



# CITY OF DAYTON

## DRAFT 2021 WATER AND WASTEWATER IMPACT FEE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN

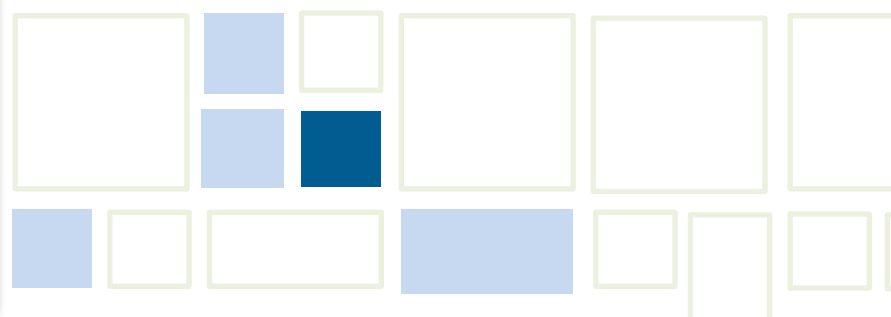


**PREPARED FOR:**

City of Dayton

**PREPARED BY:**

Freese and Nichols, Inc.  
11200 Broadway St., Suite 2320  
Pearland, Texas 77584  
832-456-4700



**DRAFT**

**WATER AND WASTEWATER  
IMPACT FEE STUDY**

**LAND USE ASSUMPTIONS AND  
CAPITAL IMPROVEMENTS PLAN REPORT**

Prepared for:

**City of Dayton**

**DRAFT**

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Prepared by:

**FREESE AND NICHOLS, INC.**  
11200 Broadway St, Suite 2320  
Pearland, Texas 77584  
832-456-4700

FNI Project No.: DYT19411

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- Appendix A Chapter 395, Texas Local Government Code
- Appendix B Water CIP Opinions of Probable Construction Cost (OPCC) Estimates
- Appendix C Wastewater CIP Opinions of Probable Construction Cost (OPCC) Estimates



## 1.0 BACKGROUND AND SCOPE

The City of Dayton, Texas (City) authorized Freese and Nichols, Inc. (FNI) to perform an impact fee analysis for the City's water and wastewater systems. The purpose of this report is to document the land use assumptions and capital improvements plan which will be used in the development and calculation of water and wastewater impact fees for the City of Dayton. The methodology used herein satisfies the requirements of the Texas Local Government Code (TLGC) Section 395 (**Section 1.1**) for the establishment of impact fees. The City currently does not charge water and wastewater impact fees.

### 1.1 TEXAS LOCAL GOVERNMENT CODE

Chapter 395 of the Texas Local Government Code (**Appendix A**) requires an impact fee analysis before impact fees can be created and assessed. Chapter 395 defines an impact fee as "a charge or assessment imposed by a political subdivision 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 the new development." In September 2001, Chapter 395 was amended creating the current procedure for implementing impact fees. Chapter 395 identifies the following items as impact fee eligible costs:

- Construction contract price
- Surveying and engineering fees
- Land acquisition costs
- Fees paid to the consultant preparing or updating the capital improvements plan (CIP)
- Projected interest charges and other finance costs for projects identified in the CIP

Chapter 395 also identifies items that impact fees cannot be used to pay for, such as:

- Construction, acquisition, or expansion of public facilities or assets other than those identified on the capital improvements plan
- Repair, operation, or maintenance of existing or new capital improvements
- Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards
- Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development
- Administrative and operating costs of the political subdivision

- Principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed above

As a funding mechanism for capital improvements, impact fees allow cities to recover the costs associated with new or facility expansion in order to serve future development. Statutory requirements mandate that impact fees be based on a specific list of improvements identified in a capital improvements program and only the cost attributed (and necessitated) by new growth over a 10-year period may be considered. As projects in the program are completed, planned costs are updated with actual costs to reflect the capital expenditure of the program more accurately. Additionally, new capital improvement projects may be added to the system.

## **1.2 IMPACT FEE DEVELOPMENT**

FNI recently completed a *Water and Wastewater Master Plan* for the City of Dayton that included phased, prioritized recommendations for water and wastewater capital improvement plan (CIP) projects for 5-year, 10-year, and 25-year planning periods. The Impact Fee development process will utilize project recommendations and demand and flow projections developed as part of the City's *Water and Wastewater Master Plan*. The impact fee calculation is limited to project recommendations within the next 10 years that will serve projected growth. The TLGC Section 395.014 allows for a credit equal to 50% of the total projected cost of implementing the CIP. This method will be utilized for the impact fee calculation.

As part of the impact fee development, FNI will conduct workshops with the City's appointed Impact Fee Advisory Committee (IFAC) and City Council. The IFAC's role includes reviewing the land use assumptions and impact fee capital improvement plans (CIPs), and recommending an impact fee rate to the City Council. The City Council sets the impact fees to be collected.

### 1.3 LIST OF ABBREVIATIONS

The list of abbreviations used in this report are presented in **Figure 1-1**.

**Figure 1-1: List of Abbreviations**

<b>Abbreviation</b>	<b>Actual</b>
CIP	Capital Improvement Plan
EST	Elevated Storage Tank
ETJ	Extraterritorial Jurisdiction
FM	Farm-to-Market
FNI	Freese and Nichols, Inc.
gpm	Gallons per Minute
GST	Ground Storage Tank
IFAC	Impact Fee Advisory Committee
MGD	Million Gallons per Day
OPCC	Opinion of Probable Construction Cost
SH	State Highway
SUE	Service Unit Equivalents
TDCJ	Texas Department of Criminal Justice
TLGC	Texas Local Government Code
WWTP	Wastewater Treatment Plant

## 2.0 LAND USE ASSUMPTIONS

Population and projected land use are important elements in the analysis of water distribution and wastewater collection systems. To assist the City of Dayton in determining the need and timing of capital improvements to serve future development, a reasonable estimation of future growth is required. These assumptions will become the basis for the preparation of impact fee capital improvement plans for water and wastewater facilities.

### 2.1 ANTICIPATED FUTURE DEVELOPMENT

#### Zoning Map

In 2017, the City developed a Comprehensive Plan detailing the existing and future land use in Dayton. Subsequently, the City incorporated the Comprehensive Plan and other planning documents in a Unified Land Development Code Zoning map, shown on **Figure 2-1**. This zoning map was adopted in 2019 and was utilized in this study.






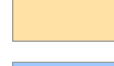
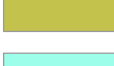
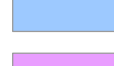
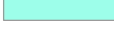

#### Future Developments

FNI worked with City staff to identify future developments during the *2021 Water and Wastewater Master Plan* as shown on **Figure 2-2**. The anticipated future developments are categorized by development type (commercial, residential, and mixed-use) and planning year (5-year, 10-year, and 25-year). The planned construction of the Grand Parkway west of the City is anticipated to influence a number of these developments.










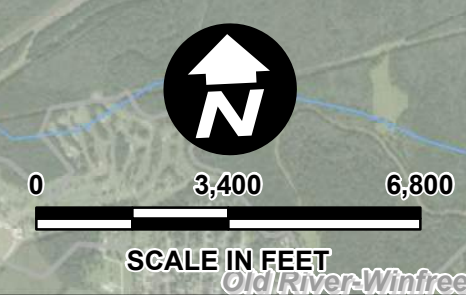
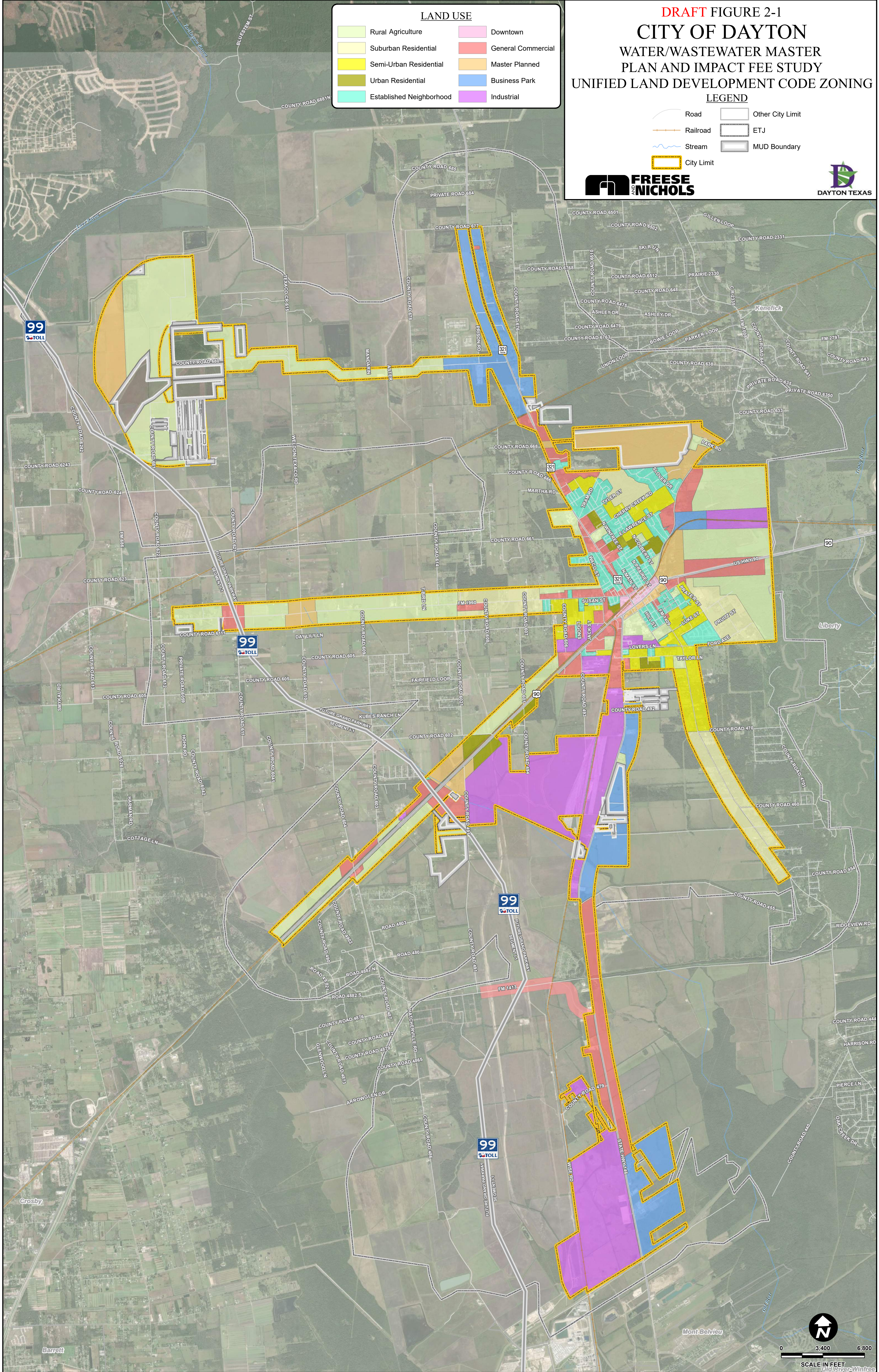
**DRAFT** FIGURE 2-1  
**CITY OF DAYTON**  
**WATER/WASTEWATER MASTER**  
**PLAN AND IMPACT FEE STUDY**  
**UNIFIED LAND DEVELOPMENT CODE ZONING**

**LAND USE**

	Rural Agriculture		Downtown
	Suburban Residential		General Commercial
	Semi-Urban Residential		Master Planned
	Urban Residential		Business Park
	Established Neighborhood		Industrial

**LEGEND**

	Road		Other City Limit
	Railroad		ETJ
	Stream		MUD Boundary
	City Limit		



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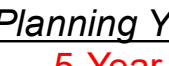
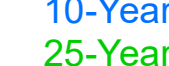



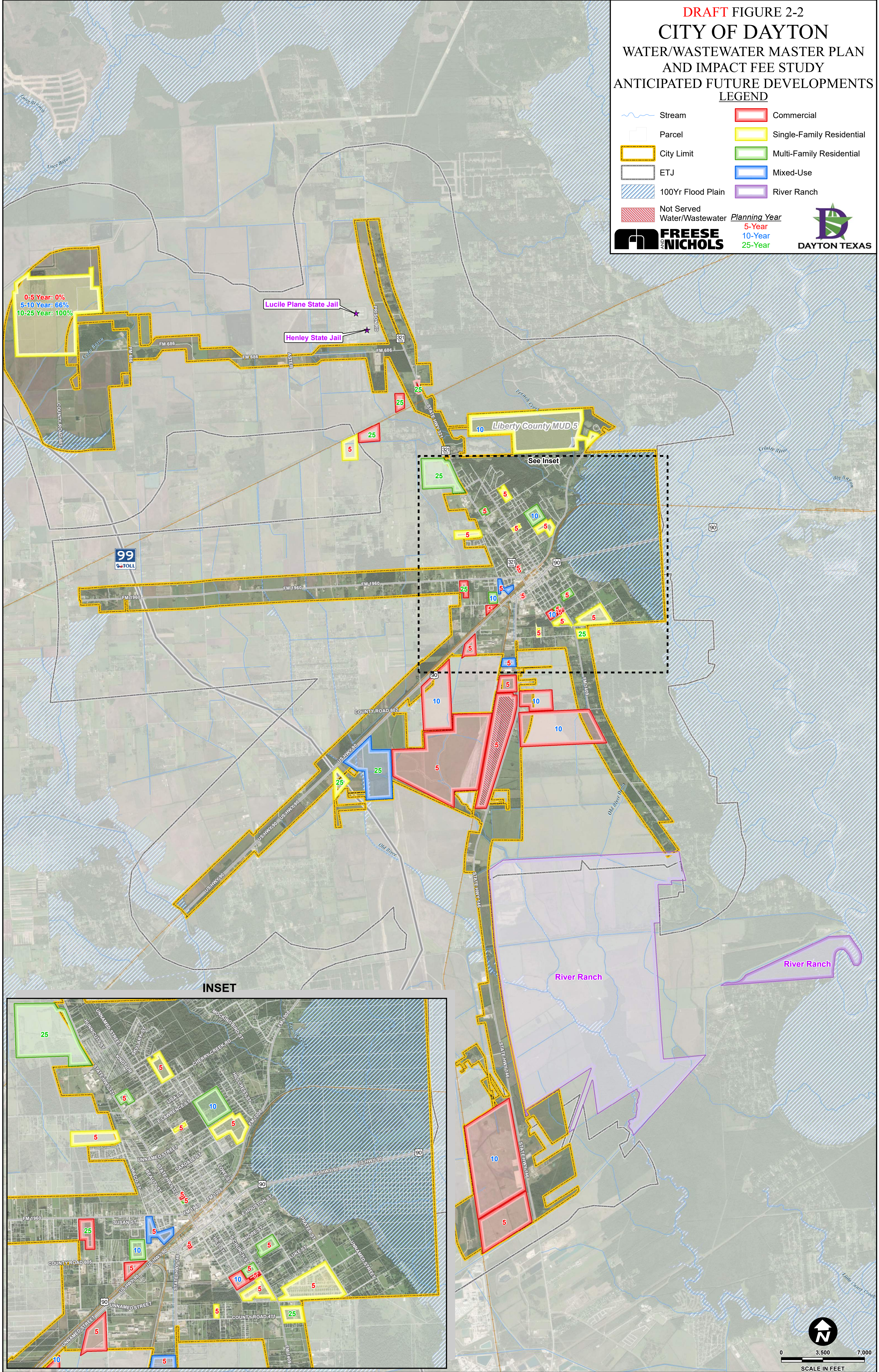
# CITY OF DAYTON

## WATER/WASTEWATER MASTER PLAN AND IMPACT FEE STUDY

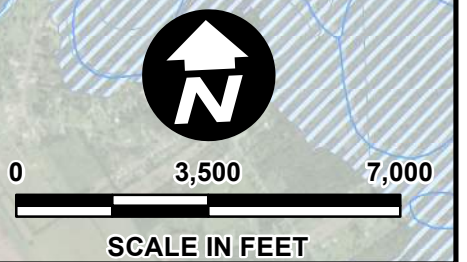
### ANTICIPATED FUTURE DEVELOPMENTS

#### LEGEND

-  Stream
-  Parcel
-  City Limit
-  ETJ
-  100Yr Flood Plain
-  Not Served Water/Wastewater
-  Commercial
-  Single-Family Residential
-  Multi-Family Residential
-  Mixed-Use
-  River Ranch
-  5-Year Planning Year
-  10-Year Planning Year
-  25-Year Planning Year



