



**CAPITAL IMPROVEMENTS ADVISORY COMMITTEE**  
**CITY COUNCIL CHAMBERS**  
757 North Galloway Avenue  
February 10, 2020, 6:30 p.m.

**AGENDA**

- I. Approval of the minutes of the December 9, 2019, meeting.
- II. Review and consider the Capital Improvements Advisory Committee Semi-Annual Report for the period of July 1, 2019, through December 31, 2019.

At the conclusion of business, the Chairman shall adjourn the meeting.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia según el Sub-capítulo H, Capítulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia según el Sub-capítulo H, Capítulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.

**CERTIFICATE**

I, Garrett Langford, Manager of Planning and Zoning for the City of Mesquite, Texas, hereby certify that the attached agenda for the Capital Improvements Advisory Committee meeting to be held February 10, 2020, was posted on the bulletin boards at the Municipal Center and City Hall by February 7, 2020, before 6:00 p.m. and remained so posted until after the meeting. This notice was likewise posted on the City's website at [www.cityofmesquite.com](http://www.cityofmesquite.com) for a minimum of 72 hours prior to the meeting.

A handwritten signature in black ink, appearing to read "Garrett Langford".

Garrett Langford, AICP  
Manager of Planning and Zoning  
City of Mesquite, Texas

**MINUTES OF THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE MEETING, HELD AT 6:30 P.M., DECEMBER 9, 2019, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS**

**Present:** Chairman Ronald Abraham, Vice-Chair Sherry Williams, Claude McBride, Jim Andrews, Debbie Anderson, Yolanda Shepard, David Gustof, Sheila Lynn, Alternate Jerome Geisler

**Absent:**

**Staff:** Director of Planning & Development Services Jeff Armstrong, Manager of Planning & Zoning Garrett Langford, Principal Planner Johnna Matthews, Planner Ben Callahan, Planner John Chapman, Planner Lesley Frohberg, City Attorney David Paschall, Senior Administrative Secretary Devanee Winn

**I. APPROVAL OF THE MINUTES OF THE JULY 22, 2019, MEETING.**

A motion was made by Ms. Anderson and seconded by Ms. Shepard to approve. The motion passed 8-0.

**II. REVIEW AND CONSIDER THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE SEMI-ANNUAL REPORT FOR PERIOD ENDING JUNE 30, 2019**

Planner Lesley Frohberg briefed the commission on the Impact Fee Study. Ms. Shepard asked how we collect the fees. Ms. Frohberg answered through the permit process. Mr. Andrews wanted to know who is responsible for the fees if the development never gets finished. Director of Planning & Development Services Jeff Armstrong came to the lectern to answer the question. Mr. Armstrong answered the fees are paid as permits are being applied for. Chairman Abraham opened the public hearing. No one came up to speak. Chair closed the public hearing. Ms. Shepard made a motion to approve. Ms. Williams seconded. The motion passed 7-1 with Mr. Jim Andrews abstaining.

**III. ADJOURNMENT**

The meeting adjourned at 6:54 p.m.

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**Chairman Ron Abraham**



# Capital Improvements Advisory Committee

Semi-Annual Report  
July 1, 2019 – December 31, 2019

## **Mesquite Capital Improvements Advisory Committee**

Yolanda Shepard, Chair, Development Representative

Ronald Abraham

Debbie Anderson

David Gustof

Sheila Lynn

Sherry Williams

Jim Andrews, ETJ Representative

Claude McBride

Jerome Geisler, Alternate

Mildred Arnold, Alternate

## **Staff Advisors**

Jeff Armstrong, AICP, Director of Planning and Development Services

Garrett Langford, AICP, CNU-A, Manager of Planning and Zoning

Lesley Frohberg, Planner

## **Introduction**

Section 395.058 of the Texas Local Government Code requires the City's Capital Improvements Advisory Committee (CIAC) to file a semi-annual report to the City Council "with respect to the progress of the capital improvements plan and . . . any perceived inequities in implementing the plan or imposing the impact fee." This report covers the period from July 1, 2019, through December 31, 2019, and fulfills the CIAC's legislative obligations.

## **Ordinance History**

Mesquite's impact fee program formally commenced in 1996 with the adoption of the first roadway, water, and wastewater impact fee schedule. The City discontinued charging water and wastewater impact fees in 1998, and made other adjustments in 2001 and 2002 based on changes in Texas State law.

