



# City of Rowlett

## Special Meeting Agenda

### City Council

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

***City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.***

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**Tuesday, March 10, 2015**

**6:00 P.M.**

**Annex Building – 4004 Main Street**

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**1. CALL TO ORDER**

**2. PRESENTATION**

**2A.** Proclamation recognizing Men & Ladies of Honor/Honor Academy's trip to Africa.

**3. WORK SESSION**

**3A.** Discuss Drainage Utility Fees. (60 minutes)

**3B.** Discuss and receive direction from City Council on a proposed ordinance establishing when a property must connect to the City's sanitary sewer system. (30 minutes)

**TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS**

**4. ADJOURNMENT**

*Laura Hallmark*

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Laura Hallmark, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the City's website (www.rowlett.com) on the 5<sup>th</sup> day of March 2015, by 5:00 p.m.



City of Rowlett  
Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

**AGENDA DATE:** 03/10/15

**AGENDA ITEM:** 2A

**TITLE**

Proclamation recognizing Men & Ladies of Honor/Honor Academy's trip to Africa.

**STAFF REPRESENTATIVE**

Brian Funderburk, City Manager

**BACKGROUND INFORMATION**

This item was placed on the agenda at the request of Mayor Pro-tem Michael Gallops.

On March 17, 2015, Mayor Pro-tem Michael Gallops will be joining others from the Men & Ladies of Honor/Honor Academy to visit communities in South Africa, Swaziland, and Namibia.

The Mission Statement of Men of Honor and Ladies of Honor is as follows:

Men of Honor & Ladies of Honor exists to develop world-changers by training & mentoring youth, most of which are at-risk and fatherless youth ages 11-17 in principles of Chivalry, Honor, Moral Excellence and Courageous Leadership utilizing a three pronged strategy of life changing camps, conferences, and weekly curriculum based meetings.

**DISCUSSION**

Mayor Pro-tem Gallops has requested a proclamation to present to the leadership of the various communities this group will be visiting. Overall, there are five cities in South Africa, 1 in Swaziland, and another in Namibia that they will be visiting. The list is as follows:

- Pretoria, South Africa
- Ekurhuleni, South Africa
- Alberton, South Africa
- Cape Town, South Africa
- **Johannesburg, South Africa**
- **Ezulwini, Swaziland**
- **Windhoek, Namibia**

Mayor Pro-tem Gallops has indicated that he will be visiting the leadership in some of these cities (not all). In others, he will be visiting local radio stations. The requested proclamation is intended to extend the goodwill of the City of Rowlett, Texas. The cities may not fall under the "sister-city" designation; however, it provides an opportunity to visit and share a bond that cities around the world have in common, particularly in the challenges we have with developing our youth to be tomorrow's leaders.

In addition, they will be taking materials (books, training supplies, etc) to the local group leaders and training them to MOH/LOH/HA leaders. They will also be speaking at local schools and a conference put on by The Fatherhood Foundation of South Africa (<http://www.fatherhoodsa.com/>). Finally, they expect to be doing interviews on both radio and possibly television.

#### **FINANCIAL/BUDGET IMPLICATIONS**

N/A

#### **ATTACHMENT**

Attachment 1 – Proclamations

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with the citizens of Alberton, South Africa to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Alberton, South Africa, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of Alberton, South Africa for their commitment and dedication to moral excellence and encourage all citizens of both Alberton and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with the citizens of Cape Town, South Africa to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Cape Town, South Africa, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of the Cape Town, South Africa for their commitment and dedication to moral excellence and encourage all citizens of both Cape Town and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with the citizens of Ekurhuleni, South Africa to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Ekurhuleni, South Africa, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of the Ekurhuleni, South Africa for their commitment and dedication to moral excellence and encourage all citizens of both Ekurhuleni and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with King Mswati III from Ezulwini, the Kingdom of Swaziland to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with King Mswati II and the Kingdom of Swaziland, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of the Kingdom of Swaziland for their commitment and dedication to moral excellence and encourage all citizens of both Ezulwini and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with the citizens of Johannesburg, South Africa to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Johannesburg, South Africa, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of Johannesburg, South Africa for their commitment and dedication to moral excellence and encourage all citizens of both Johannesburg and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with the citizens of Pretoria, South Africa to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Pretoria, South Africa, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of Pretoria, South Africa for their commitment and dedication to moral excellence and encourage all citizens of both Pretoria and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.