INSET





## 2.2 GROWTH PROJECTIONS

### 2.2.1 Historical Population

The City provided six years of historical population data. The data show an increase in population each year, with Dayton’s annual average growth rate ranging from 1.9% to 6.9%. Historical population information is summarized in **Table 2-1**. Three Texas Department of Criminal Justice (TDCJ) facilities are served by the Dayton utility system: Lucile Plane State Jail, Dempsie Henley State Jail, and the L.V. Hightower Unit. The population information for these three TDJC units is also included in **Table 2-1**.

**Table 2-1: Historical Population**

Year	City Population <sup>(1)</sup>	TDCJ Population <sup>(2)</sup>	City + TDCJ Population	Average Annual Growth Rate <sup>(3)</sup> (%)
2015	7,658	4,251	11,909	-
2016	7,807	4,251	12,058	1.9%
2017	8,038	4,251	12,289	3.0%
2018	8,336	4,251	12,587	3.7%
2019	8,912	4,251	13,163	6.9%
2020	9,433	4,251	13,684	5.8%
<b>Average</b>				<b>4.3%</b>

(1) Data from City.

(2) Inmate population from TDCJ website. Assumed maximum capacity/unit for Lucile Plane State Jail, Dempsie Henley State Jail, and L.V. Hightower Unit.

(3) Average annual growth rate of City population excluding TDCJ.

### 2.2.2 Projected Population and Developments

The magnitude and distribution of the growth in population and commercial acreage will dictate where future water and wastewater infrastructure is required. It is important to note that projecting future population is challenging, especially for relatively small geographic areas such as individual cities, because it can be difficult to predict how fast or slow development will occur when there are a variety of circumstances that can impact it.

FNI worked with the City to assign phasing to the anticipated developments for the 5-year and 10-year planning periods for the water and wastewater impact fees. The future development and land use assumptions were converted to population and commercial acreage projections for each planning period using the following assumptions and planning criteria as documented in the City’s *2021 Water and Wastewater Master Plan*:

- Population density of 3.06 people per unit
- Single-family residential connection density assumed to be 4 units/acre where number of units not available
- Mixed-use residential connection density assumed to be 10 units/acre where number of units not available
- 80% of the parcels’ acreage was considered developable
- For future mixed-use land use type, a distribution of 80% residential and 20% commercial land use was assumed

The resulting 10-year population and commercial acreage projections are summarized in **Table 2-2**. Dayton’s population is projected to grow from approximately 9,400 in 2021 to about 23,500 people by 2031. This represents an annual average residential growth rate of 9.6% over the next 10 years. Additionally, commercial acreage in the City is anticipated to grow from approximately 450 acres in 2021 to about 3,200 acres by 2031.

**Table 2-2 Existing and Projected Population and Commercial Acreage**

Year	City Population <sup>(1)</sup>	TDCJ Population <sup>(2)</sup>	City + TDCJ Population	Commercial Acreage <sup>(3)</sup>
2021	9,433	4,251	13,684	454
2031	23,506	4,251	27,757	3,223

(1) Assumed to be the same as 2020 population.

(2) Inmate population from TDCJ website. Assumed maximum capacity/unit for Lucile Plane State Jail, Dempsie Henley State Jail, and L.V. Hightower Unit.

(3) Commercial acreage based on land use and geocoded commercial meters as of August 2019. 80% of each parcel’s acreage was utilized for development projections.

### 2.3 SERVICE UNITS

According to Chapter 395 of the Texas Local Government Code, the maximum impact fee may not exceed the amount determined by dividing the cost of capital improvements required by the total number of service units attributed to new development during the capital recovery fee eligibility period (2021 - 2031).

#### Service Unit Equivalent (SUE) Definition

A water service unit is defined as the service equivalent to a water connection for a single-family residence. This is also known as a service unit equivalent (SUE). The City of Dayton does not directly meter wastewater flows and bills for wastewater services based on the customer’s water consumption.



Therefore, a wastewater service unit is defined as the wastewater service provided to a customer with a water connection for a single-family residence. Existing and future water and wastewater service area populations and service unit equivalents (SUEs) were developed based on City’s projected land use and existing water meter information.

The service associated with public, commercial, and industrial connections is converted into service units based upon the capacity of the meter used to provide service. The number of service units required to represent each meter size is based on the safe maximum operating capacity of the appropriate meter type. American Water Works Association (AWWA) standards C700 (Cold Water Meters – Displacement Type) and C702 (Cold Water Meters – Compound Type) were used to determine the safe maximum operating capacity. The service unit equivalent for each meter size utilized by the City of Dayton is listed in **Table 2-3**.

**Table 2-3: Service Unit Equivalencies**

Meter Size	Meter Type	AWWA Standard	Safe Maximum Operating Capacity (gpm)	Service Unit Equivalent
3/4"	Displacement	C700	30	1.0
1"	Displacement	C700	50	1.7
1 1/2"	Displacement	C700	100	3.3
2"	Displacement	C700	160	5.3
3"	Compound	C702	350	11.7
4"	Compound	C702	600	20.0
6"	Compound	C702	1,350	45.0

Dayton typically serves single-family residences with 3/4-inch water meters. Larger meters predominantly serve commercial properties or apartment complexes. The breakdown of meter sizes utilized in this study is based on information from the City database as of August 2019.



## 2.4 IMPACT FEE SERVICE AREAS

The water and wastewater (or sewer) impact fee service areas are defined by Dayton’s City limits, the projected developments shown on **Figure 2-2**, and the City’s Extraterritorial Jurisdiction (ETJ) except for those areas already covered by another entity’s water or wastewater certificate of convenience and necessity (CCN). The water impact fee service area is shown on **Figure 2-3**. The wastewater impact fee service area is shown on **Figure 2-4**.

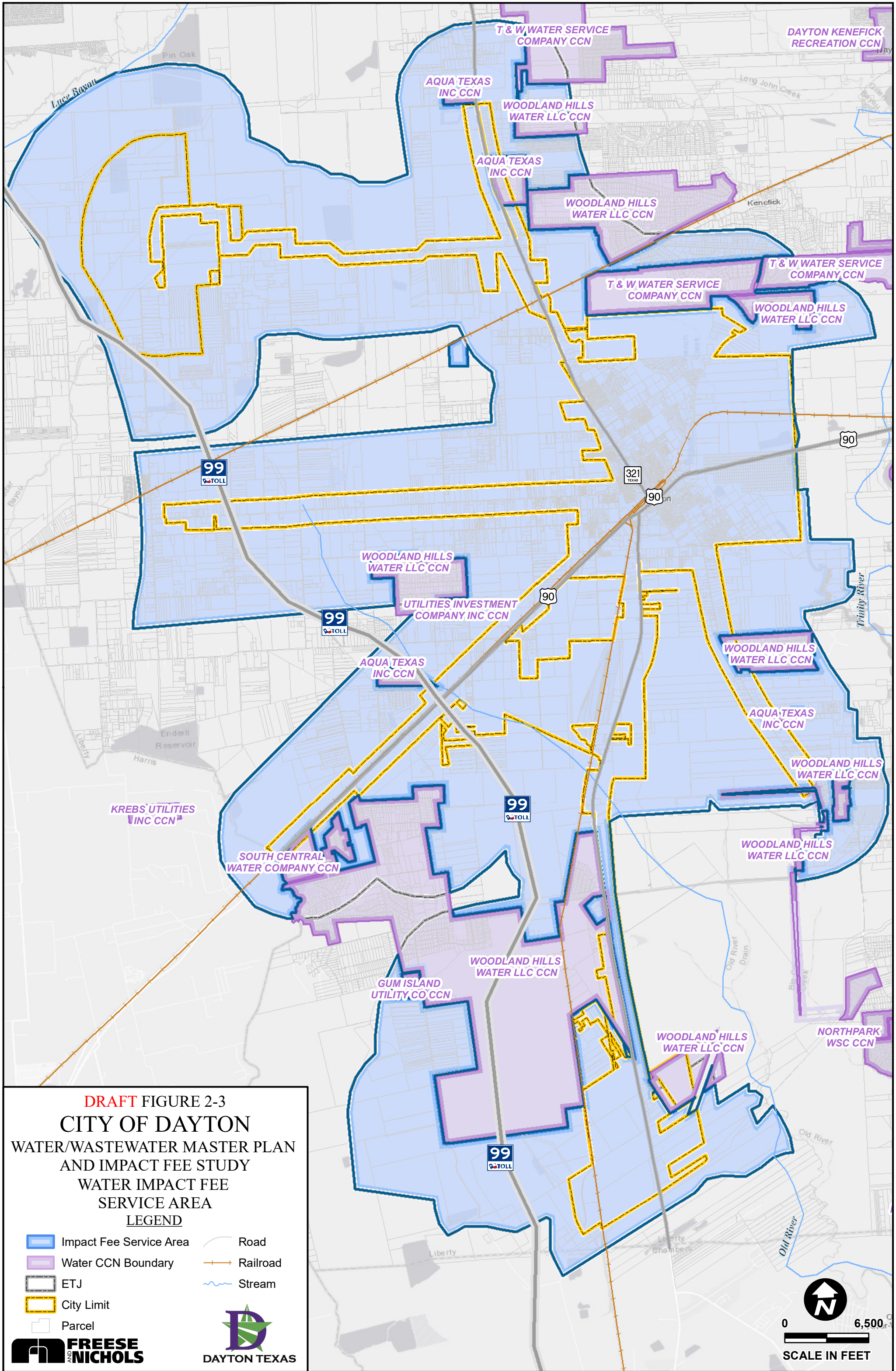
### Water and Wastewater SUEs

The existing and projected 10-year service unit equivalents (SUEs) for the water and wastewater impact fee service areas are presented in **Table 2-4**.

**Table 2-4: Water and Wastewater Impact Fee Service Areas SUEs**

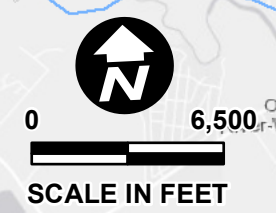
Year	Water SUEs	Wastewater SUEs <sup>(1)</sup>
2021	3,867	3,759
2031	13,117	13,009

(1) Areas along FM 1960 and outside of City limits along County Road 605 are served by septic systems and excluded from wastewater SUE count.

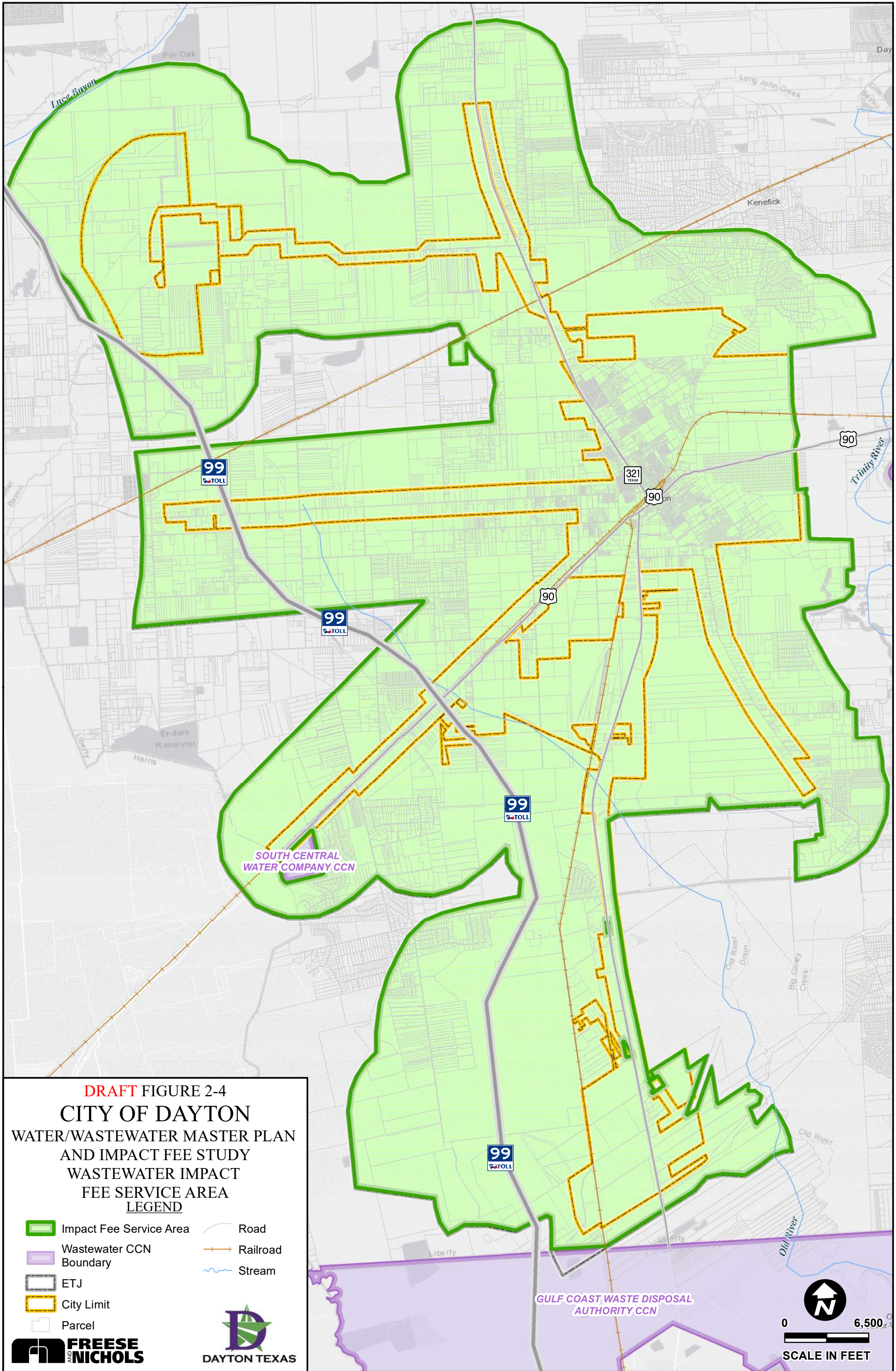


**DRAFT** FIGURE 2-3  
**CITY OF DAYTON**  
 WATER/WASTEWATER MASTER PLAN  
 AND IMPACT FEE STUDY  
 WATER IMPACT FEE  
 SERVICE AREA  
 LEGEND

- Impact Fee Service Area
- Water CCN Boundary
- ETJ
- City Limit
- Parcel
- Road
- Railroad
- Stream







**DRAFT** FIGURE 2-4  
**CITY OF DAYTON**  
 WATER/WASTEWATER MASTER PLAN  
 AND IMPACT FEE STUDY  
 WASTEWATER IMPACT  
 FEE SERVICE AREA  
 LEGEND

- Impact Fee Service Area
- Wastewater CCN Boundary
- ETJ
- City Limit
- Parcel
- Road
- Railroad
- Stream



0 6,500

SCALE IN FEET



### 3.0 CAPITAL IMPROVEMENTS PLAN

Water and wastewater capital improvement plans (CIPs) were developed for the City of Dayton as part of the City's 2021 *Water and Wastewater Master Plan*. The recommended improvements will provide the required capacity and reliability to meet projected 25-year water demands and wastewater flows. The water and wastewater CIP projects that are required to serve growth within the next 10 years were identified for inclusion in the water and wastewater impact fee analysis.