In 2003, the City updated its impact fee program, including the impact fee rate schedules, and rates took effect on January 1, 2004. Fee rates were amended again in 2005, and became effective December 1, 2005.

On August 1, 2015, the City adopted a new impact fee ordinance, updating roadway impact fees and instituting impact fees for both water and wastewater. However, the new fee structure for roadway impact fees and the impact fees for water and wastewater did not take effect until January 1, 2016.

This past fall, the City began the process of updating the roadway impact fee study to include areas that have been annexed into Mesquite since 2015. The update did not propose changes to the collection rates for roadway impact fees. The update was considered and approved at the January 21, 2020 City Council meeting.

A summary of impact fee legislation in the City since 1996 can be found in Table 1.

<b>Mesquite's Impact Fee Legislation</b>		
<b>1996</b>	2/29/1996	<b>Resolution 03-96:</b> Re-established CIAC (originally established in Resolution 15-90 on 4-2-90)
	5/6/1996	<b>Resolution 15-96:</b> Land Use Assumptions Adopted
	9/16/1996	<b>Ordinance 3111:</b> Adopted water, wastewater and roadway impact fees
<b>1998</b>	3/2/1998	<b>Ordinance 3213:</b> Minor adjustments to definitions
	9/21/1998	<b>Ordinance 3252:</b> Discontinue water and wastewater impact fees
<b>2001</b>	10/15/2001	Roadway fees temporarily amended to comply with Senate Bill 242
<b>2002</b>	5/1/2002	Roadway fees amended on a permanent basis to comply with Senate Bill 242
<b>2003</b>	3/3/2003	<b>Resolution 09-2003:</b> Amend CIAC membership and terms
	11/3/2003	<b>Ordinance 3615:</b> Amend and update land use assumptions, CIP, service credits and fee rate schedule (effective 1/1/04)
<b>2005</b>	11/21/2005	<b>Ordinance 3780:</b> Amend the impact fee rate schedule (effective 12/1/05)
<b>2008</b>	10/20/2008	<b>Ordinance 3999:</b> Five year statutory update completed
<b>2015</b>	6/15/2015	City Council adopts Land use Assumptions and CIP
	7/6/2015	<b>Ordinance 4366:</b> Adopted update to Roadway Impact Fees and established Water and Sewer Impact Fees (ordinance effective 8/1/15; fees effective 1/1/16)
<b>2020</b>	1/21/2020	<b>Ordinance 4756:</b> Adopted update to Roadway Impact Fee Study including Land Use Assumptions and CIP.

Table 1

## Roadway Impact Fee Revenue

*Calendar Year 2019 (July – December)*

The City collected a total of **\$694,767.89** in roadway impact fees in the 2019 calendar year with **\$303,262.97** collected in the second half of calendar year 2019. This is a **\$73,921.30** increase from this period in 2018 (July 1 – December 31) and an **\$84,482.01** increase from the overall roadway impact fees collected in 2019 from calendar year 2018. Table 2 illustrates the total monthly roadway impact fee collections over the past five years.

