

**AN ORDINANCE ESTABLISHING A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR THE CITY OF WESTON, TEXAS AND PROVIDING FOR THE MEMBERSHIP AND DUTIES OF THE COMMITTEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, pursuant to Chapter 395 of the Local Government Code, the City is authorized to impose impact fees from 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; and

**WHEREAS**, Section 395.058 of the Local Government Code provides that on or before the date on which an order, ordinance or resolution is adopted under Section 395.042 of the Local Government Code, establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area to be served by the capital improvements or facilities expansions, a political subdivision must appoint a capital improvements advisory committee;

**WHEREAS**, the City Council of the City of Weston, Texas, finds and determines that it is in the best interest of the citizens of Weston to appoint a capital improvements advisory committee.

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

**SECTION 1.** Pursuant to Section 395.058 of the Local Government Code, there is hereby established the Capital Improvements Advisory Committee of the City of Weston, Texas. The Advisory Committee shall consist of five members who shall be appointed by a majority vote of the City Council to serve for terms of two years. 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 impact fees are to be applied in the extraterritorial jurisdiction of the City of Weston, Texas, the membership of the Committee must include a representative from that area. Members of the Committee shall serve until their successors are appointed and without compensation.

**SECTION 2.** The Capital Improvements Advisory Committee shall serve in an advisory capacity to the City Council of the City of Weston, Texas and is established to:

- (1) advise and assist the City of Weston 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 City Council any perceived inequities to implementing the plan or imposing the impact fees; and
- (5) advise the City Council of the need to update or revise the land use assumptions, capital improvements plan, and impact fees.

**SECTION 3.** The City Council of the City of Weston, Texas shall make available to the Capital Improvements Advisory Committee any professional reports with respect to developing and implementing the capital improvements plan.

**SECTION 4.** The Capital Improvements Advisory Committee shall be subject to the provisions of Chapter 395 of the Local Government Code, the Open Meetings Act and shall follow the procedural rules utilized by the City Council to carry out its duties.

**SECTION 5.** This ordinance shall be cumulative of all provisions of ordinances of the City of Weston,

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Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 6.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 7.** This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED** this the 3rd day of May 2007.

Patti Harrington  
Patti Harrington, Mayor

**ATTEST:**  
Susan M Coffey  
Susan M Coffey, City Secretary