#### 3.1 WATER DEMAND AND WASTEWATER FLOW PROJECTIONS

Water demand and wastewater flow projections for 2021 and 2031 were developed in the 2021 *Water and Wastewater Master Plan*. These projections were based on the water and wastewater per capita and per acre planning criteria developed as part of the master plan. **Table 3-1** presents the projected water demands and **Table 3-2** presents the projected wastewater flows for the water and wastewater impact fee service area in million gallons per day (MGD).

**Table 3-1: Projected Water Demands for Impact Fee Service Area**

Year	Average Daily Demand <sup>(1)</sup> (MGD)	Maximum Daily Demand <sup>(2)</sup> (MGD)	Peak Hourly Demand <sup>(3)</sup> (MGD)
2021	1.7	3.3	4.1
2031	6.2	12.3	15.4

(1) Average daily water demand planning criteria: residential = 95 gpcd; commercial = 1,300 gpad

(2) Maximum day to average day peaking factor = 1.97 based on historical water production data

(3) Peak hour to maximum day peaking factor = 1.25 based on TCEQ

**Table 3-2: Projected Wastewater Flows for Impact Fee Service Area**

Year	Average Daily Flow <sup>(1)</sup> (MGD)
2021	2.0
2031	6.1

(1) Average daily wastewater flow planning criteria:  
 residential = 80 gpcd; commercial = 1,200 gpad

#### 3.2 WATER AND WASTEWATER SYSTEM IMPROVEMENTS

The City's 2021 *Water and Wastewater Master Plan* included proposed water and wastewater system projects and capital costs. A summary of the costs for each of the proposed projects serving growth in the 10-year period used in the impact fee analysis is shown in **Table 3-3** and **Table 3-4**. Detailed water

and wastewater project costs are included in **Appendix B** and **Appendix C**, respectively. The proposed 10-year water system projects are shown on **Figure 3-1**. The proposed 10-year wastewater system projects are shown on **Figure 3-2**.

**Table 3-3: Water Capital Improvements Plan Summary**

Impact Fee Eligible CIP No.	Description of Project	Total Capital Cost (2021 Dollars)
<b>EXISTING</b>		
A	FM 1960 Water Line Extension	\$395,376
B	Rosewood Water Well and Booster Pump Expansion	\$641,980
C	Highway 146 Utility Extension	\$1,115,586
D	Water and Wastewater Master Plan and Impact Fee Study	\$148,850
<b>Existing Project Sub-total</b>		<b>\$2,301,792</b>
<b>PROPOSED</b>		
1	New FM 1960 Water Plant (Phase I) with 2,000 gpm well, 3.6 MGD firm service pumping, and 1.2 MG GST	\$18,341,000
2	New 12-inch Water Line along County Road 6021	\$4,629,800
3	Tram Road 8-inch Water Line and FM 1008 8-inch Water Line	\$1,678,200
4	New 16-inch Water Line along US Hwy 90	\$3,911,000
5	New 12-inch Water Line along Old River	\$3,833,200
6	New South Water Plant with 2,100 gpm well, 3.0 MGD service pumping, 1.1 MG GST, 0.75 MG EST, and 12-inch water line	\$22,340,800
7	FM 1960 Water Plant Expansion (Phase II) with additional 2,000 gpm well, 3.6 MGD firm service pumping, and 1.2 MG GST	\$21,055,400
8	New Northwest Water Plant with 1,500 gpm well, 4.6 MGD service pumping, 1.6 MG GST, 0.75 MG EST, and 12-inch water line	\$30,632,200
9	New 8-inch Water Line to Liberty MUD 5 along Tram Road	\$2,093,000
10	Additional 1.0 MG EST at Tram Well Site	\$5,616,000
11	New 12-inch Water Line along FM 1960 and 12-inch Water Line along Grand Parkway	\$8,899,800
<b>Proposed Project Sub-total</b>		<b>\$123,030,400</b>
<b>Total Water Capital Improvements Cost</b>		<b>\$125,332,192</b>

**Table 3-4: Wastewater Capital Improvements Plan Summary**

Impact Fee Eligible CIP No.	Description of Project	Capital Cost (2021 Dollars)
<b>EXISTING</b>		
A	Wastewater Treatment Plant Expansion	\$6,880,000
B	Highway 146 Utility Extension	\$1,115,586
C	Water and Wastewater Master Plan and Impact Fee Study	\$148,850
<b>Existing Project Sub-total</b>		<b>\$8,144,436</b>
<b>PROPOSED</b>		
1	New Relocated 12 MGD Sawmill Lift Station, 48-Inch Gravity Line and Microtunnel, and Influent WWTP Lift Station Consolidation	\$13,584,200
2	Replacement 48-inch Waco Street Gravity Line and Thriftee, Clayton, Burger King, and Houston at Cleveland Lift Station Consolidations	\$9,154,700
3	Replacement 36/42-Inch Waco Street Gravity Line	\$7,416,600
4	Cherry Creek Lift Station Expansion to 2.8 MGD	\$1,592,800
5	Overpass Lift Station Phase I Expansion to 2.5 MGD (Expandable to 6.0 MGD) and New 10-Inch Gravity Line	\$3,928,000
6	Replacement 48-inch Gravity Line Between Highway 146 and the Railroad Track	\$3,662,600
7	Highway 146 Lift Station Phase I Expansion to 2.0 MGD (Expandable to 5.2 MGD), Lift Station Relocation, New 15/18/30-Inch Gravity Line, and New 12-Inch Force Main	\$13,520,600
8	New 18-inch and Replacement 18/21-Inch Highway 90 and Sunset Heights Gravity Line	\$4,147,600
9	New 24-Inch Gravity Line Along Highway 146 Flowing North to Southwest WWTP	\$4,585,200
10	New 2.0 MGD South Wastewater Treatment Plant and New 15/27-Inch Gravity Line Along Highway 146	\$67,972,200
11	Central WWTP 2.0 MGD Expansion to 6.0 MGD (Phase I)	\$50,709,800
12	Sawmill Lift Station Phase II 10 MGD Expansion to 22 MGD	\$6,494,300
13	New 1.0 MGD North Wastewater Treatment Plant and 24-inch Gravity Line	\$30,501,500
14	Replacement 18/27-Inch Luke Street Gravity Line	\$3,971,600
15	Replacement 12/15-Inch Slover Street and Cherry Creek Road Gravity Line	\$1,160,200
16	Prater Lift Station Expansion to 0.4 MGD and 6-inch Force Main Re-route	\$1,354,100
<b>Proposed Project Sub-total</b>		<b>\$223,756,000</b>
<b>Proposed Wastewater Project Total</b>		<b>\$231,900,436</b>

Planning level capital cost estimates were calculated for the recommended improvements and do not include individual service connections or subdivision lines. The costs are provided as estimates based on previous similar engineering experience in 2021 dollars and include an allowance for engineering, surveying, and contingencies. Costs do not include easements or land acquisition, except where specifically noted.



# CITY OF DAYTON WATER/WASTEWATER MASTER PLAN AND IMPACT FEE STUDY WATER CAPITAL IMPROVEMENTS PLAN

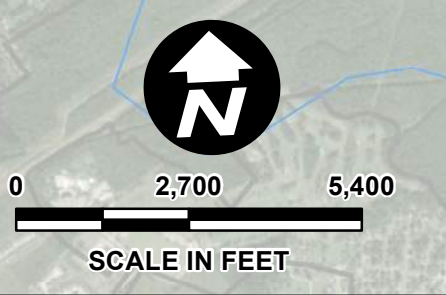
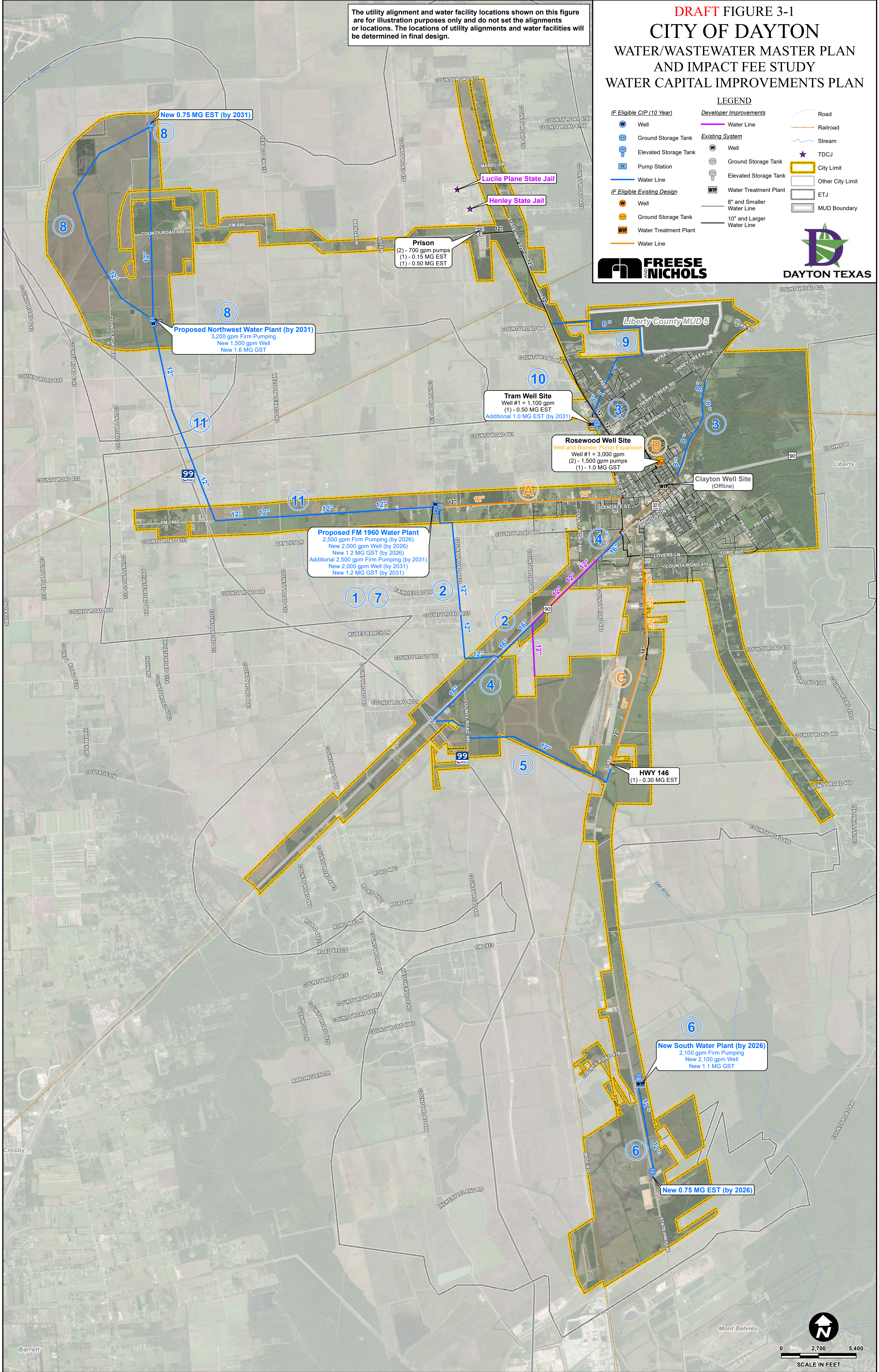
The utility alignment and water facility locations shown on this figure are for illustration purposes only and do not set the alignments or locations. The locations of utility alignments and water facilities will be determined in final design.

