



CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
TRAINING ROOMS A & B
757 North Galloway Avenue
July 27, 2020, 7:00 p.m.

MEETING PARTICIPATION INSTRUCTIONS

In accordance with the Governor's suspension of various provisions of the Texas Open Meetings Act issued pursuant to his state disaster authority, and guidance issued on the suspension by the Attorney General's Office:

1. A quorum of the Planning and Zoning Commission will participate in the meeting by telephone or by being physically present at the meeting location.
2. Members of the public, applicants and interested parties may attend the meeting in person or participate by telephone conference.
3. All persons present at the meeting location must observe social distancing by remaining a minimum of six (6) feet from other meeting participants and are strongly encouraged to wear a covering over their nose and mouth.
4. Applicants and/or members of the public desiring to participate in the meeting by telephone conference may do so by dialing the following local number on Monday, July 27, 2020, before, at, or after 7:00 p.m. central time.

Telephone Conference Number: 888-475-4499
Participation Code (Meeting Id): 874 3605 3021
To view presentation: <https://us02web.zoom.us/j/87436053021>

Persons may press *9 to be recognized to speak during the public comment or public hearing portion of the meeting.

5. The meeting will be audible to all in-person and telephone participants and will allow for their two-way communication. Comments may be made during the meeting upon recognition by the Chairperson or may be made in writing before 3:00 p.m. on July 27, 2020, to the following email address: glangford@cityofmesquite.com.
6. An electronic copy of the agenda packet will be posted online at the City of Mesquite's website (www.cityofmesquite.com).

The meeting will be recorded and made available to the public.

AGENDA

- I. Approval of the minutes of the February 10, 2020, meeting.
- II. Review and consider the Capital Improvements Advisory Committee Semi-Annual Report for the period of January 1, 2020, through June 30, 2020.

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 July 27, 2020, was posted on the bulletin boards at the Municipal Center and City Hall by July 24, 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 for a minimum of 72 hours prior to the meeting.



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., FEBRUARY 10, 2020, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

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

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 DECEMBER 9, 2019, MEETING.

A motion was made by Ms. Anderson and seconded by Mr. Gustof to approve. The motion passed 7-0 with Mr. Jim Andrews abstaining.

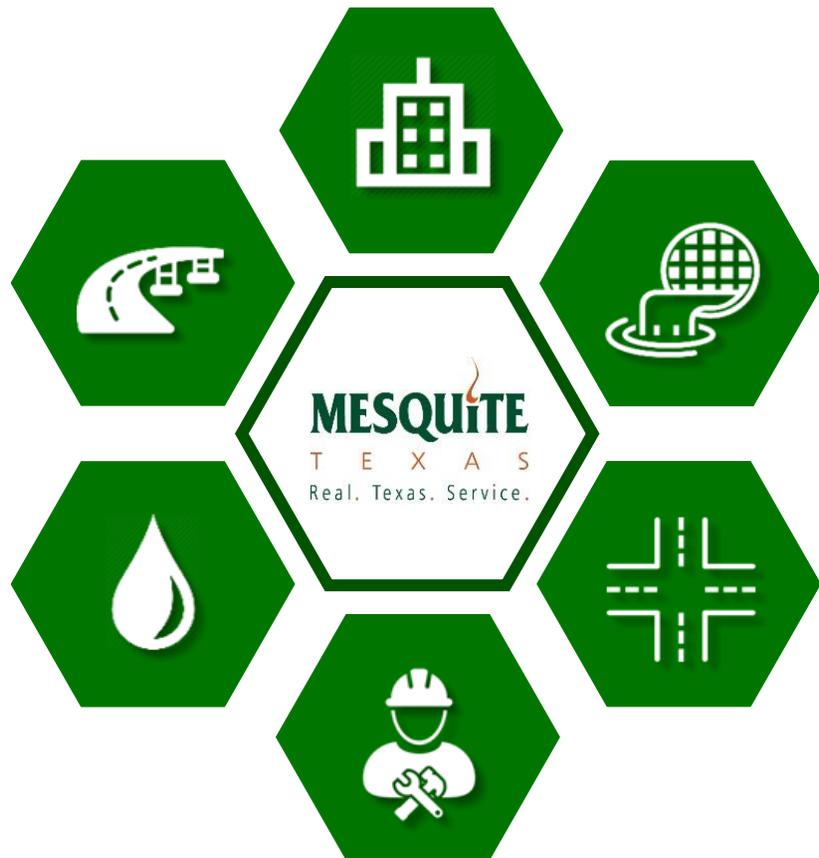
II. REVIEW AND CONSIDER THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE SEMI-ANNUAL REPORT FOR PERIOD OF JULY 1, 2019, THROUGH DECEMBER 31, 2019