WHEREAS, it is with great honor the Men and Ladies of Honor delegation from Rowlett, Texas, United States of America, are able to have an audience with Mayor Muesee Kazapua from Windhoek, Namibia to share the impacts this program has brought to fatherless youth in the United States; and

WHEREAS, the Men and Ladies of Honor hopes to build a common bond with Mayor Kazapua and Windhoek, Namibia, to help youths in our countries and communities who face increasingly challenging tests of their character. The Men and Ladies of Honor is committed to mentoring and training these youths in principles of honor, chivalry, integrity, courageous leadership and moral excellence; and

WHEREAS, this program has reached thousands of youths, throughout the United States and several other countries, by providing character education and leadership development over the past twelve years, with immeasurable benefits to their families, communities, and everyone they will impact in their future; and

WHEREAS, it is our hopes that we will work together as one to stand in the gap for the youth of our countries;

NOW THEREFORE, be it resolved, that I, Michael Gallops, Mayor Pro Tem of the City of Rowlett, on behalf of Mayor Todd W. Gottel and the Rowlett City Council, do hereby extend heartfelt appreciation and gratitude to all the men, women, and youth of the Namibia for their commitment and dedication to moral excellence and encourage all citizens of both Windhoek and the City of Rowlett to applaud, support, and get involved in this great work by investing into it with our time, talent, and treasure.



# City of Rowlett

## Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

**AGENDA DATE:** 03/10/15

**AGENDA ITEM:** 3A

### **TITLE**

Discuss Drainage Utility Fees. (60 minutes)

### **STAFF REPRESENTATIVE**

Jim Proce, Assistant City Manager

### **SUMMARY**

The purpose of this item is to discuss the Drainage Utility Fee and to obtain Council direction.

In Texas, municipalities are authorized to implement a stormwater utility fee by Local Government Code 552, Subchapter C (Municipal Drainage Utility Systems Act). The Act allows municipalities to establish a service fee for users of the municipal storm system, provided the basis for the fee is “directly related to drainage” [LGC55.047(a)] and the fee is “*reasonable, equitable, and non-discriminatory.*” [LGC552.045(b)(3)].

### **BACKGROUND INFORMATION**

The Drainage Utility program was adopted on March 19, 2002, by Ordinance 3-19-02E, Article IV. Section 70-281 through 70-299. The established fee is based upon water meters servicing occupied properties. The bills are collected through the Utility billing process, which ensures reliable collection.

The current Drainage Utility Fund provides for several components of the various stormwater related programs, inclusive of staff, supplies, capital improvements, debt service, and administrative and overhead transfers.

There are many outstanding unmet needs in the stormwater system. In the Stormwater study of 2006, there were over 230 identified projects and needs. Of those identified, the City has addressed approximately 75 of these projects. Many projects remain unfunded and unaddressed. The initial cost to address all needs is over \$40 million. Staff is currently working on updating the content of the 2006 study with the intent of publishing a revision. This will be completed by in-house staff. When the study is complete, we will publish the result and develop action plans based upon the most urgent needs and ongoing commitments to the National Pollution Discharge Elimination System (NPDES) and the Municipal Separate Storm Sewer System (MS4) requirements.

### **DISCUSSION**

The City currently operates a stormwater utility that assesses a monthly fee per water meter.

Staff has reviewed the current structure for the existing drainage fee and is proposing a revision to that structure providing an opportunity to meet several goals in the process as follows:

1. Provide a more equitable rate structure that would be based upon the proportionate impervious area (Impervious area by definition results in stormwater runoff);
2. Provide better alignment with the State definition to be reasonable, equitable, and non-discriminatory;
3. Generate additional revenue to fund the stormwater program and its related mandates;
4. Establish strategic initiatives with regard to city-wide stormwater needs, which may include a tiered residential system of billing, funding of components of the stormwater master plan, and potential credits to encourage best management practices with regard to stormwater practices;
5. Apportion existing components of current operations to this revenue source, potentially offsetting expenses not currently covered by the Drainage Utility Fund;
6. Ensure that all components of the Municipal Separate Storm Sewer System (MS4) permit are adhered to and meet the requirements of the NPDES, remaining adequately funded while meeting all of the prescribed goals.