**LEGEND**

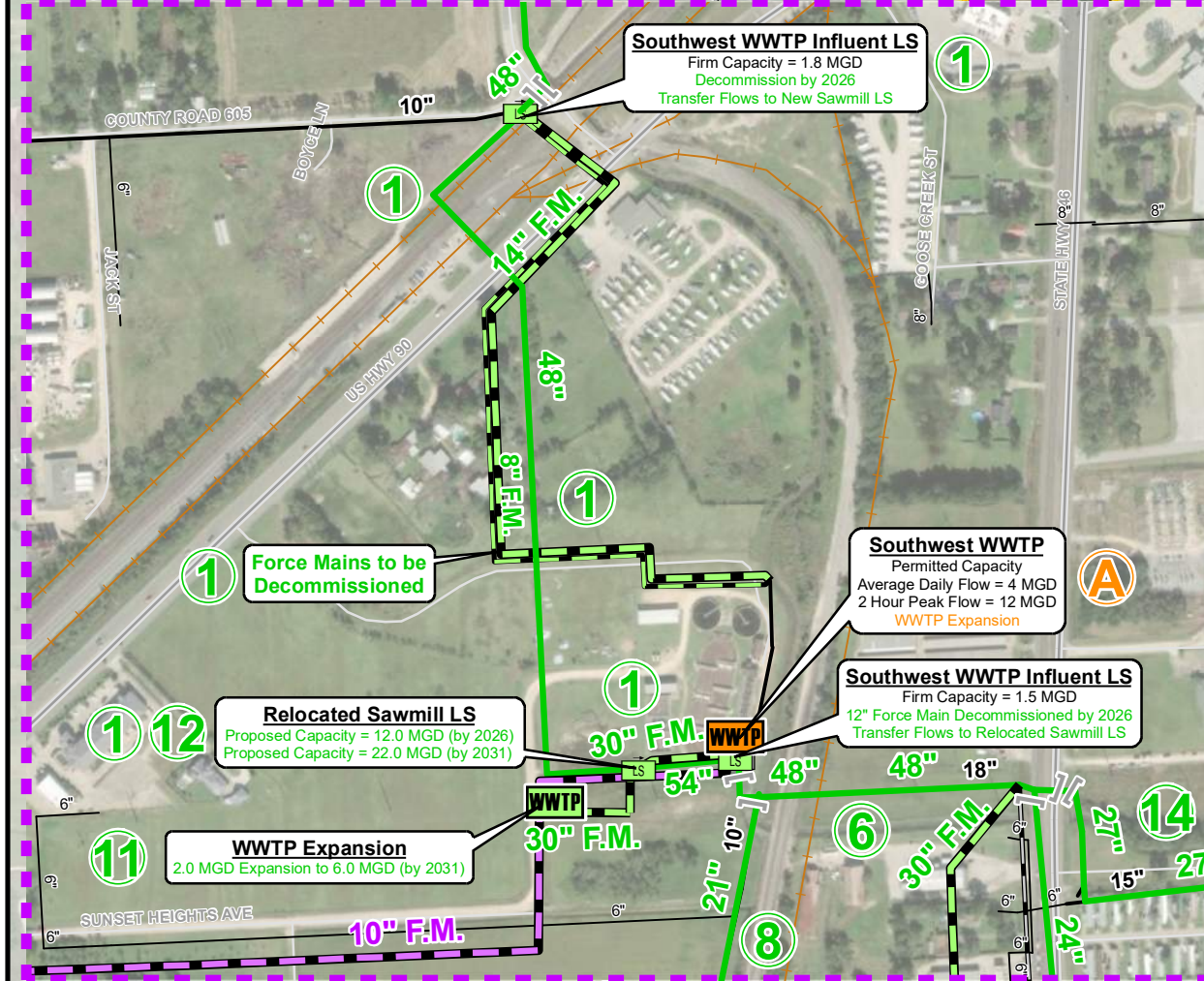
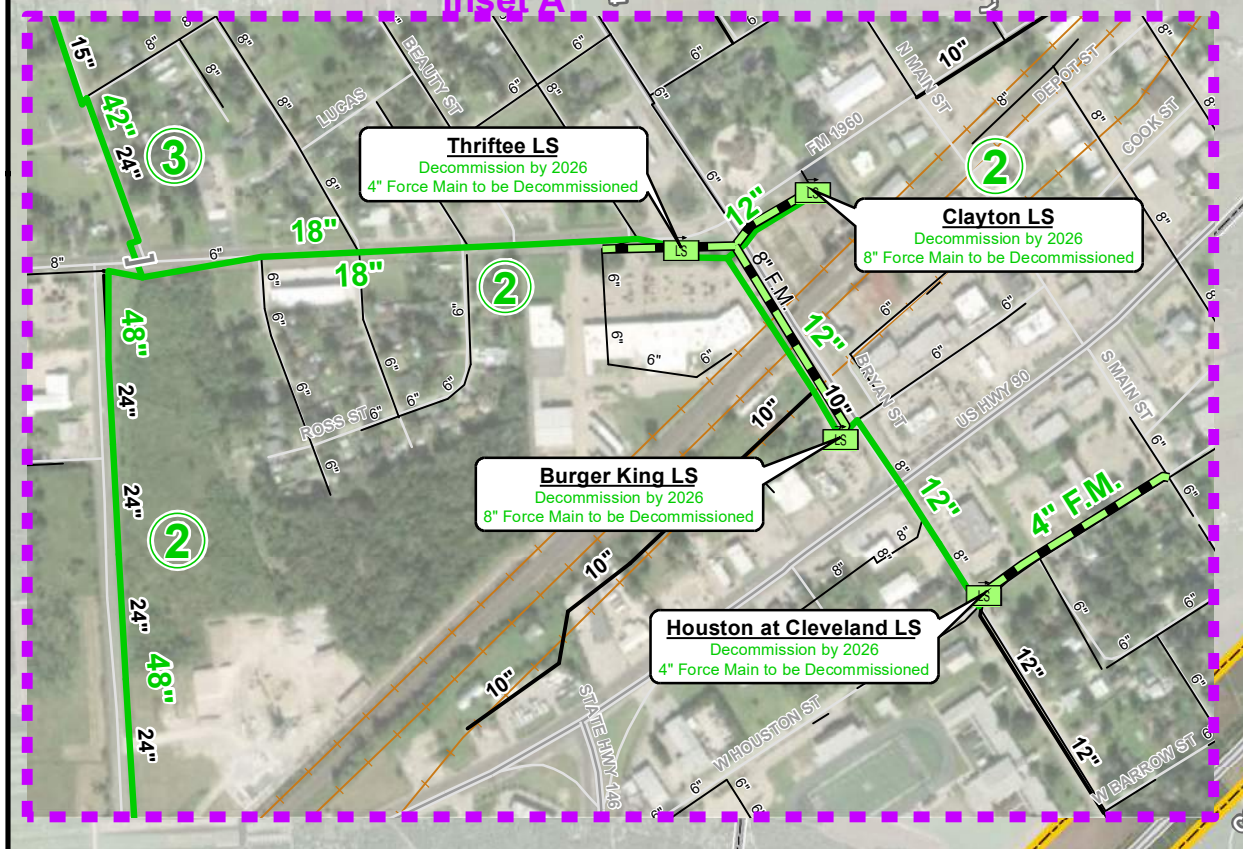
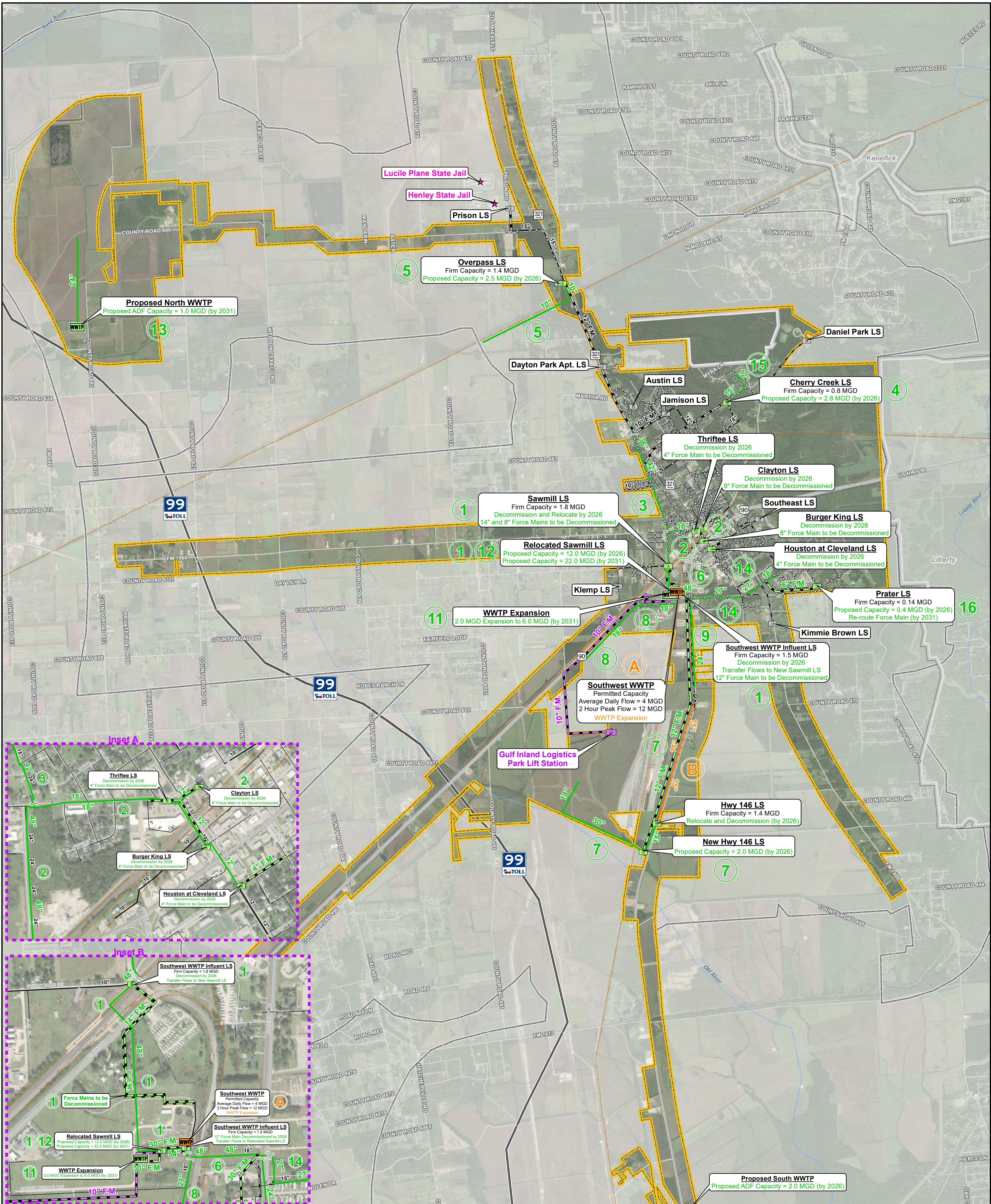
<b>IF Eligible CIP (10 Year)</b>	<b>Developer Improvements</b>	Road
Well	Water Line	Railroad
Ground Storage Tank	Existing System	Stream
Elevated Storage Tank	Well	TDCJ
Pump Station	Ground Storage Tank	City Limit
Water Line	Elevated Storage Tank	Other City Limit
<b>IF Eligible Existing Design</b>	Water Treatment Plant	ETJ
Well	8" and Smaller Water Line	MUD Boundary
Ground Storage Tank	10" and Larger Water Line	
Water Treatment Plant	Water Line	

**FREESE AND NICHOLS**

**DAYTON TEXAS**







DRAFT FIGURE 3-2

# CITY OF DAYTON

## WATER/WASTEWATER MASTER PLAN AND IMPACT FEE STUDY

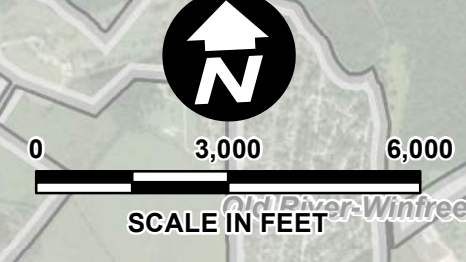
### WASTEWATER CAPITAL IMPROVEMENTS PLAN

#### LEGEND

- |                                            |                               |                  |
|--------------------------------------------|-------------------------------|------------------|
| <b>IF Eligible CIP(10 Year)</b>            | <b>Existing System</b>        | ★ TDCJ           |
| Lift Station                               | Manhole                       | Road             |
| Wastewater Treatment Plant; WWTP Expansion | Lift Station                  | Railroad         |
| Wastewater Line                            | Wastewater Treatment Facility | Stream           |
| Force Main                                 |                               | ETJ              |
| <b>IF Eligible Existing Design</b>         |                               | City Limit       |
| Wastewater Treatment Plant                 |                               | Other City Limit |
| Wastewater Line                            |                               |                  |
| <b>Developer Improvements</b>              |                               |                  |
| Lift Station                               |                               |                  |
| Force Main                                 |                               |                  |



The utility alignment and wastewater facility locations shown on this figure are for illustration purposes only and do not set the alignments or locations. The locations of utility alignments and wastewater facilities will be determined in final design.



Updated: 01/19/2024, WWP\_MASTER PLAN/IMPACT FEE STUDY/REPORT/FIGURE 3-2-WW\_CIP/MSD  
 Version: 01/19/2024, WWP\_MASTER PLAN/IMPACT FEE STUDY/REPORT/FIGURE 3-2-WW\_CIP/MSD  
 User: jmc



**APPENDIX A**  
**Chapter 395, Texas Local Government Code**

**CHAPTER 395. FINANCING CAPITAL IMPROVEMENTS REQUIRED BY NEW  
DEVELOPMENT IN MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL  
GOVERNMENTS**

**SUBCHAPTER A. GENERAL PROVISIONS**

**§ 395.001. Definitions**

In this chapter:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and

(B) roadway facilities.

(2) "Capital improvements plan" means a plan required by this chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

(3) "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

(4) "Impact fee" means a charge or assessment imposed by a political subdivision 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 the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;

(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;

(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or

(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

However, an item included in the capital improvements plan may not be required to be constructed except in accordance with Section 395.019(2), and an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities.

(5) "Land use assumptions" includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a 10-year period.

(6) "New development" means the subdivision of land; 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.

(7) "Political subdivision" means a municipality, a district or authority created under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, or, for the purposes set forth by Section 395.079, certain counties described by that section.

(8) "Roadway facilities" means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

(9) "Service area" means the area within the corporate boundaries or extraterritorial jurisdiction, as determined under Chapter 42, of the political subdivision to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except roadway facilities and storm water, drainage, and flood control facilities. The service area, for the purposes of this chapter, may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, except for roadway facilities and storm water, drainage, and flood control facilities. For roadway facilities, the service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the capital improvements plan and shall not extend across watershed boundaries.

(10) "Service unit" means a 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 and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 566, § 1(e), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 1, eff. Sept. 1, 2001.

## **SUBCHAPTER B. AUTHORIZATION OF IMPACT FEE**

### **§ 395.011. Authorization of Fee**

(a) Unless otherwise specifically authorized by state law or this chapter, a governmental entity or political subdivision may not enact or impose an impact fee.

(b) Political subdivisions may enact or impose impact fees on land within their corporate boundaries or extraterritorial jurisdictions only by complying with this chapter, except that impact fees may not be enacted or imposed in the extraterritorial jurisdiction for roadway facilities.

(c) A municipality may contract to provide capital improvements, except roadway facilities, to an area outside its corporate boundaries and extraterritorial jurisdiction and may charge an impact fee under the contract, but if an impact fee is charged in that area, the municipality must comply with this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.012. Items Payable by Fee**

(a) An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to the:

(1) construction contract price;

(2) surveying and engineering fees;

(3) land acquisition costs, including land purchases, court awards and costs, attorney's fees, and expert witness fees; and

(4) 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 political subdivision.