### Roadway Impact Fees Collected

<b>Month</b>	<b>CY 2015</b>	<b>CY 2016</b>	<b>CY 2017</b>	<b>CY 2018</b>	<b>CY 2019</b>
January	\$ 67,830.54	\$ 1,040.25	\$ 0.00	\$ 262,145.06	\$ 55,511.47
February	\$ 16,804.08	\$ 73,317.33	\$ 76,236.03	\$ 7,783.43	\$ 55,944.00
March	\$ 17,092.18	\$ 2,584.00	\$ 304,164.56	\$ 59,886.53	\$ 150,850.53
April	\$ 6,591.12	\$ 5,507.82	\$ 124,137.28	\$ 48,021.19	\$ 50,664.28
May	\$ 34,692.05	\$ 145,105.93	\$ 79,019.95	\$ 3,108.00	\$ 42,323.93
June	\$ 369.00	\$ 10,644.78	\$ 37,296.00	\$ 0.00	\$ 29,994.71
<b>First Half Activity</b>	<b>\$ 143,378.97</b>	<b>\$ 238,200.11</b>	<b>\$ 620,853.82</b>	<b>\$ 380,944.21</b>	<b>\$ 391,504.92</b>
July	\$ 13,182.24	\$ 1,732.20	\$ 21,756.00	\$ 46,620.00	\$ 146,668.84
August	\$ 70,519.34	\$ 44,980.47	\$ 6,216.00	\$ 71,484.00	\$ 6,216.00
September	\$ 58,859.34	\$ 18,937.04	\$ 0.00	\$ 19,313.72	\$ 83,657.00
October	\$ 15,515.66	\$ 41,294.96	\$ 96,855.00	\$ 65,980.57	\$ 0.00
November	\$ 5,090.71	\$ 27,972.00	\$ 0.00	\$ 25,943.38	\$ 3,108.00
December	\$ 8,238.90	\$ 6,216.00	\$ 393,058.65	\$ 0.00	\$ 63,613.13
<b>TOTAL</b>	<b>\$ 314,785.16</b>	<b>\$ 379,332.78</b>	<b>\$ 1,138,739.47</b>	<b>\$ 610,285.88</b>	<b>\$ 694,767.89</b>
<b>Monthly Avg.</b>	<b>\$ 26,232.10</b>	<b>\$ 31,611.07</b>	<b>\$ 94,894.96</b>	<b>\$ 50,857.16</b>	<b>\$ 57,897.32</b>

Table 2

## Roadway Impact Fee by Service Area and Type

Impact fee rates are divided into two types: Residential and Commercial. The January 2020 roadway impact fee update assessed the maximum residential rates per service unit at \$1,097 for Service Area A, \$976 for Service Area B, and \$891 for Service Area C. However, the collection rate did not change from 2016, which was set at \$518 per service unit (equates to a fee of \$3,108 per single-family residence). Texas State law requires impact fees be assessed at the time of plat recording and collected when a building permit is issued for a lot. Impact fees for parcels platted after March 1, 1997 are assessed and collected upon issuance of a new building permit. The 2020 update allowed roadway impact fees to be waived for infill development or residential properties that were platted before March 1, 1997. The assessment may be at the highest rate authorized for each service area. The collection rate may be adjusted periodically by City Council but cannot exceed the authorized rate.

Commercial rates nearly doubled to \$1,001 per service unit, effective January 1, 2016. After studying the commercial fees charged by Mesquite's municipal competitors in the Dallas-Ft. Worth area, it was found that the new rate falls within the average of area impact fee rates.

A new impact fee ordinance took effect on August 1, 2015. At that time, new service areas for roadway impact fees were established. However, the new rates did not become effective until January 1, 2016. With changes to Texas State enabling legislation, the number of roadway service areas was reduced from 15 to 3. See *Figure 1* for the service area map.

**Roadway Impact Fees by Type & Service Area**

Service Area	Commercial	Residential	Total
A	\$ 287,722.97	\$ 3,108.00	\$ 290,830.97
B	\$ 0.00	\$ 9,324.00	\$ 9,324.00
C	\$ 0.00	\$ 3,108.00	\$ 3,108.00
<b>TOTAL</b>	<b>\$ 287,722.97</b>	<b>\$ 31,080.00</b>	<b>\$ 303,262.97</b>