Approximately \$1,309,812 revenue is currently generated on an annual basis by the water meter-based stormwater utility fee structure. Residential properties account for approximately \$1,210,500, or roughly \$100,875 per month, and commercial properties account for approximately \$99,312 or roughly \$8,276 per month. According to the City’s Master Fee Schedule, each residential metered account is assessed a fee of \$5.50 per month, and each non-residential metered account is assessed a fee of \$13.50 per month (per meter) regardless of the property size or the amount of impervious area on the site. Table 1 illustrates the estimated existing water meter basis revenue structure.

<b>Table 1. Existing Stormwater Fee Structure Revenue (Water-Meter Basis)</b>				
<b>Property Type</b>	<b>Fee/Month</b>	<b># of Water Meters</b>	<b>Monthly Revenue</b>	<b>Annual Revenue</b>
<b>Residential</b>	\$5.50/meter	18,341	\$100,875	\$1,210,500
<b>Commercial</b>	\$13.50/meter	<u>613</u>	<u>8,276</u>	<u>99,312</u>
<b>Totals</b>		<u>18,954</u>	<u>\$109,151</u>	<u>\$1,309,812</u>

Recently, staff engaged Freese and Nichols, Inc. (FNI) to assist in the analysis of the impervious surfaces in aggregate. FNI conducted a preliminary analysis of the potential effect on overall system revenues to adjust to a fee based on impervious area instead of water meter based system. The modified fee structure based on impervious area is assumed to maintain the same monthly rate of \$5.50 per residential property, with commercial properties now also being assessed a monthly rate of \$5.50 per equivalent residential unit (ERU) of impervious area solely for the purposes of providing a starting point for this discussion.

An ERU is defined in this evaluation as the average impervious area in the City. Based on a representative sample of 100 randomly selected properties within the City limits, an ERU in Rowlett is calculated to be 4,600 square feet of impervious area.

If the revenue structure is designed around the impervious area basis, it better meets the State requirement of being “reasonable, equitable, and non-discriminatory.” This revenue structure ensures that the impacts to the stormwater system are dealt with within the state law, address equitable distribution of the impacts to the system and results in an augmentation of the existing potential revenue source consistent with practices in other cities and regions.

Table 2 illustrates the projected revenue structure based upon the impervious area basis.

<b>Table 2. Projected Stormwater Utility Fee Revenue by Impervious Area Basis</b>				
<b>Property Type</b>	<b>Impervious Area (SF)</b>	<b>Impervious Area (ERUs)</b>	<b>Projected Monthly Revenue</b>	<b>Projected Annual Revenue</b>
<b>Residential</b>	86,480,000	18,800	\$103,400	\$1,240,800
<b>Commercial</b>	<u>27,091,790</u>	<u>5,890</u>	<u>32,395</u>	<u>388,740</u>
<b>Totals</b>	<u>113,571,790</u>	<u>24,690</u>	<u>\$135,795</u>	<u>\$1,629,540</u>
<b>1 ERU = 4,600 square feet impervious area</b>				

When comparing the difference between the existing water meter based structure and the potential impervious area based structure, the following table illustrates the difference in potential revenue and the equitable distribution of impacts, yielding as much as \$300,000 in potential revenue to help fund unmet needs.

<b>Table 3. Summary of Revenue Effects of Fee Structure Modification to Impervious Area Basis</b>				
<b>Property Type</b>	<b>Existing (Water Meter Based)</b>		<b>Projected (Impervious Area Based)</b>	
	<b>Fee/Month</b>	<b>Annual Revenue</b>	<b>Fee/Month</b>	<b>Annual Revenue</b>
<b>Residential</b>	\$5.50/meter	\$1,210,500	\$5.50/residence	\$1,240,800
<b>Commercial</b>	\$13.50/meter	<u>99,312</u>	\$5.50/ERU	<u>388,740</u>
<b>Totals</b>		<u>\$1,309,812</u>		<u>\$1,629,540</u>
<b>1 ERU = 4,600 square feet impervious area</b>				

Other considerations for this initiative include:

- Potential changes in the base rate of the ERU. This will be based upon program needs and Council approval of the proposed rates.
- Potential tiered structuring of the residential component to identify additional equitable subcategories within residential billing structure. Staff will make a recommendation on number and size of the tiers (A tiered residential structure provide multiple levels of billing

dependent upon home size – smaller home pays a little less – larger home pays a little more).