(b) Projected interest charges and other finance costs may be included in determining the amount of impact fees only if the impact fees are used for the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan and are not used to reimburse bond funds expended for facilities that are not identified in the capital improvements plan.

(c) Notwithstanding any other provision of this chapter, the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay a staff engineer who prepares or updates a capital improvements plan under this chapter.

(d) A municipality may pledge an impact fee as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or public facility expansion if:

(1) the improvement or expansion is identified in a capital improvements plan; and

(2) at the time of the pledge, the governing body of the municipality certifies in a written order, ordinance, or resolution that none of the impact fee will be used or expended for an improvement or expansion not identified in the plan.

(e) A certification under Subsection (d)(2) is sufficient evidence that an impact fee pledged will not be used or expended for an improvement or expansion that is not identified in the capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 90, § 1, eff. May 16, 1995.

### **§ 395.013. Items Not Payable by Fee**

Impact fees may not be adopted or used to pay for:

(1) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(2) repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(4) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(5) administrative and operating costs of the political subdivision, except the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay its administrative and operating costs;

(6) principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.014. Capital Improvements Plan**

(a) The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:

(1) a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;



(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(3) a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(4) a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;

(5) the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(6) the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and

(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

(b) The analysis required by Subsection (a)(3) may be prepared on a systemwide basis within the service area for each major category of capital improvement or facility expansion for the designated service area.

(c) The governing body of the political subdivision is responsible for supervising the implementation of the capital improvements plan in a timely manner.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 2, eff. Sept. 1, 2001.

### **§ 395.015. Maximum Fee Per Service Unit**

(a) The impact fee per service unit may not exceed the amount determined by subtracting the amount in Section 395.014(a)(7) from the costs of the capital improvements described by Section 395.014(a)(3) and dividing that amount by the total number of projected service units described by Section 395.014(a)(5).

(b) If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to projected new service units described by Section 395.014(a)(6) by the projected new service units described in that section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 3, eff. Sept. 1, 2001.

### **§ 395.016. Time for Assessment and Collection of Fee**

(a) This subsection applies only to impact fees adopted and land platted before June 20, 1987. For land that has been platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before June 20, 1987, or land on which new development occurs or is proposed without platting, the political subdivision may assess the impact fees at any time during the development approval and building process. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(b) This subsection applies only to impact fees adopted before June 20, 1987, and land platted after that date. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after June 20, 1987, the political subdivision may assess the impact fees before or at the time of recordation. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(c) This subsection applies only to impact fees adopted after June 20, 1987. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before the adoption of an impact fee, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

(d) This subsection applies only to land platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after adoption of an impact fee adopted after June 20, 1987. The political subdivision shall assess the impact fees before or at the time of recordation of a subdivision plat or other plat under Subchapter A, Chapter 212, or the subdivision or platting ordinance or procedures of any political subdivision in the official records of the county clerk of the county in which the tract is located. Except as provided by Section 395.019, if the political subdivision has water and wastewater capacity available:

(1) the political subdivision shall collect the fees at the time the political subdivision issues a building permit;

(2) for land platted outside the corporate boundaries of a municipality, the municipality shall collect the fees at the time an application for an individual meter connection to the municipality's water or wastewater system is filed; or

(3) a political subdivision that lacks authority to issue building permits in the area where the impact fee applies shall collect the fees at the time an application is filed for an individual meter connection to the political subdivision's water or wastewater system.

(e) For land on which new development occurs or is proposed to occur without platting, the political subdivision may assess the impact fees at any time during the development and building process and may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(f) An "assessment" means a determination of the amount of the impact fee in effect on the date of occurrence provided in this section and is the maximum amount that can be charged per service unit of such development. No specific act by the political subdivision is required.

(g) Notwithstanding Subsections (a)-(e) and Section 395.017, the political subdivision may reduce or waive an impact fee for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the political subdivision may reverse its decision to waive or reduce the impact fee, and the political subdivision may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 980, § 52, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 345, § 4, eff. Sept. 1, 2001.

### **§ 395.017. Additional Fee Prohibited; Exception**

After assessment of the impact fees attributable to the new development or execution of an agreement for payment of impact fees, additional impact fees or increases in fees may not be assessed against the tract for any reason unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.018. Agreement With Owner Regarding Payment**

A political subdivision is authorized to enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.



**§ 395.019. Collection of Fees if Services Not Available**

Except for roadway facilities, impact fees may be assessed but may not be collected in areas where services are not currently available unless:

(1) the collection is made to pay for a capital improvement or facility expansion that has been identified in the capital improvements plan and the political subdivision commits to commence construction within two years, under duly awarded and executed contracts or commitments of staff time covering substantially all of the work required to provide service, and to have the service available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event longer than five years;

(2) the political subdivision agrees that the owner of a new development may construct or finance the capital improvements or facility expansions and agrees that the costs incurred or funds advanced will be credited against the impact fees otherwise due from the new development or agrees to reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions, which fees shall be collected and reimbursed to the owner at the time the other new development records its plat; or

(3) an owner voluntarily requests the political subdivision to reserve capacity to serve future development, and the political subdivision and owner enter into a valid written agreement.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

**§ 395.020. Entitlement to Services**

Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive immediate service from any existing facilities with actual capacity to serve the new service units, subject to compliance with other valid regulations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

**§ 395.021. Authority of Political Subdivisions to Spend Funds to Reduce Fees**

Political subdivisions may spend funds from any lawful source to pay for all or a part of the capital improvements or facility expansions to reduce the amount of impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

**§ 395.022. Authority of Political Subdivision to Pay Fees**

Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.023. Credits Against Roadway Facilities Fees**

Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.024. Accounting For Fees and Interest**

(a) The order, ordinance, or resolution levying an impact fee must provide that all funds collected through the adoption of an impact fee shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of impact fees under this chapter.

(c) Impact fee funds may be spent only for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by this chapter.

(d) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.025. Refunds**

(a) On the request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund the impact fee if existing facilities are available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment under Section 395.019(1).

(b) Repealed by Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

(c) The political subdivision shall refund any impact fee or part of it that is not spent as authorized by this chapter within 10 years after the date of payment.

(d) Any refund shall bear interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.

(e) All refunds shall be made to the record owner of the property at the time the refund is paid. However, if the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

(f) The owner of the property on which an impact fee has been paid or another political subdivision or governmental entity that paid the impact fee has standing to sue for a refund under this section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 1396, § 37, eff. Sept. 1, 1997.

Amended by Acts 1999, 76th Leg., ch. 62, § 7.82, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

## **SUBCHAPTER C. PROCEDURES FOR ADOPTION OF IMPACT FEE**

### **§ 395.041. Compliance With Procedures Required**

Except as otherwise provided by this chapter, a political subdivision must comply with this subchapter to levy an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.0411. Capital Improvements Plan**

The political subdivision shall provide for a capital improvements plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with Section 395.014.

Added by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

### **§ 395.042. Hearing on Land Use Assumptions and Capital Improvements Plan**

To impose an impact fee, a political subdivision must adopt an order, ordinance, or resolution establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

### **§ 395.043. Information About Land Use Assumptions and Capital Improvements Plan Available to Public**

On or before the date of the first publication of the notice of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall make available to the public its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.



**§ 395.044. Notice of Hearing on Land Use Assumptions and Capital Improvements Plan**

(a) Before the 30th day before the date of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order, ordinance, or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL  
IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

**§ 395.045. Approval of Land Use Assumptions and Capital Improvements Plan Required**

(a) After the public hearing on the land use assumptions and capital improvements plan, the political subdivision shall determine whether to adopt or reject an ordinance, order, or resolution approving the land use assumptions and capital improvements plan.

(b) The political subdivision, within 30 days after the date of the public hearing, shall approve or disapprove the land use assumptions and capital improvements plan.

(c) An ordinance, order, or resolution approving the land use assumptions and capital improvements plan may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

**§ 395.0455. Systemwide Land Use Assumptions**

(a) In lieu of adopting land use assumptions for each service area, a political subdivision may, except for storm water, drainage, flood control, and roadway facilities, adopt systemwide land use assumptions, which cover all of the area subject to the jurisdiction of the political subdivision for the purpose of imposing impact fees under this chapter.

(b) Prior to adopting systemwide land use assumptions, a political subdivision shall follow the public notice, hearing, and other requirements for adopting land use assumptions.

(c) After adoption of systemwide land use assumptions, a political subdivision is not required to adopt additional land use assumptions for a service area for water supply, treatment, and distribution facilities or wastewater collection and treatment facilities as a prerequisite to the adoption of a capital improvements plan or impact fee, provided the capital improvements plan and impact fee are consistent with the systemwide land use assumptions.

Added by Acts 1989, 71st Leg., ch. 566, § 1(b), eff. Aug. 28, 1989.

**§ 395.047. Hearing on Impact Fee**

On adoption of the land use assumptions and capital improvements plan, the governing body shall adopt an order or resolution setting a public hearing to discuss the imposition of the impact fee. The public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution imposing an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

**§ 395.049. Notice of Hearing on Impact Fee**

(a) Before the 30th day before the date of the hearing on the imposition of an impact fee, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES"

- (2) the time, date, and location of the hearing;
- (3) a statement that the purpose of the hearing is to consider the adoption of an impact fee;
- (4) the amount of the proposed impact fee per service unit; and
- (5) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

#### **§ 395.050. Advisory Committee Comments on Impact Fees**

The advisory committee created under Section 395.058 shall file its written comments on the proposed impact fees before the fifth business day before the date of the public hearing on the imposition of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

#### **§ 395.051. Approval of Impact Fee Required**

(a) The political subdivision, within 30 days after the date of the public hearing on the imposition of an impact fee, shall approve or disapprove the imposition of an impact fee.

(b) An ordinance, order, or resolution approving the imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

#### **§ 395.052. Periodic Update of Land Use Assumptions and Capital Improvements Plan Required**

(a) A political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years. The initial five-year period begins on the day the capital improvements plan is adopted.

(b) The political subdivision shall review and evaluate its current land use assumptions and shall cause an update of the capital improvements plan to be prepared in accordance with Subchapter B.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 6, eff. Sept. 1, 2001.

**§ 395.053. Hearing on Updated Land Use Assumptions and Capital Improvements Plan**

The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

**§ 395.054. Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee**

A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

**§ 395.055. Notice of Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee**

(a) The notice and hearing procedures prescribed by Sections 395.044(a) and (b) apply to a hearing on the amendment of land use assumptions, a capital improvements plan, or an impact fee.

(b) The notice of a hearing under this section must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 7, eff. Sept. 1, 2001.



### **§ 395.056. Advisory Committee Comments on Amendments**

The advisory committee created under Section 395.058 shall file its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing on the amendments.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.057. Approval of Amendments Required**

(a) The political subdivision, within 30 days after the date of the public hearing on the amendments, shall approve or disapprove the amendments of the land use assumptions and the capital improvements plan and modification of an impact fee.

(b) An ordinance, order, or resolution approving the amendments to the land use assumptions, the capital improvements plan, and imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.0575. Determination That No Update of Land Use Assumptions, Capital Improvements Plan or Impact Fees is Needed**

(a) If, at the time an update under Section 395.052 is required, the governing body determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may, as an alternative to the updating requirements of Sections 395.052-395.057, do the following:

(1) The governing body of the political subdivision shall, upon determining that an update is unnecessary and 60 days before publishing the final notice under this section, send notice of its determination not to update the land use assumptions, capital improvements plan, and impact fee by certified mail to any person who has, within two years preceding the date that the final notice of this matter is to be published, give written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of hearings related to impact fees. The notice must contain the information in Subsections (b)(2)-(5).

(2) The political subdivision shall publish notice of its determination once a week for three consecutive weeks in one or more newspapers with general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies. The notice of public hearing may not be in the part of the paper in which legal notices and classified ads appear and may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper, and the headline on the notice must be in 18-point or larger type.

(b) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF DETERMINATION NOT TO UPDATE  
LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS  
PLAN, OR IMPACT FEES";

(2) a statement that the governing body of the political subdivision has determined that no change to the land use assumptions, capital improvements plan, or impact fee is necessary;

(3) an easily understandable description and a map of the service area in which the updating has been determined to be unnecessary;

(4) a statement that if, within a specified date, which date shall be at least 60 days after publication of the first notice, a person makes a written request to the designated official of the political subdivision requesting that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body must comply with the request by following the requirements of Sections 395.052-395.057; and

(5) a statement identifying the name and mailing address of the official of the political subdivision to whom a request for an update should be sent.

(c) The advisory committee shall file its written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee before the fifth business day before the earliest notice of the government's decision that no update is necessary is mailed or published.

(d) If, by the date specified in Subsection (b)(4), a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body shall cause an update of the land use assumptions and capital improvements plan to be prepared in accordance with Sections 395.052-395.057.

(e) An ordinance, order, or resolution determining the need for updating land use assumptions, a capital improvements plan, or an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 566, § 1(d), eff. Aug. 28, 1989.

**§ 395.058. Advisory Committee**

(a) On or before the date on which the order, ordinance, or resolution is adopted under Section 395.042, the political subdivision shall appoint a capital improvements advisory committee.

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity.

If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

(c) The advisory committee serves in an advisory capacity and is established to:

(1) advise and assist the political subdivision in adopting land use assumptions;

(2) review the capital improvements plan and file written comments;

(3) monitor and evaluate implementation of the capital improvements plan;

(4) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and

(5) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(d) The political subdivision shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

(e) The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

## **SUBCHAPTER D. OTHER PROVISIONS**

### **§ 395.071. Duties to be Performed Within Time Limits**

If the governing body of the political subdivision does not perform a duty imposed under this chapter within the prescribed period, a person who has paid an impact fee or an owner of land on which an impact fee has been paid has the right to present a written request to the governing body of the political subdivision stating the nature of the unperformed duty and requesting that it be performed within 60 days after the date of the request. If the governing body of the political subdivision finds that the duty is required under this chapter and is late in being performed, it shall cause the duty to commence within 60 days after the date of the request and continue until completion.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.072. Records of Hearings**

A record must be made of any public hearing provided for by this chapter. The record shall be maintained and be made available for public inspection by the political subdivision for at least 10 years after the date of the hearing.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.073. Cumulative Effect of State and Local Restrictions**

Any state or local restrictions that apply to the imposition of an impact fee in a political subdivision where an impact fee is proposed are cumulative with the restrictions in this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.074. Prior Impact Fees Replaced by Fees Under This Chapter**

An impact fee that is in place on June 20, 1987, must be replaced by an impact fee made under this chapter on or before June 20, 1990. However, any political subdivision having an impact fee that has not been replaced under this chapter on or before June 20, 1988, is liable to any party who, after June 20, 1988, pays an impact fee that exceeds the maximum permitted under Subchapter B by more than 10 percent for an amount equal to two times the difference between the maximum impact fee allowed and the actual impact fee imposed, plus reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.075. No Effect on Taxes or Other Charges**

This chapter does not prohibit, affect, or regulate any tax, fee, charge, or assessment specifically authorized by state law.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.076. Moratorium on Development Prohibited**

A moratorium may not be placed on new development for the purpose of awaiting the completion of all or any part of the process necessary to develop, adopt, or update land use assumptions, a capital improvements plan, or an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 441, § 2, eff. Sept. 1, 2001.