Table 3

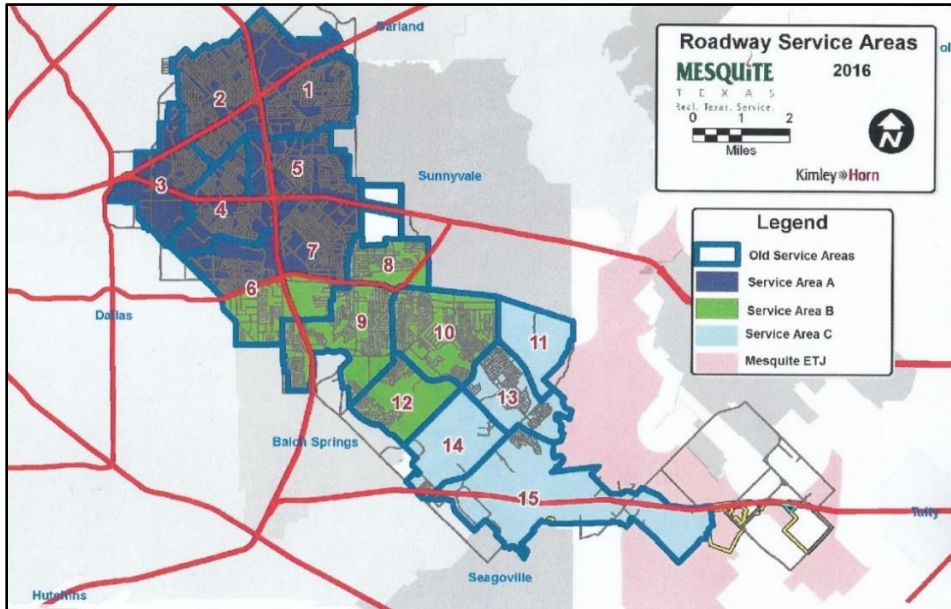


Figure 1: Service Area Map

In the second half of 2019, approximately 95% of all roadway impact fee revenue was generated from commercial development and 5% generated from residential development. This is significantly lower than the first half of 2019 when residential impact fees were 41% of roadway impact fees collected. With several new residential projects beginning over the next several months, it is anticipated that residential development will increase.

**Water and Wastewater Impact Fee Revenue**

*Calendar Year 2019 (July – December)*

The City collected a total of **\$334,704.50** of water impact fees and **\$140,939.50** in wastewater impact fees in calendar year 2019. This represents an increase from calendar year 2018. In the second half of calendar year 2019, the City collected **\$103,260.00** of water impact fees and **\$40,895.50** in wastewater impact fees during the same period. Tables 4 and 5 illustrate the total monthly water and wastewater impact fee collections for calendar years 2016 through 2019.



### Water Impact Fees Collected

<b>Month</b>	<b>CY 2016</b>	<b>CY 2017</b>	<b>CY 2018</b>	<b>CY 2019</b>
January	\$ 0.00	\$ 0.00	\$ 36,141.00	\$ 13,768.00
February	\$ 35,444.50	\$ 30,978.00	\$ 0.00	\$ 27,536.00
March	\$ 0.00	\$ 80,026.50	\$ 49,048.50	\$ 58,514.00
April	\$ 0.00	\$ 81,747.50	\$ 0.00	\$ 64,507.50
May	\$ 45,606.50	\$ 41,304.00	\$ 1,721.00	\$ 28,396.50
June	\$ 15,146.00	\$ 20,652.00	\$ 0.00	\$ 38,722.50
<b>First Half Activity</b>	<b>\$ 96,197.00</b>	<b>\$ 254,798.00</b>	<b>\$ 86,910.50</b>	<b>\$ 231,444.50</b>
July	\$ 3,442.00	\$ 12,047.00	\$ 24,094.00	\$ 0.00
August	\$ 1,721.00	\$ 5,884.00	\$ 30,978.00	\$ 3,442.00
September	\$ 0.00	\$ 0.00	\$ 33,559.50	\$ 43,885.50
October	\$ 52,958.50	\$ 52,490.50	\$ 40,443.50	\$ 9,465.50
November	\$ 33,580.50	\$ 0.00	\$ 23,751.50	\$ 0.00
December	\$ 6,023.50	\$ 0.00	\$ 0.00	\$ 46,467.00
<b>TOTAL</b>	<b>\$ 193,901.50</b>	<b>\$ 325,129.50</b>	<b>\$ 239,737.00</b>	<b>\$ 334,704.50</b>
<b>Monthly Avg.</b>	<b>\$ 16,148.56</b>	<b>\$ 27,094.13</b>	<b>\$ 19,978.00</b>	<b>\$ 27,892.04</b>