- Potential credits for stormwater attenuation and best management practices providing for opportunities for property owners to receive credits for well maintained and constructed attenuation.
- Potential costs for actual program needs weighing the capital and maintenance components of the drainage activities budget.
- Development of an equitable appeals process for any billing or methodology conflicts that occur within the measurements of the impervious areas (specifically for non-residential properties.)

If Council is interested in continuing this process, the next steps are:

- to complete a thorough analysis of the impervious areas for all commercial (non-residential) properties subject to the fees;
- complete a cost of service analysis to “right-size” the ERU structure;
- complete a parcel to utility association for residential property if a tiered structure is desirable;
- draft a revision to the current ordinance for adoption and implementation;
- develop process to capture new development as it occurs;
- engage a public outreach campaign to educate the public on the revision to the plan.

#### **FINANCIAL/BUDGET IMPLICATIONS**

There is no financial impact at this time; however, if the City adopts the proposed rate structure, the City could realize an increase in revenues of approximately \$300,000 annually. Staff will bring any required actions back before Council for formal approval.

#### **RECOMMENDED ACTION**

Staff seeks consensus on direction. No formal action is required.



# City of Rowlett

## Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

**AGENDA DATE:** 03/10/15

**AGENDA ITEM:** 3B

### **TITLE**

Discuss and receive direction from City Council on a proposed ordinance establishing when a property must connect to the City's sanitary sewer system. (30 minutes)

### **STAFF REPRESENTATIVE**

Marc Kurbansade, Director of Development Services

### **SUMMARY**

The purpose of this work session is to receive direction from City Council on developing an ordinance to establish parameters on when a property is required to remove their on-site sewage facility (OSSF) and connect to the City's sanitary sewer system. Currently, neither the Rowlett Code of Ordinances nor the Rowlett Development Code (RDC) provide specific requirements where a property currently served by an OSSF is required to connect to the City's sanitary sewer system. For this to change, an ordinance would be needed to dictate the circumstances where a property utilizing an OSSF is required to connect to the City's sanitary sewer system. Such an ordinance would amend Chapter 70 of the Code of Ordinances and Section 77-604 of the Rowlett Development Code.

### **BACKGROUND INFORMATION**

For the purposes of this discussion, staff has developed a proposed ordinance to require properties that utilize an OSSF (e.g. septic tank) to connect to the City's sanitary sewer system when an operational city sewer line is located within 300 feet of the property line. With regard to new development, the Rowlett Development Code already requires new subdivisions to connect to the sanitary sewer system through the platting and development approval process.

The purpose of requiring a connection to the City's sanitary sewer system, where it is available, is to ensure environmental and water quality. Sanitary sewer systems offer the cleanest and safest way to treat wastewater. OSSF systems, such as septic tanks, even when properly maintained, will eventually deteriorate and have to be replaced. As they age or when not properly maintained, OSSF systems will have a higher risk of seepage or failure, which may lead to contamination of water. Currently, there are approximately 447 properties within the City that are connected to the water system but do not have sanitary sewer service (Attachment 1).

Of the 447 properties without sanitary sewer service, approximately 323 are currently within 300 feet of a sanitary sewer line. Under the proposed ordinance, these properties would be required to eventually connect to the City's sanitary sewer system. The number of properties within 300 feet is based on a GIS analysis of the 447 properties' proximity to a sanitary sewer line and is not based on each property's feasibility to connect to a sanitary sewer line. For instance, a

property may be within 300 feet of a sewer line; however, it may not be feasible to connect when factoring the size of the sewer pipe, location and any obstructions. As a result, it should not be expected that all of the 323 properties will be able to connect to the sanitary sewer system.