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. Chairwoman Yolanda Shepard opened the public hearing. No one came up to speak. Chair closed the public hearing. Ms. Williams made a motion to accept the report. Ms. Lynn seconded. The motion passed 8-0.

III. ADJOURNMENT

The meeting adjourned at 6:40 p.m.

Chairwoman Yolanda Shepard



Capital Improvements Advisory Committee

Semi-Annual Report
January 1, 2020 – June 30, 2020

Mesquite Capital Improvements Advisory Committee

Yolanda Shepard, Chair, Development Representative

David Gustof

Ronald Abraham

Debbie Anderson

Sheila Lynn

Sherry Williams

Claude McBride

Jim Andrews, ETJ Representative

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 January 1, 2020, through June 30, 2020, 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.

In fall 2019, 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.

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

Table 1

Roadway Impact Fee Revenue

Calendar Year 2020 (January – June)

The City collected a total of **\$2,027,933.50** in roadway impact fees in the first half of calendar year 2020. This is a **\$1,633,428.58** increase from this period in 2019 (January 1 – June 30) and an **\$1,333,165.61** increase from the overall roadway impact fees collected in calendar year 2019. Table 2 illustrates the total monthly roadway impact fee collections over the past six years.

Roadway Impact Fees Collected

Month	CY 2015	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020
January	\$ 67,830.54	\$ 1,040.25	\$ 0.00	\$ 262,145.06	\$ 55,511.47	\$25,902.22
February	\$ 16,804.08	\$ 73,317.33	\$ 76,236.03	\$ 7,783.43	\$ 55,944.00	\$133,695.36
March	\$ 17,092.18	\$ 2,584.00	\$ 304,164.56	\$59,886.53	\$ 150,850.53	\$347,759.11.00
April	\$ 6,591.12	\$ 5,507.82	\$ 124,137.28	\$ 48,021.19	\$ 50,664.28	\$1,458,416.81.00
May	\$ 34,692.05	\$ 145,105.93	\$ 79,019.95	\$ 3,108.00	\$ 42,323.93	\$93,118.21.00
June	\$ 369.00	\$ 10,644.78	\$ 37,296.00	\$ 0.00	\$ 29,994.71	\$62,160.00
First Half Activity	\$ 143,378.97	\$ 238,200.11	\$ 620,853.82	\$ 380,944.21	\$ 391,504.92	\$2,027,933.50
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	-
TOTAL	\$ 314,785.16	\$ 379,332.78	\$ 1,138,739.47	\$ 610,285.88	\$ 694,767.89	-
Monthly Avg.	\$ 26,232.10	\$ 31,611.07	\$ 94,894.96	\$ 50,857.16	\$ 57,897.32	\$337,988.92

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 for CY 2020

Service Area	Commercial	Residential	Total
A	\$ 1,428,934.16	\$ 6,216.00	\$ 1,435,150.16
B	\$ 356,575.34	\$ 27,972.00	\$ 384,547.34
C	\$ 0.00	\$ 208,236.00	\$ 208,236.00
TOTAL	\$ 1,785,509.50	\$ 242,424.00	\$ 2,027,933.50