Table 4

### Wastewater Impact Fees Collected

<b>Month</b>	<b>CY 2016</b>	<b>CY 2017</b>	<b>CY 2018</b>	<b>CY 2019</b>
January	\$ 0.00	\$ 0.00	\$ 9,649.50	\$ 7,352.00
February	\$ 11,947.00	\$ 14,244.50	\$ 0.00	\$ 14,694.00
March	\$ 0.00	\$ 30,327.00	\$ 14,244.50	\$ 19,299.00
April	\$ 0.00	\$ 36,300.50	\$ 0.00	\$ 27,453.00
May	\$ 14,704.00	\$ 17,461.00	\$ 919.00	\$ 12,866.00
June	\$ 919.00	\$ 11,028.00	\$ 0.00	\$ 18,380.00
<b>First Half Activity</b>	<b>\$ 27,570.00</b>	<b>\$ 111,199.00</b>	<b>\$ 24,813.00</b>	<b>\$ 100,044.00</b>
July	\$ 1,838.00	\$ 6,433.00	\$ 12,866.00	\$ 0.00
August	\$ 919.00	\$ 3,676.00	\$ 16,542.00	\$ 1,838.00
September	\$ 0.00	\$ 0.00	\$ 15,623.00	\$ 16,082.50
October	\$ 19,758.50	\$ 21,137.00	\$ 19,299.00	\$ 2,757.00
November	\$ 17,920.50	\$ 0.00	\$ 8,271.00	\$ 0.00
December	\$ 3,216.50	\$ 0.00	\$ 0.00	\$ 20,218.00
<b>TOTAL</b>	<b>\$ 71,222.50</b>	<b>\$ 142,445.00</b>	<b>\$ 97,414.00</b>	<b>\$ 140,939.50</b>
<b>Monthly Avg.</b>	<b>\$ 5,935.21</b>	<b>\$ 11,870.42</b>	<b>\$ 8,117.83</b>	<b>\$ 11,744.96</b>

Table 5

## **Water and Wastewater Impact Fee by Service Area and Type**

Water and wastewater impact fees have one service area each. The service areas include the entire Mesquite corporate limits, as well as much of Mesquite's Extra-territorial Jurisdiction (ETJ). Unlike roadway impact fees, water and wastewater impact fees may be assessed and collected in the ETJ.

Water and sewer impact fees are calculated based on the size of the water meter. In the case of water meters for irrigation only, no corresponding sewer impact fee is collected. Water impact fees are collected at the maximum assessable fee of \$1,721.00 per service unit. Wastewater impact fees are collected at the maximum assessable fee of \$919.00 per service unit. Even at their maximums, these fees remain below the rates charged by most cities in the Dallas-Ft. Worth area.

## **Economic Development Incentive Programs**

The City of Mesquite has several options available in its economic development toolbox for attracting and retaining business. In appropriate cases, incentives may include a rebate of impact fees. The City has not executed any economic development incentives related to impact fees in 2019.

## **Impact Fees in Annexed Areas of Kaufman County**

Since August 2006, the City Council has annexed approximately 3 square miles into the city limits of Mesquite. The area is largely greenfield and is centered within the I-20 corridor in western Kaufman County. Prior to August 1, 2015, impact fees did not apply in the newly annexed area because there were no roadway projects approved for funding in the City's Capital Improvements Plan. When the new Impact Fee Ordinance became effective on August 1, 2015, roadway impact fees became assessable and collectible in these areas. As of January 1, 2016, water and wastewater impact fees are assessable to annexed areas, as well as the ETJ. For the first time, the City has collected impact fees in this area. The 2020 amendment to the Roadway Impact Fee Ordinance now allows the collection of impact fees in areas annexed after August 1, 2015.

## **The 5-Year Impact Fee Program Update**

Texas State law requires local impact fee programs to be updated every five years. Prior to 2015, the last complete update was conducted in 2003. In 2008 the CIAC and City Council determined that land use assumptions had not changed since the 2003 update and that no further update was necessary. The latest update began in late 2013 and was adopted in 2015. The 2015 ordinance updated roadway impact fees and established water and sewer impact fees. A 2020 ordinance updated the roadway impact fee service areas to allowed fees to be collected for areas annexed since 2015. The update did not change the collection rate.

## Conclusions

1. With the completion of the 5-year update in 2015, the City of Mesquite Impact Fee Program is in conformance with all the provisions of State law.
2. The roadway impact fee update, which was adopted January 2020, included newly annexed areas into the impact fee service areas but did not change the collection rate.
3. Residential impact fee collections decreased significantly from the first half of 2019 relative to commercial impact fees. Staff expects residential impact fee collections to increase as there are several residential projects in development or in the planning process.
4. Residential development is still well below the level of development that Mesquite experienced prior to 2008. Therefore, the viability of the impact fee program will continue to be heavily dependent upon commercial construction.
5. After five years of assessing and collecting roadway impact fees at the new rates and the commencement of water and wastewater impact fees, there is no indication that either the increased or the additional fees have affected development.
6. There are no perceived inequities in the Mesquite impact fee program.