### **§ 395.077. Appeals**

(a) A person who has exhausted all administrative remedies within the political subdivision and who is aggrieved by a final decision is entitled to trial de novo under this chapter.



(b) A suit to contest an impact fee must be filed within 90 days after the date of adoption of the ordinance, order, or resolution establishing the impact fee.

(c) Except for roadway facilities, a person who has paid an impact fee or an owner of property on which an impact fee has been paid is entitled to specific performance of the services by the political subdivision for which the fee was paid.

(d) This section does not require construction of a specific facility to provide the services.

(e) Any suit must be filed in the county in which the major part of the land area of the political subdivision is located. A successful litigant shall be entitled to recover reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.078. Substantial Compliance With Notice Requirements**

An impact fee may not be held invalid because the public notice requirements were not complied with if compliance was substantial and in good faith.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

### **§ 395.079. Impact Fee for Storm Water, Drainage, and Flood Control in Populous County**

(a) Any county that has a population of 3.3 million or more or that borders a county with a population of 3.3 million or more, and any district or authority created under Article XVI, Section 59, of the Texas Constitution within any such county that is authorized to provide storm water, drainage, and flood control facilities, is authorized to impose impact fees to provide storm water, drainage, and flood control improvements necessary to accommodate new development.

(b) The imposition of impact fees authorized by Subsection (a) is exempt from the requirements of Sections 395.025, 395.052-395.057, and 395.074 unless the political subdivision proposes to increase the impact fee.

(c) Any political subdivision described by Subsection (a) is authorized to pledge or otherwise contractually obligate all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued or incurred by or on behalf of the political subdivision and to the payment of any other contractual obligations.

(d) An impact fee adopted by a political subdivision under Subsection (a) may not be reduced if:

(1) the political subdivision has pledged or otherwise contractually obligated all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision; and

(2) the political subdivision agrees in the pledge or contract not to reduce the impact fees during the term of the bonds, notes, or other contractual obligations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 669, § 107, eff. Sept. 1, 2001.

**§ 395.080. Chapter Not Applicable to Certain Water-Related Special Districts**

(a) This chapter does not apply to impact fees, charges, fees, assessments, or contributions:

(1) paid by or charged to a district created under Article XVI, Section 59, of the Texas Constitution to another district created under that constitutional provision if both districts are required by law to obtain approval of their bonds by the Texas Natural Resource Conservation Commission; or

(2) charged by an entity if the impact fees, charges, fees, assessments, or contributions are approved by the Texas Natural Resource Conservation Commission.

(b) Any district created under Article XVI, Section 59, or Article III, Section 52, of the Texas Constitution may petition the Texas Natural Resource Conservation Commission for approval of any proposed impact fees, charges, fees, assessments, or contributions. The commission shall adopt rules for reviewing the petition and may charge the petitioner fees adequate to cover the cost of processing and considering the petition. The rules shall require notice substantially the same as that required by this chapter for the adoption of impact fees and shall afford opportunity for all affected parties to participate.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 76, § 11.257, eff. Sept. 1, 1995.

**§ 395.081. Fees for Adjoining Landowners in Certain Municipalities**

(a) This section applies only to a municipality with a population of 105,000 or less that constitutes more than three-fourths of the population of the county in which the majority of the area of the municipality is located.

(b) A municipality that has not adopted an impact fee under this chapter that is constructing a capital improvement, including sewer or waterline or drainage or roadway facilities, from the municipality to a development located within or outside the municipality's boundaries, in its discretion, may allow a landowner whose land adjoins the capital improvement or is within a specified distance from the capital improvement, as determined by the governing body of the municipality, to connect to the capital improvement if:

(1) the governing body of the municipality has adopted a finding under Subsection (c); and

(2) the landowner agrees to pay a proportional share of the cost of the capital improvement as determined by the governing body of the municipality and agreed to by the landowner.

(c) Before a municipality may allow a landowner to connect to a capital improvement under Subsection (b), the municipality shall adopt a finding that the municipality will benefit from allowing the landowner to connect to the capital improvement. The finding shall describe the benefit to be received by the municipality.

(d) A determination of the governing body of a municipality, or its officers or employees, under this section is a discretionary function of the municipality and the municipality and its officers or employees are not liable for a determination made under this section.

Added by Acts 1997, 75th Leg., ch. 1150, § 1, eff. June 19, 1997.

**§ 395.082. Certification of Compliance Required**

(a) A political subdivision that imposes an impact fee shall submit a written certification verifying compliance with this chapter to the attorney general each year not later than the last day of the political subdivision's fiscal year.

(b) The certification must be signed by the presiding officer of the governing body of a political subdivision and include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

(c) A political subdivision that fails to submit a certification as required by this section is liable to the state for a civil penalty in an amount equal to 10 percent of the amount of the impact fees erroneously charged. The attorney general shall collect the civil penalty and deposit the amount collected to the credit of the housing trust fund.

Added by Acts 2001, 77th Leg., ch. 345, § 8, eff. Sept. 1, 2001.

**APPENDIX B**  
**Water System Impact Fee Eligible CIP**  
**Planning Level Opinion of Probable Construction Cost (OPCC) Estimates**

CIP Project Number:

1

Phase: 10-Year

**Project Name:**

**New FM 1960 Water Plant (Phase I) with 2,000 gpm well, 3.6 MGD firm service pumping, and 1.2 MG GST**

**Project Description:**

This project includes the construction of a new water plant on FM 1960. This water plant will include a 2,000 gpm well\*, 1.2 MG ground storage tank, and a 3.6 MGD pump station (firm capacity). Planning level cost for a well siting study, easement acquisition, and land acquisition is included. \*It is recommended to drill a test well to verify available yield.

**Project Drivers:**

The City recently decommissioned the Clayton well due to poor condition. It is recommended to add a replacement well and distribution pump station along FM 1960 to satisfy water demand requirements per Texas Commission on Environmental Quality (TCEQ), as well as provide TCEQ required pressure and fire flows in the water distribution system.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	1.2 MG Ground Storage Tank	1	LS	\$ 1,200,000	\$ 1,200,000
2	Pump Station - New 3.6 MGD	1	LS	\$ 5,040,000	\$ 5,040,000
3	New 2,000 gpm Well	1	LS	\$ 4,752,000	\$ 4,752,000
4	Well Siting Study	1	EA	\$ 35,000	\$ 35,000
5	12" WL & Appurtenances	4,000	LF	\$ 150	\$ 600,000
6	Easement Acquisition	80,000	SF	\$ 1	\$ 80,000
7	Land Acquisition	1	EA	\$ 50,000	\$ 50,000
				<b>SUBTOTAL:</b>	<b>\$ 11,757,000</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 15,284,100</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 18,341,000</b>
<b>Estimated Project Total:</b>					<b>\$ 18,341,000</b>



**CIP Project Number:**
**2**
**Phase: 10-Year**
**Project Name: New 12-inch Water Line along County Road 6021**
**Project Description:**

This project includes the construction of a new 12-inch water line along County Road 6021 from the proposed FM 1960 water plant (Project 1) to the proposed 12-inch US-90 future water line (project by developer). This project includes cost for easement acquisition.

**Project Drivers:**

This project is sized to serve projected 2046 demands and provide TCEQ required pressure and fire flows for future demands to the west and northwest sides of the City.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" WL & Appurtenances	18,000	LF	\$ 150	\$ 2,700,000
2	24" Boring and Casing	100	LF	\$ 528	\$ 52,800
3	Pavement Repair	1,800	LF	\$ 90	\$ 162,000
4	Easement Acquisition	182,000	SF	\$ 1	\$ 182,000
<b>SUBTOTAL:</b>					<b>\$ 3,096,800</b>
CONTINGENCY				30%	\$ 929,100
<b>SUBTOTAL:</b>					<b>\$ 4,025,900</b>
ENG/SURVEY				15%	\$ 603,900
<b>SUBTOTAL:</b>					<b>\$ 4,629,800</b>
<b>Estimated Project Total:</b>					<b>\$ 4,629,800</b>

**CIP Project Number:**
**3**
**Phase: 10-Year**
**Project Name: Tram Road 8-inch Water Line and FM 1008 8-inch Water Line**
**Project Description:**

This project includes construction of a new 8-inch water line to replace the existing 2-inch line along Tram Road and connecting the existing water lines between State Hwy 321 and North Winfree Street. This project also includes the construction of 8-inch water lines along FM 1008 replacing existing 2-inch line and connecting water lines from Lowe Street to Slover Drive.

**Project Drivers:**

This project is sized to replace the existing 2-inch water lines and provide connectivity to improve existing minimum pressures and fire flow in the downtown area of the City.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	8" WL & Appurtenances	9,900	LF	\$ 100	\$ 990,000
2	20" Boring and Casing	250	LF	\$ 440	\$ 110,000
3	Pavement Repair	250	LF	\$ 90	\$ 22,500
<b>SUBTOTAL:</b>					<b>\$ 1,122,500</b>
CONTINGENCY				30%	\$ 336,800
<b>SUBTOTAL:</b>					<b>\$ 1,459,300</b>
ENG/SURVEY				15%	\$ 218,900
<b>SUBTOTAL:</b>					<b>\$ 1,678,200</b>
<b>Estimated Project Total:</b>					<b>\$ 1,678,200</b>

**CIP Project Number:**
**4**
**Phase: 10-Year**
**Project Name: New 16-inch Water Line along US Hwy 90**
**Project Description:**

This project includes the construction of new 16-inch lines along US Hwy 90. This project includes cost for easement acquisition.

**Project Drivers:**

This project will serve the anticipated future industrial and commercial developments along US-90. This project is sized to serve 2046 projected water demands.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	16" WL & Appurtenances	9,000	LF	\$ 200	\$ 1,800,000
2	30" Boring and Casing	800	LF	\$ 660	\$ 528,000
3	Pavement Repair	200	LF	\$ 90	\$ 18,000
4	Easement Acquisition	270,000	SF	\$ 1	\$ 270,000
<b>SUBTOTAL:</b>					<b>\$ 2,616,000</b>
CONTINGENCY				30%	\$ 784,800
<b>SUBTOTAL:</b>					<b>\$ 3,400,800</b>
ENG/SURVEY				15%	\$ 510,200
<b>SUBTOTAL:</b>					<b>\$ 3,911,000</b>
<b>Estimated Project Total:</b>					<b>\$ 3,911,000</b>

**CIP Project Number:**
**5**
**Phase: 10-Year**
**Project Name: New 12-inch Water Line along Old River**
**Project Description:**

This project includes the construction of a new 12-inch line between US-90 and SH-146 along Old River.

**Project Drivers:**

This project is sized to serve projected 2046 water demands from anticipated future developments between US-90 and SH-146.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" WL & Appurtenances	16,000	LF	\$ 150	\$ 2,400,000
2	Pavement Repair	1,600	LF	\$ 90	\$ 144,000
3	Easement Acquisition	20,000	SF	\$ 1	\$ 20,000
				<b>SUBTOTAL:</b>	<b>\$ 2,564,000</b>
				CONTINGENCY	30%
					\$ 769,200
				<b>SUBTOTAL:</b>	<b>\$ 3,333,200</b>
				ENG/SURVEY	15%
					\$ 500,000
				<b>SUBTOTAL:</b>	<b>\$ 3,833,200</b>
<b>Estimated Project Total:</b>					<b>\$ 3,833,200</b>

CIP Project Number:

6

Phase: 10-Year

Project Name:

New South Water Plant with 2,100 gpm well, 3.0 MGD service pumping, 1.1 MG GST, 0.75 MG EST, and 12-inch water line

**Project Description:**

This project includes the construction of a new water plant at the southern part of the City along US-146. This project includes a 2,100 gpm well\*, a 0.75 MG elevated storage tank, a 1.1 MG ground storage tank, and a 3.0 MGD pump station (firm capacity). Planning level cost for a well siting study, easement acquisition, and land acquisition is included. \*It is recommended to drill a test well to verify available yield.

**Project Drivers:**

This project is sized to serve projected future water demands from anticipated development in the southern part of the City.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 2,100 gpm Well	1	LS	\$ 4,983,000	\$ 4,983,000
2	1.1 MG Ground Storage Tank	1	LS	\$ 1,100,000	\$ 1,100,000
3	0.75 MG Elevated Storage Tank	1	LS	\$ 2,700,000	\$ 2,700,000
4	Pump Station - New 3.0 MGD	1	LS	\$ 4,200,000	\$ 4,200,000
5	12" WL & Appurtenances	7,000	LF	\$ 150	\$ 1,050,000
6	Pavement Repair	700	LF	\$ 90	\$ 63,000
7	Well Siting Study	1	EA	\$ 35,000	\$ 35,000
8	Land Acquisition	1	EA	\$ 50,000	\$ 50,000
9	Easement Acquisition	140,000	SF	\$ 1	\$ 140,000
				<b>SUBTOTAL:</b>	<b>\$ 14,321,000</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 18,617,300</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 22,340,800</b>
<b>Estimated Project Total:</b>					<b>\$ 22,340,800</b>

CIP Project Number:

7

Phase: 10-Year

Project Name:

FM 1960 Water Plant Expansion (Phase II) with additional 2,000 gpm well, 3.6 MGD firm service pumping, and 1.2 MG GST

**Project Description:**

This project includes expansion of the FM 1960 water plant (Project 1). This water plant will include a 2,000 gpm well\*, 1.2 MG ground storage tank, and a 3.6 MGD pump station (firm capacity). Planning level cost for a well siting study, easement acquisition, and land acquisition is included. \*It is recommended to drill a test well to verify available yield.

**Project Drivers:**

This project will provide the water distribution system with the minimum pressures required by the Texas Commission on Environmental Quality (TCEQ). This project is sized for projected future water demands from anticipated future developments.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	1.2 MG Ground Storage Tank	1	LS	\$ 1,200,000	\$ 1,200,000
2	Pump Station - New 3.6 MGD	1	LS	\$ 5,040,000	\$ 5,040,000
3	New 2,000 gpm Well	1	LS	\$ 4,752,000	\$ 4,752,000
4	Well Siting Study	1	EA	\$ 35,000	\$ 35,000
5	12" WL & Appurtenances	16,000	LF	\$ 150	\$ 2,400,000
6	Easement Acquisition	20,000	SF	\$ 1	\$ 20,000
7	Land Acquisition	1	EA	\$ 50,000	\$ 50,000
				<b>SUBTOTAL:</b>	<b>\$ 13,497,000</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 17,546,100</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 21,055,400</b>
<b>Estimated Project Total:</b>					<b>\$ 21,055,400</b>



CIP Project Number:

8

Phase: **10-Year**

**Project Name:**

**New Northwest Water Plant with 1,500 gpm well, 4.6 MGD service pumping, 1.6 MG GST, 0.75 MG EST, and 12-inch water line**

**Project Description:**

This project includes the construction of a new water plant to serve the Northwest area of the City. This project includes the construction of a 1,500 gpm well\*, a 1.6 MG GST, a 0.75 MG EST, and a 4.6 MGD pump station (firm pumping). This project also includes the construction of a new 12-inch water line loop. This project includes cost for a well siting study, easement acquisition, and land acquisition.\*It is recommended to drill a test well to verify available yield.