Table 3

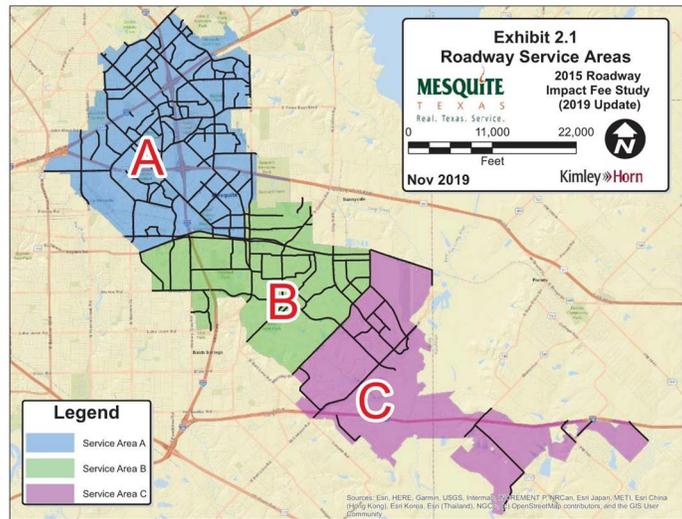


Figure 1: Service Area Map

In the first half of 2020, approximately 88% of all roadway impact fee revenue was generated from commercial development and 12% 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. However, the roadway impact fees collected in the first half of 2019 were the highest percentage since before 2008. 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 2020 (January – June)

The City collected a total of **\$549,918.00** of water impact fees and **\$202,639.50** in wastewater impact fees in the first half of calendar year 2020. This represents an increase from this period (January – June) in 2019. In the first half of calendar year 2019, the City collected **\$231,444.50** of water impact fees and **\$100,044.00** 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 the first half of 2020.

Water Impact Fees Collected

Month	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020
January	\$ 0.00	\$ 0.00	\$ 36,141.00	\$ 13,768.00	\$ 10,326.00
February	\$ 35,444.50	\$ 30,978.00	\$ 0.00	\$ 27,536.00	\$ 131,656.50
March	\$ 0.00	\$ 80,026.50	\$ 49,048.50	\$ 58,514.00	\$ 103,260.00
April	\$ 0.00	\$ 81,747.50	\$ 0.00	\$ 64,507.50	\$ 222,869.50
May	\$ 45,606.50	\$ 41,304.00	\$ 1,721.00	\$ 28,396.50	\$ 37,862.00
June	\$ 15,146.00	\$ 20,652.00	\$ 0.00	\$ 38,722.50	\$ 43,944.00
First Half Activity	\$ 96,197.00	\$ 254,798.00	\$ 86,910.50	\$ 231,444.50	\$ 549,918.00
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	-
TOTAL	\$ 193,901.50	\$ 325,129.50	\$ 239,737.00	\$ 334,704.50	-
Monthly Avg.	\$ 16,148.56	\$ 27,094.13	\$ 19,978.00	\$ 27,892.04	\$ 91,653.00

Table 4

Wastewater Impact Fees Collected

Month	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020
January	\$ 0.00	\$ 0.00	\$ 9,649.50	\$ 7,352.00	\$ 3,216.50
February	\$ 11,947.00	\$ 14,244.50	\$ 0.00	\$ 14,694.00	\$ 60,654.00
March	\$ 0.00	\$ 30,327.00	\$ 14,244.50	\$ 19,299.00	\$ 28,489.00
April	\$ 0.00	\$ 36,300.50	\$ 0.00	\$ 27,453.00	\$ 70,303.50
May	\$ 14,704.00	\$ 17,461.00	\$ 919.00	\$ 12,866.00	\$ 20,218.00
June	\$ 919.00	\$ 11,028.00	\$ 0.00	\$ 18,380.00	\$ 19,758.50
First Half Activity	\$ 27,570.00	\$ 111,199.00	\$ 24,813.00	\$ 100,044.00	\$ 202,639.50
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	-
TOTAL	\$ 71,222.50	\$ 142,445.00	\$ 97,414.00	\$ 140,939.50	-
Monthly Avg.	\$ 5,935.21	\$ 11,870.42	\$ 8,117.83	\$ 11,744.96	\$ 33,773.25

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, water impact fees are calculated based upon meter size, however, no corresponding sewer impact fee are 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 the first half of 2020.

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 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. City

Council will make the determination in 2020 to continue the 2015 Mesquite Impact Fee Program for another five years, or to adopt a new impact fee program.

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. It will be determined later this year either to renew the 2015 Mesquite Impact Fee Program, or to adopt a new, updated 5-year program.
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, however, commercial impact fees increased substantially. Staff expects residential impact fee collections to increase, as there are several residential projects in development or in the planning process.
4. The substantial increase in commercial roadway impact fees collected in the first half of 2020 can be largely attributed to the Parc 30 and Mesquite Logistics Center industrial developments.
5. 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.
6. After five and a half 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.
7. There are no perceived inequities in the Mesquite impact fee program.