

PUBLIC HEARING NOTICE

The City Council of the City of Willow Park, Texas will hold a Public Hearing during its Regular Meeting on Tuesday, February 23, 2021, at 7:00 p.m. at the Willow Park City Hall located at 516 Ranch House Road, Willow Park, Texas, to hear public opinion regarding the proposed rates and charges to be charged by the City's Municipal Drainage Utility System.

This notice is being published in accordance with the public notice requirements set forth in Subchapter C of Chapter 552, Local Government Code, V.T.C.A. for public hearings. As required by the aforementioned statute, this public notice is being published in a newspaper of general circulation to the residents of the City of Willow Park thirty (30) days or more prior to the date of the public hearing and will be published a total of three times before the scheduled hearing.

All interested persons are encouraged to attend the public hearing and express their opinions on the proposed rates and charges to be charged by the City's Municipal Drainage Utility System. Council may vote on the proposed rates and charges to be charged by the City's Municipal Drainage Utility System at the same meeting or at a later meeting.

The proposed Resolution to adopt the rates and charges to be charged by the City's Municipal Drainage Utility System is set forth below, in accordance with requirements set forth in Subchapter C, Chapter 552, Local Government Code, V.T.C.A:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, ADOPTING THE MUNICIPAL DRAINAGE UTILITY SYSTEM SCHEDULE OF CHARGES; ESTABLISHING CHARGES FOR MUNICIPAL DRAINAGE UTILITY SYSTEM SERVICES; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted the Municipal Drainage Utility System Act, Subchapter C of Chapter 552 of the Texas Local Government Code (the "Act"); and

WHEREAS, Article 13.13 of the City of Willow Park Code of Ordinances authorizes the City Council to adopt a schedule of charges for municipal drainage utility services; and

WHEREAS, the City Council desires to adopt the Drainage Utility System Schedule of Charges and establish the drainage charges for the City drainage utility services; and

WHEREAS, the City Council has conducted a public hearing on the adoption of Drainage Utility System Schedule of Charges after notice as required by the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. That the City Council hereby finds that the Drainage Utility System Schedule of Charges is related to the drainage and the terms of the levy and any classification of the benefitted properties in the City and are nondiscriminatory, equitable and reasonable; the schedule of charges is based on an inventory of the lots and tracts within the proposed service area which is the entire City; the schedule of charges gives consideration to the land use made of the benefitted properties, the size in area, the number of water meters, and topography of a parcel of benefitted property in assessing the drainage charges to property.

SECTION 2. That the City Council hereby adopts the Drainage Utility System Schedule of Charges attached as Exhibit "A" hereto.

SECTION 3. That all provisions of the resolutions of the City of Willow Park, Texas in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 4. That this Resolution shall take effect immediately from and after its passage, provided; however, the drainage charges established herein shall take effect on _____, 2021.

PASSED AND APPROVED THIS ____ OF _____, 2021.

Doyle Moss, Mayor

ATTEST:

Alicia Smith, City Secretary
City of Willow Park

Exhibit "A" **Drainage Charge Schedule**

The following drainage charges shall apply to all benefited property as deemed by the Municipal Drainage Utility Systems Act, as amended, (the "Act") according to property type within the City, unless exempt from such charges pursuant to the Act or as set forth herein.

Residential Property

Single Family Home:

\$5.50 per Single Family Unit* ("SFU") per month, with a minimum monthly charge of \$5.50, calculated as follows:

of SFU = Living Area ("LVAR")/1500

All other residential:

\$5.50 per SFU per month, with a minimum monthly charge of \$5.50, calculated as follows:

of SFU = Gross Building Square Footage ("GBSF") X 1.5/1500

Institutional Property (Churches and Schools)

\$5.50 per SFU per month, with a minimum monthly charge of \$5.50, calculated as follows:

of SFU = GBSF/1500

Commercial Property (including Industrial)

\$0.0055 per square foot of impervious area (e.g. \$5.50 per 1,000 square foot of impervious area) per month calculated as follows:

Amount Billed = Square feet of Impervious Area (“IA”) X 0.0055

*One SFU = 1,500 square feet of living area

Exemptions

Mandatory exemptions: Entities to which a mandatory exemption under Texas Local Gov’t Code Section 580.003(a), as may be amended, applies and any property to which a mandatory exemption under Section 552.053 of the Act, as may be amended, applies shall be exempt from payment of the drainage charges set forth herein.

Permissible exemptions: Property owned by the City of Willow Park, including, without limitation, City rights-of-way, streets, sidewalks, and alleys shall be exempt from payment of the drainage charges set forth herein.

Proof of exemption: If a person or entity asserts that a parcel of property is exempt pursuant to this resolution, the Act or any other applicable law, such person or entity has the burden to assert such exemption by filing written notice of eligibility for such exemption and sufficient evidence of entitlement to such exemption with the director of finance pursuant to the appeals process set forth in Section 13.13.007 of the City of Willow Park Code of Ordinances, as may be amended..

[End of Proposed Resolution]

All persons interested in the proposed rates and charges to be charged by the City’s Municipal Drainage Utility System as set forth herein are invited to attend the public hearing and to provide comments at that time. Written comments on this proposed rates and charges to be charged by the City’s Municipal Drainage Utility System may also be delivered to the City Council prior to 3:00 p.m. on the day of the public hearing at the following address:

Alicia Smith
City Secretary
City of Willow Park
516 Ranch House Road
Willow Park, TX 76087
Or by email at asmith@willowpark.org