**Project Drivers:**

This project is sized to serve projected 2046 water demands for the anticipated future residential development.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Pump Station - New 4.6 MGD	1	LS	\$ 6,440,000	\$ 6,440,000
2	1.6 MG Ground Storage Tank	1	LS	\$ 1,600,000	\$ 1,600,000
3	0.75 MG Elevated Storage Tank	1	LS	\$ 2,700,000	\$ 2,700,000
4	New 1,500 gpm Well	1	LS	\$ 3,564,000	\$ 3,564,000
5	12" WL & Appurtenances	33,000	LF	\$ 150	\$ 4,950,000
6	Pavement Repair	3,300	LF	\$ 90	\$ 297,000
7	Well Siting Study	1	EA	\$ 35,000	\$ 35,000
8	Land Acquisition	1	EA	\$ 50,000	\$ 50,000
				<b>SUBTOTAL:</b>	<b>\$ 19,636,000</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 25,526,800</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 30,632,200</b>
<b>Estimated Project Total:</b>					<b>\$ 30,632,200</b>

\*Planning Level Cost in 2021 Dollars

CIP Project Number:

9

Phase: 10-Year

**Project Name:** New 8-inch Water Line to Liberty MUD 5 along Tram Road

**Project Description:**

This project includes the construction of a new 8-inch water line along Tram Road connecting to the 12-inch water line along State Highway 321.

**Project Drivers:**

This project is sized to serve projected 2046 water demands for the anticipated future Liberty County MUD 5 development. This project is also expected improve pressure and available fire flows in the area.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	8" WL & Appurtenances	14,000	LF	\$ 100	\$ 1,400,000
2	Pavement Repair	1,400	LF	\$ 90	\$ 126,000
<b>SUBTOTAL:</b>					<b>\$ 1,526,000</b>
				CONTINGENCY	30%
					\$ 457,800
<b>SUBTOTAL:</b>					<b>\$ 1,983,800</b>
				ENG/SURVEY	15%
					\$ 297,600
<b>SUBTOTAL:</b>					<b>\$ 2,281,400</b>
<b>Estimated Project Total:</b>					<b>\$ 2,281,400</b>

CIP Project Number:

10

Phase: 10-Year

**Project Name:** Additional 1.0 MG EST at Tram Well Site

**Project Description:**

This project includes the construction of additional 1.0 MG elevated storage at the Tram Well Site resulting in a total elevated storage capacity of 1.5 MG at this well site.

**Project Drivers:**

This project is sized to serve projected 2046 water demands from anticipated future developments.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	1.0 MG Elevated Storage Tank	1	LS	\$ 3,600,000	\$ 3,600,000
<b>SUBTOTAL:</b>					<b>\$ 3,600,000</b>
	CONTINGENCY			30%	\$ 1,080,000
<b>SUBTOTAL:</b>					<b>\$ 4,680,000</b>
	ENG/SURVEY			20%	\$ 936,000
<b>SUBTOTAL:</b>					<b>\$ 5,616,000</b>
<b>Estimated Project Total:</b>					<b>\$ 5,616,000</b>

CIP Project Number:

11

Phase: 10-Year

**Project Name:**

New 12-inch Water Line along FM 1960 and 12-inch Water Line along Grand Parkway

**Project Description:**

This project includes the construction of a new 12-inch water line along FM 1960 and SH-99 to the west of the proposed water plant (Project 1). This project would connect the Central System to the proposed northwest water treatment plant (Project 6). This project includes cost for easement acquisition.

**Project Drivers:**

This project is sized to serve projected 2046 demands from anticipated future developments and connect the Central Water System with the future Northwest System.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" WL & Appurtenances	31,000	LF	\$ 150	\$ 4,650,000
2	24" Boring and Casing	1,000	LF	\$ 528	\$ 528,000
3	Pavement Repair	3,100	LF	\$ 90	\$ 279,000
4	Easement Acquisition	496,000	SF	\$ 1	\$ 496,000
<b>SUBTOTAL:</b>					<b>\$ 5,953,000</b>
CONTINGENCY				30%	\$ 1,785,900
<b>SUBTOTAL:</b>					<b>\$ 7,738,900</b>
ENG/SURVEY				15%	\$ 1,160,900
<b>SUBTOTAL:</b>					<b>\$ 8,899,800</b>
<b>Estimated Project Total:</b>					<b>\$ 8,899,800</b>

**APPENDIX C**  
**Wastewater System Impact Fee Eligible CIP**  
**Planning Level Opinion of Probable Construction Cost (OPCC) Estimates**

CIP Project Number:

1

Phase: **10-Year**

**Project Name:**

**New Relocated 12 MGD Sawmill Lift Station, 48-Inch Gravity Line and Microtunnel, and Influent WWTP Lift Station Consolidation**

**Project Description:**

This project includes the relocation and construction of the Sawmill Lift Station at a firm capacity of 12 MGD and the decommissioning of the existing lift station and force main. The relocated Sawmill Lift Station is planned to serve as the influent lift station for the Southwest WWTP. This project also includes a new 48-inch gravity line from the existing Sawmill Lift Station site to the proposed Sawmill Lift Station. This project assumes a microtunnel across Highway 90 and an open cut gravity line between Highway 90 and the proposed lift station location. This project also includes the decommissioning of the South WWTP influent lift station and force main and construction of a new 54-inch gravity line from the existing WWTP influent lift station to the proposed Sawmill Lift Station site. This project also includes re-routing the future Gulf Inland Lift Station force main from the existing headworks to the 54-inch gravity line upstream of the proposed Sawmill Lift Station location. The proposed 48-inch gravity line is sized to convey a peak wet weather flow of 15.7 MGD. The 54-inch line is sized to convey a peak wet weather flow of 17 MGD.

**Project Drivers:**

The gravity line is sized to convey the projected 25-year peak wastewater flows per TCEQ requirements. The relocated Sawmill Lift Station is sized to convey projected peak wet weather flows through 2026. It is anticipated that the Sawmill Lift Station will be expanded via additional wet wells in the future to accommodate the projected 25-year peak wastewater flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Decommission Lift Station	2	EA	\$ 200,000	\$ 400,000
2	48" Microtunnel	500	LF	\$ 2,500	\$ 1,250,000
3	48" Pipe > 20 feet deep	1,900	LF	\$ 960	\$ 1,824,000
4	72" Diameter Manhole (24' - 30')	5	EA	\$ 30,000	\$ 150,000
5	New 12.0 MGD Sawmill Lift Station (Phase I)	1	LS	\$ 4,337,000	\$ 4,337,000
6	30" Force Main < 8 feet deep	400	LF	\$ 450	\$ 180,000
7	54" Pipe > 16 feet deep	300	LF	\$ 864	\$ 259,200
8	10" Force Main < 8 feet deep	50	LF	\$ 150	\$ 7,500
9	Bypass Pumping	1	LS	\$ 300,000	\$ 300,000
				<b>SUBTOTAL:</b>	<b>\$ 8,707,700</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 11,320,100</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 13,584,200</b>
				<b>Estimated Project Total:</b>	<b>\$ 13,584,200</b>



CIP Project Number:

2

Phase: 10-Year

**Project Name:**

**Replacement 48-inch Waco Street Gravity Line and Thriftee, Clayton, Burger King, and Houston at Cleveland Lift Station Consolidations**

**Project Description:**

This project includes a replacement 48-inch gravity line along Waco Street between Sawmill Road and West Clayton Street. This project is sized to serve the projected 25-year peak wet weather flow of 15.4 MGD. The proposed 48-inch gravity should be installed at additional depth to accommodate the lift station consolidation. This project also includes the construction of a 12-inch and 18-inch gravity line along Cleveland Street and West Clayton Street that will allow for the decommissioning of four lift stations and associated force mains: Thriftee, Clayton, Burger King, and Houston at Cleveland Lift Stations. The 12-inch gravity line along Highway 321 is sized to carry 0.4 MGD, the 12-inch gravity line along East Clayton Street is sized to carry 0.5 MGD, and the 18-inch gravity line is sized to carry 1.1 MGD of flow.

**Project Drivers:**

The replacement and proposed gravity lines are sized to convey the projected 25-year peak wastewater flows per TCEQ requirements. This project will allow the Thriftee, Clayton, Burger King, and Houston at Cleveland Lift Stations to be decommissioned and associated flows to be conveyed to the new gravity main.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	48" Pipe > 20 feet deep	2,400	LF	\$ 960	\$ 2,304,000
2	72" Diameter Manhole (8' -16')	10	EA	\$ 20,000	\$ 200,000
3	Pavement Repair	150	LF	\$ 90	\$ 13,500
4	60" Boring and Casing	150	LF	\$ 1,320	\$ 198,000
5	Decommission Lift Station	4	EA	\$ 200,000	\$ 800,000
6	18" Pipe > 16 feet deep	2,100	LF	\$ 360	\$ 756,000
7	12" Microtunnel	1,900	LF	\$ 540	\$ 1,026,000
8	60" Diameter Manhole (16' Depth)	7	EA	\$ 14,000	\$ 98,000
9	48" Diameter Manhole (16' Depth)	7	EA	\$ 9,500	\$ 66,500
10	Pavement Repair	750	LF	\$ 90	\$ 67,500
11	24" Boring and Casing	500	LF	\$ 528	\$ 264,000
12	30" Boring and Casing	500	LF	\$ 660	\$ 330,000
				<b>SUBTOTAL:</b>	<b>\$ 6,123,500</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 1,837,100</b>
				ENG/SURVEY	15%
				<b>SUBTOTAL:</b>	<b>\$ 1,194,100</b>
				<b>SUBTOTAL:</b>	<b>\$ 9,154,700</b>
<b>Estimated Project Total:</b>					<b>\$ 9,154,700</b>

*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

**3**

Phase: **10-Year**

**Project Name:** Replacement 36/42-Inch Waco Street Gravity Line

**Project Description:**

This project includes the construction of a 36-inch and 42-inch replacement gravity line along Waco Street between West Clayton Street and Highway 321. The 36-inch line is sized to convey 7.3 MGD and the 42-inch line is sized to convey 11.1 MGD.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	42" Pipe 8- 16 feet deep	5,200	LF	\$ 630	\$ 3,276,000
2	36" Pipe 8- 16 feet deep	1,500	LF	\$ 540	\$ 810,000
3	72" Diameter Manhole (8' -16')	23	EA	\$ 20,000	\$ 460,000
4	Pavement Repair	650	LF	\$ 90	\$ 58,500
5	54" Boring and Casing	300	LF	\$ 1,188	\$ 356,400
<b>SUBTOTAL:</b>					<b>\$ 4,960,900</b>
CONTINGENCY				30%	\$ 1,488,300
<b>SUBTOTAL:</b>					<b>\$ 6,449,200</b>
ENG/SURVEY				15%	\$ 967,400
<b>SUBTOTAL:</b>					<b>\$ 7,416,600</b>
<b>Estimated Project Total:</b>					<b>\$ 7,416,600</b>

*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

4

Phase: **10-Year**

**Project Name:** Cherry Creek Lift Station Expansion to 2.8 MGD

**Project Description:**

This project includes a 2.0 MGD expansion of Cherry Creek Lift Station to 2.8 MGD. This project does not include a new force main.

**Project Drivers:**

The flow monitoring results indicate a lack of conveyance capacity at the Cherry Creek lift station. This lift station expansion will serve the projected 25-year peak wastewater flows from the lift station service area. The existing force main is adequate for this lift station expansion.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Cherry Creek Wet Well Replacement	1	LS	\$ 377,000	\$ 377,000
2	Cherry Creek Pumps	1	LS	\$ 294,000	\$ 294,000
3	Cherry Creek Electrical	1	LS	\$ 274,000	\$ 274,000
4	Cherry Creek Piping and Valves	1	LS	\$ 76,000	\$ 76,000
<b>SUBTOTAL:</b>					<b>\$ 1,021,000</b>
CONTINGENCY				30%	\$ 306,300
<b>SUBTOTAL:</b>					<b>\$ 1,327,300</b>
ENG/SURVEY				20%	\$ 265,500
<b>SUBTOTAL:</b>					<b>\$ 1,592,800</b>
<b>Estimated Project Total:</b>					<b>\$ 1,592,800</b>

*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

5

Phase: **10-Year**

**Project Name:**

**Overpass Lift Station Phase I Expansion to 2.5 MGD (Expandable to 6.0 MGD) and New 10-Inch Gravity Line**

**Project Description:**

This project includes a 1.1 MGD expansion of the Overpass Lift Station to 2.5 MGD. The lift station wet well is sized for 3.0 MGD. This project also includes the addition of a 10-inch gravity line to serve future developments along Highway 321. The 10-inch gravity line is sized to convey 0.5 MGD flow.

**Project Drivers:**

This project is sized to convey projected future wastewater peak flows in the service area. It is anticipated a 1.1 MGD firm capacity expansion to a 2.5 MGD firm capacity is needed within the 5-year planning period and an additional 3.5 MGD expansion to a total firm capacity of 6.0 MGD will be needed in the 25-year planning period. The existing force main is adequate for the Phase I expansion of the lift station.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Overpass Wet Well Replacement (Phase I)	1	LS	\$ 347,000	\$ 347,000
2	Overpass Pumps (Phase I)	1	LS	\$ 315,000	\$ 315,000
3	Overpass Electrical (Phase I)	1	LS	\$ 290,000	\$ 290,000
4	Overpass Piping and Valves (Phase I)	1	LS	\$ 75,000	\$ 75,000
5	10" Pipe 8- 16 feet deep	7,000	LF	\$ 150	\$ 1,050,000
6	48" Diameter Manhole (16' Depth)	15	EA	\$ 9,500	\$ 142,500
7	Easement Acquisition	140,000	SF	\$ 1	\$ 140,000
8	24" Boring and Casing	300	LF	\$ 528	\$ 158,400
				<b>SUBTOTAL:</b>	<b>\$ 2,517,900</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 3,273,300</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 3,928,000</b>
<b>Estimated Project Total:</b>					<b>\$ 3,928,000</b>



*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

6

Phase: **10-Year**

**Project Name:** Replacement 48-inch Gravity Line Between Highway 146 and the Railroad Track

**Project Description:**

This project includes a replacement 48-inch influent gravity line flowing to the south side of the WWTP. The gravity line extends from Highway 146 to the railroad track and then to the existing influent lift station at the WWTP. The 48-inch line is sized to convey 15.3 MGD.

