>0.041</i>	<i>4.202</i>	<i>0.193</i>	<i>\$1,682,864</i>	
<b>TOTAL WASTEWATER PUMPAGE</b>	<b>\$3,396,230</b>	<b>10.784</b>	<b>4.387</b>	<b>5.094</b>	<b>1.303</b>	<b>\$1,785,143</b>	<b>\$673.2</b>

**TABLE 5-9  
CIP INVENTORY AND COSTING  
WASTEWATER UTILITY**

FACILITY TYPE / NAME	TOTAL CONSTRUCT COST	FACILITY CAPACITY (mgd or gals)				2010-2025	
		TOTAL	CURRENT CUST.	2010-2020 GROWTH	POST-2020 GROWTH	CAPITAL COST TOTAL	COST PER SUE
<b>MAJOR COLLECTION LINES</b>							
<b>EXISTING FACILITIES</b>							
		<b>MGD</b>					
MLK Street Gravity Main (Cost Estimated)	\$1,458,000	3.192	1.908	0.230	1.054	\$105,056	
Pecan Street Gravity Main (Cost Estimated) (no addl capacity)	\$235,909	3.192	1.908	0.230	1.054	\$16,998	
Central LS Force Main (10-inches)	\$120,420	1.762	1.762	0.000	0.000	\$0	
North Pecan LS Force Main (4 inches)	\$11,322	0.282	0.045	0.010	0.227	\$401	
<i>Subtotal Existing Facilities</i>	<i>\$1,825,651</i>	<i>9.276</i>	<i>5.713</i>	<i>0.240</i>	<i>1.287</i>	<i>\$122,459</i>	
<b>FUTURE FACILITIES</b>							
Hunters Crossing Force Main	\$518,318	1.762	0.269	0.638	0.865	\$187,677	
Gills Branch 16-Inch Force Main	\$618,964	3.384	0.014	1.212	2.168	\$221,686	
Gravity Main from Pecan Crossing to HCLS (CRW GM "B")	\$0	2.043	0.000	1.138	0.905	\$0	
Gravity Main Along S.H. 95 to Gills Branch LS (G.B. G.M. "A")	\$3,358,601	4.179	0.000	1.378	2.801	\$1,107,478	
Gravity Main to serve area North of Burleson Crossing (CRW G.M. "C")	\$454,543	0.927	0.000	0.586	0.341	\$287,338	
Gravity Main to Serve area East of S.H. 95 (G.B. G.M. "B")	\$1,754,561	1.591	0.000	0.779	0.812	\$859,084	
<i>Subtotal Future Facilities</i>	<i>\$6,704,987</i>	<i>13.886</i>	<i>0.282</i>	<i>5.721</i>	<i>7.373</i>	<i>\$2,663,263</i>	
<b>TOTAL COLLECTION LINES</b>	<b>\$8,530,638</b>	<b>19.122</b>	<b>5.997</b>	<b>5.971</b>	<b>8.754</b>	<b>\$2,785,718</b>	<b>\$954.58</b>
<b>TOTALS</b>	<b>\$14,834,274</b>					<b>\$5,424,309</b>	<b>\$2,338.48</b>