**Project Drivers:**

This replacement gravity line is sized to convey projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	48" Pipe > 16 feet deep	2,650	LF	\$ 768	\$ 2,035,200
2	72 Diameter Manhole (16' - 24')	6	EA	\$ 25,000	\$ 150,000
3	54" Boring and Casing	200	LF	\$ 1,188	\$ 237,600
4	Pavement Repair	300	LF	\$ 90	\$ 27,000
<b>SUBTOTAL:</b>					<b>\$ 2,449,800</b>
CONTINGENCY				30%	\$ 735,000
<b>SUBTOTAL:</b>					<b>\$ 3,184,800</b>
ENG/SURVEY				15%	\$ 477,800
<b>SUBTOTAL:</b>					<b>\$ 3,662,600</b>
<b>Estimated Project Total:</b>					<b>\$ 3,662,600</b>

CIP Project Number:

7

Phase: **10-Year**

**Project Name:** Highway 146 Lift Station Phase I Expansion to 2.0 MGD (Expandable to 5.2 MGD), Lift Station Relocation, New 15/18/30-Inch Gravity Line, and New 12-Inch Force Main

**Project Description:**

This project includes the relocation and 0.6 MGD expansion of the Hwy 146 Lift Station to 2.0 MGD. The lift station wet well is sized for 5.2 MGD. This project also includes a new 15-inch gravity line along Highway 146, a new 18/30-inch gravity line along Old River, and a new 12-inch force main. The 18-inch line is sized to convey 1.8 MGD and the 30-inch line is sized to convey 5.1 MGD projected peak wastewater flows.

**Project Drivers:**

This project is sized to convey projected future wastewater peak flows in the service area. It is anticipated a 0.6 MGD firm capacity expansion to a 2.0 MGD firm capacity is needed within the 5-year planning period and an additional 3.2 MGD expansion to a total firm capacity of 5.2 MGD will be needed within the 25-year planning period. This project includes land acquisition and lift station relocation analysis costs.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Decommission Lift Station	1	EA	\$ 200,000	\$ 200,000
2	Property Acquisition	1	EA	\$ 10,000	\$ 10,000
3	Lift Station Relocation Analysis	1	EA	\$ 50,000	\$ 50,000
4	Hwy 146 Wet Well Replacement (Phase I)	1	LS	\$ 565,000	\$ 565,000
5	Hwy 146 Pumps (Phase I)	1	LS	\$ 210,000	\$ 210,000
6	Hwy 146 Electrical (Phase I)	1	LS	\$ 210,000	\$ 210,000
7	Hwy 146 Piping and Valves (Phase I)	1	LS	\$ 66,000	\$ 66,000
8	12" Force Main < 8 feet deep	17,000	LF	\$ 180	\$ 3,060,000
9	15" Pipe > 16 feet deep	2,000	LF	\$ 240	\$ 480,000
10	30" Pipe 8- 16 feet deep	5,600	LF	\$ 450	\$ 2,520,000
11	18" Pipe 8- 16 feet deep	2,500	LF	\$ 270	\$ 675,000
12	72" Diameter Manhole (8' -16')	7	EA	\$ 20,000	\$ 140,000
13	60" Diameter Manhole (16' Depth)	5	EA	\$ 14,000	\$ 70,000
14	Pavement Repair	900	LF	\$ 90	\$ 81,000
15	30" Boring and Casing	500	LF	\$ 660	\$ 330,000
				<b>SUBTOTAL:</b>	<b>\$ 8,667,000</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 11,267,100</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 13,520,600</b>
<b>Estimated Project Total:</b>					<b>\$ 13,520,600</b>

*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

8

Phase: **10-Year**

**Project Name:** New 18-inch and Replacement 18/21-Inch Highway 90 and Sunset Heights Gravity Line

**Project Description:**

This project includes a new 18-inch gravity line along Highway 90 and a replacement 18/21-inch gravity lines along Sunset Heights Avenue. The 18-inch line is sized to convey 1.7 MGD and the 21-inch line is sized to convey 2.8 MGD. This project also includes easement acquisition costs.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	18" Pipe 8- 16 feet deep	8,300	LF	\$ 270	\$ 2,241,000
2	21" Pipe 8- 16 feet deep	250	LF	\$ 315	\$ 78,750
3	60" Diameter Manhole (16' Depth)	18	EA	\$ 14,000	\$ 252,000
4	Pavement Repair	250	LF	\$ 90	\$ 22,500
5	Easement Acquisition	180,000	SF	\$ 1	\$ 180,000
				<b>SUBTOTAL:</b>	<b>\$ 2,774,300</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 3,606,600</b>
				ENG/SURVEY	15%
				<b>SUBTOTAL:</b>	<b>\$ 4,147,600</b>
<b>Estimated Project Total:</b>					<b>\$ 4,147,600</b>

*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

9

Phase: **10-Year**

**Project Name:** New 24-Inch Gravity Line Along Highway 146 Flowing North to Southwest WWTP

**Project Description:**

This project includes construction of a new 24-inch gravity line along Highway 146 flowing North to the Central WWTP. The 24-inch line is sized to convey 2.5 MGD. This project also includes easement acquisition costs.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	24" Pipe 8- 16 feet deep	7,400	LF	\$ 360	\$ 2,664,000
2	60" Diameter Manhole (16' Depth)	11	EA	\$ 14,000	\$ 154,000
3	Pavement Repair	300	LF	\$ 90	\$ 27,000
4	Easement Acquisition	222,000	SF	\$ 1	\$ 222,000
<b>SUBTOTAL:</b>					<b>\$ 3,067,000</b>
CONTINGENCY				30%	\$ 920,100
<b>SUBTOTAL:</b>					<b>\$ 3,987,100</b>
ENG/SURVEY				15%	\$ 598,100
<b>SUBTOTAL:</b>					<b>\$ 4,585,200</b>
<b>Estimated Project Total:</b>					<b>\$ 4,585,200</b>



*\*Planning Level Cost in 2021 Dollars*

CIP Project Number:

10

Phase: **10-Year**

**Project Name:**

**New 2.0 MGD South Wastewater Treatment Plant and New 15/27-Inch Gravity Line Along Highway 146**

**Project Description:**

This project includes the construction of a new Wastewater Treatment Plant in the south City limits with capacity to treat 2.0 MGD of average daily flow. This project also includes costs for a discharge line from the WWTP to Old River. This project also includes a new 15/27-inch gravity line along highway 146. The 15-inch gravity line is sized to convey 1.1 MGD and the 27-inch gravity line is sized to convey 4.2 MGD.

**Project Drivers:**

This project is sized to convey projected future wastewater peak flows in the service area.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 2.0 MGD WWTP	1	EA	\$ 36,117,900	\$ 36,117,900
2	15" Pipe 8- 16 feet deep	3,000	LF	\$ 225	\$ 675,000
3	27" Pipe > 16 feet deep	6,000	LF	\$ 432	\$ 2,592,000
4	60" Diameter Manhole (16' Depth)	4	EA	\$ 14,000	\$ 56,000
5	72 Diameter Manhole (16' - 24')	9	EA	\$ 25,000	\$ 225,000
6	30" Pipe < 8 feet deep	9,300	LF	\$ 420	\$ 3,906,000
				<b>SUBTOTAL:</b>	<b>\$ 43,571,900</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 56,643,500</b>
				ENG/SURVEY	20%
				<b>SUBTOTAL:</b>	<b>\$ 67,972,200</b>
				<b>Estimated Project Total:</b>	<b>\$ 67,972,200</b>

CIP Project Number:

**11**

Phase: **10-Year**

**Project Name: Southwest WWTP 2.0 MGD Expansion to 6.0 MGD (Phase I)**

**Project Description:**

This project includes the construction of an additional 2.0 MGD of wastewater treatment average daily flow capacity at the existing Southwest WWTP. This project is to be done in conjunction with the Sawmill Lift Station Expansion (Project 12).

**Project Drivers:**

The wastewater flow projections indicate an expansion of treatment capacity will be needed within the next 10 years to serve average day wastewater flows in the Central service area.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	2.0 MGD WWTP Expansion	1	EA	\$ 32,506,110	\$ 32,506,110
				<b>SUBTOTAL:</b>	<b>\$ 32,506,200</b>
CONTINGENCY				30%	\$ 9,751,900
				<b>SUBTOTAL:</b>	<b>\$ 42,258,100</b>
ENG/SURVEY				20%	\$ 8,451,700
				<b>SUBTOTAL:</b>	<b>\$ 50,709,800</b>
<b>Estimated Project Total:</b>					<b>\$ 50,709,800</b>

CIP Project Number:

**12**

Phase: **10-Year**

**Project Name: Sawmill Lift Station Phase II 10 MGD Expansion to 22 MGD**

**Project Description:**

This project includes the expansion of the Sawmill Lift Station to 22 MGD and the addition of a 30-inch force main routed to the new treatment plant expansion. This project is to be done in conjunction with the WWTP Expansion (Project 11).

**Project Drivers:**

The 22 MGD firm capacity is sized to convey peak wastewater flows projected within the 10-year planning period. It is anticipated that an additional 10 MGD expansion of firm pumping capacity to 32 MGD will be needed beyond 10-years to convey the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New Sawmill Lift Station (Phase II)	1	LS	\$ 3,848,000	\$ 3,848,000
2	30" Force Main < 8 feet deep	700	LF	\$ 450	\$ 315,000
<b>SUBTOTAL:</b>					<b>\$ 4,163,000</b>
CONTINGENCY				30%	\$ 1,248,900
<b>SUBTOTAL:</b>					<b>\$ 5,411,900</b>
ENG/SURVEY				20%	\$ 1,082,400
<b>SUBTOTAL:</b>					<b>\$ 6,494,300</b>
<b>Estimated Project Total:</b>					<b>\$ 6,494,300</b>

CIP Project Number:

13

Phase: **10-Year**

**Project Name:** New 1.0 MGD North Wastewater Treatment Plant and 24-inch Gravity Line

**Project Description:**

This project includes the construction of a new Wastewater Treatment Plant in the northwest City limits with capacity to treat 1.0 MGD average daily flow. This project also includes a new 24-inch gravity line sized to carry 3.1 MGD.

**Project Drivers:**

This project is sized to convey projected future wastewater peak flows in the service area

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 1.0 MGD WWTP	1	EA	\$ 17,199,000	\$ 17,199,000
2	24" Pipe > 16 feet deep	5,800	LF	\$ 384	\$ 2,227,200
3	60" Diameter Manhole (16' Depth)	9	EA	\$ 14,000	\$ 126,000
				<b>SUBTOTAL:</b>	<b>\$ 19,552,200</b>
				CONTINGENCY	30%
					\$ 5,865,700
				<b>SUBTOTAL:</b>	<b>\$ 25,417,900</b>
				ENG/SURVEY	20%
					\$ 5,083,600
				<b>SUBTOTAL:</b>	<b>\$ 30,501,500</b>
<b>Estimated Project Total:</b>					<b>\$ 30,501,500</b>



CIP Project Number:

**14**

Phase: **10-Year**

**Project Name:** Replacement 18/27-Inch Luke Street Gravity Line

**Project Description:**

This project includes construction of a replacement 18/27-inch gravity line between Luke Street and Highway 146. The 18-inch line is sized to convey 1.7 MGD and the 27-inch line is sized to convey 4.7 MGD.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	18" Pipe 8- 16 feet deep	1,600	LF	\$ 270	\$ 432,000
2	27" Pipe 8- 16 feet deep	4,900	LF	\$ 405	\$ 1,984,500
3	60" Diameter Manhole (16' Depth)	7	EA	\$ 14,000	\$ 98,000
4	48" Diameter Manhole (16' Depth)	14	EA	\$ 9,500	\$ 133,000
5	Pavement Repair	100	LF	\$ 90	\$ 9,000
				<b>SUBTOTAL:</b>	<b>\$ 2,656,500</b>
				CONTINGENCY	30%
				<b>SUBTOTAL:</b>	<b>\$ 3,453,500</b>
				ENG/SURVEY	15%
				<b>SUBTOTAL:</b>	<b>\$ 3,971,600</b>
<b>Estimated Project Total:</b>					<b>\$ 3,971,600</b>

CIP Project Number:

**15**

Phase: **10-Year**

**Project Name: Replacement 12/15-Inch Slover Street and Cherry Creek Road Gravity Line**

**Project Description:**

This project includes a replacement 12-inch gravity line along Slover Street and a 15-inch gravity line along Cherry Creek Road. The 12-inch line is sized to convey 0.9 MGD and the 15-inch line is sized to convey 1.03 MGD.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" Pipe 8- 16 feet deep	1,400	LF	\$ 180	\$ 252,000
2	48" Diameter Manhole (16' Depth)	13	EA	\$ 9,500	\$ 123,500
3	15" Pipe 8- 16 feet deep	1,700	LF	\$ 225	\$ 382,500
4	Pavement Repair	200	LF	\$ 90	\$ 18,000
<b>SUBTOTAL:</b>					<b>\$ 776,000</b>
CONTINGENCY				30%	\$ 232,800
<b>SUBTOTAL:</b>					<b>\$ 1,008,800</b>
ENG/SURVEY				15%	\$ 151,400
<b>SUBTOTAL:</b>					<b>\$ 1,160,200</b>
<b>Estimated Project Total:</b>					<b>\$ 1,160,200</b>

CIP Project Number:

16

Phase: **10-Year**

**Project Name: Prater Lift Station Expansion to 0.4 MGD and 6-inch Force Main Re-route**

**Project Description:**

This project includes a 0.26 MGD expansion of Prater Lift Station to 0.4 MGD. This project also includes the re-route of Prater Lift Station's 6-inch force main to bypass Luke Lift Station.

**Project Drivers:**

This project is sized to serve the projected 25-year peak wet weather flows.

**Opinion of Probable Construction Cost**

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Prater Wet Well Replacement	1	LS	\$ 270,000	\$ 270,000
2	Prater Pumps	1	LS	\$ 56,000	\$ 56,000
3	Prater Electrical	1	LS	\$ 82,000	\$ 82,000
4	Prater Piping and Valves	1	LS	\$ 48,000	\$ 48,000
5	6" Force Main < 8 feet deep	3,500	LF	\$ 90	\$ 315,000
6	Pavement Repair	100	LF	\$ 90	\$ 9,000
7	20" Boring and Casing	200	LF	\$ 440	\$ 88,000
<b>SUBTOTAL:</b>					<b>\$ 868,000</b>
CONTINGENCY				30%	\$ 260,400
<b>SUBTOTAL:</b>					<b>\$ 1,128,400</b>
ENG/SURVEY				20%	\$ 225,700
<b>SUBTOTAL:</b>					<b>\$ 1,354,100</b>
<b>Estimated Project Total:</b>					<b>\$ 1,354,100</b>