In 2005, the City amended the adopted 2000 International Plumbing Code to require a property to connect to the City's sanitary sewer system and to decommission its OSSF when a sewer line becomes operational within 300 feet (Ordinance 22-05). The amendment was made in 2005; however, it was not carried over when the 2006 International Plumbing Code was adopted in 2008. The requirements from 2005 amendments are similar to what is being currently proposed.

Resolution #85-05 (Attachment 2) was adopted in 2005, which provided a policy that would allow the City to offer financial assistance to property owners so that they could decommission an OSSF and connect to the City's sewer system. If requested by City Council, a future work session can be scheduled to discuss Resolution #85-05 further.

## **DISCUSSION**

As mentioned above, staff has prepared a draft ordinance to discuss and to receive direction from City Council. The proposed amendment to Chapter 70 of the Code of Ordinances specifies when a connection to City sanitary sewer system is required (Attachment 3 – Section 70-241 Strikethrough and Underline). The proposed amendment to Section 77-604.G. of the RDC will add a reference to Chapter 70 thereby linking the utility connection requirements to the RDC (Attachment 4 – Section 77-604.G. Strikethrough and Underline). The following is a synopsis of the proposed amendments to Chapter 70.

### **Chapter 70 Utilities (Section 70-241):**

- Require properties, including those with an OSSF, to connect to the City's sanitary system where the property line is located within 300 feet of a sanitary sewer line. Upon connecting to the sewer line, the OSSF will be required to be decommissioned in accordance with state law and regulations.
- Establish that the property owner shall pay the City the sum established by resolution for each four-inch (4") sewer tap. All sewer-taps over six feet deep will be done at an extra cost to the customer of an amount per foot of depth beyond six feet as established by resolution of the City Council. The current master fee schedule establishes the sewer tap fee of \$243.68 and \$10.00 per foot of depth beyond six feet. (Note: This is an *existing requirement*.)
- The City will not install sewer services under streets. The City requires a licensed professional, hired by the owner or occupant, to install long sewer services under City supervision at the expense of the owner or occupant. An open cut of the street is prohibited. (Note: *This is an existing requirement*.)
- The City will allow for up to ten years for a property that is within 300 feet operating sewer line to connect to the City's system. Immediate connection will be required under the following:

- An OSSF serving the property is decommissioned prior to the expiration of the ten-year period.
- A permit issued for a new building is located on the property.
- If the property is served by an OSSF that is less than three years old at the time the sewer line becomes operational, then the ten-year period may be extended for an additional five years upon approval of the Director of Public Works or their designee.
- Due to operational requirements or constraints, the Director of Public Works or their designee determines that a longer or shorter period is necessary.
- Allows the Director of Public Works to implement a policy to provide assistance in financing the cost of sewer connections under terms and conditions set forth in a policy adopted by resolution.

### **FINANCIAL/BUDGET IMPLICATIONS**

Requiring the approximately 323 properties to connect to the sanitary sewer system will result in these properties paying City sanitary sewer utility fees. However, the fiscal impact on the City is expected to be inconsequential in the near term given that the properties affected by this ordinance will be given some time to connect to the sanitary sewer system. A greater fiscal impact will involve the policies that provide assistance to finance the cost of connecting to the sanitary system.

### **RECOMMENDED ACTION**

Provide direction to staff on the proposed amendments.

### **ATTACHMENTS**

Attachment 1 – Septic Status Map

Attachment 2 – Resolution 85-05

Attachment 3 – Section 70-241, Strikethrough and Underline

Attachment 4 – Section 77-604.G., Strikethrough and Underline

**CITY OF ROWLETT**

**Septic Status**

Please submit changes or corrections to:  
City of Rowlett Geographic Information Systems (GIS)  
3901 Main Street, Rowlett, Texas 75088  
Phone (972) 412-6133 Fax (972) 412 6228  
Email: [gis@ci.rowlett.tx.us](mailto:gis@ci.rowlett.tx.us)  
Or visit us on the web at  
<http://www.ci.rowlett.tx.us/Rowlett/Departments/GIS>

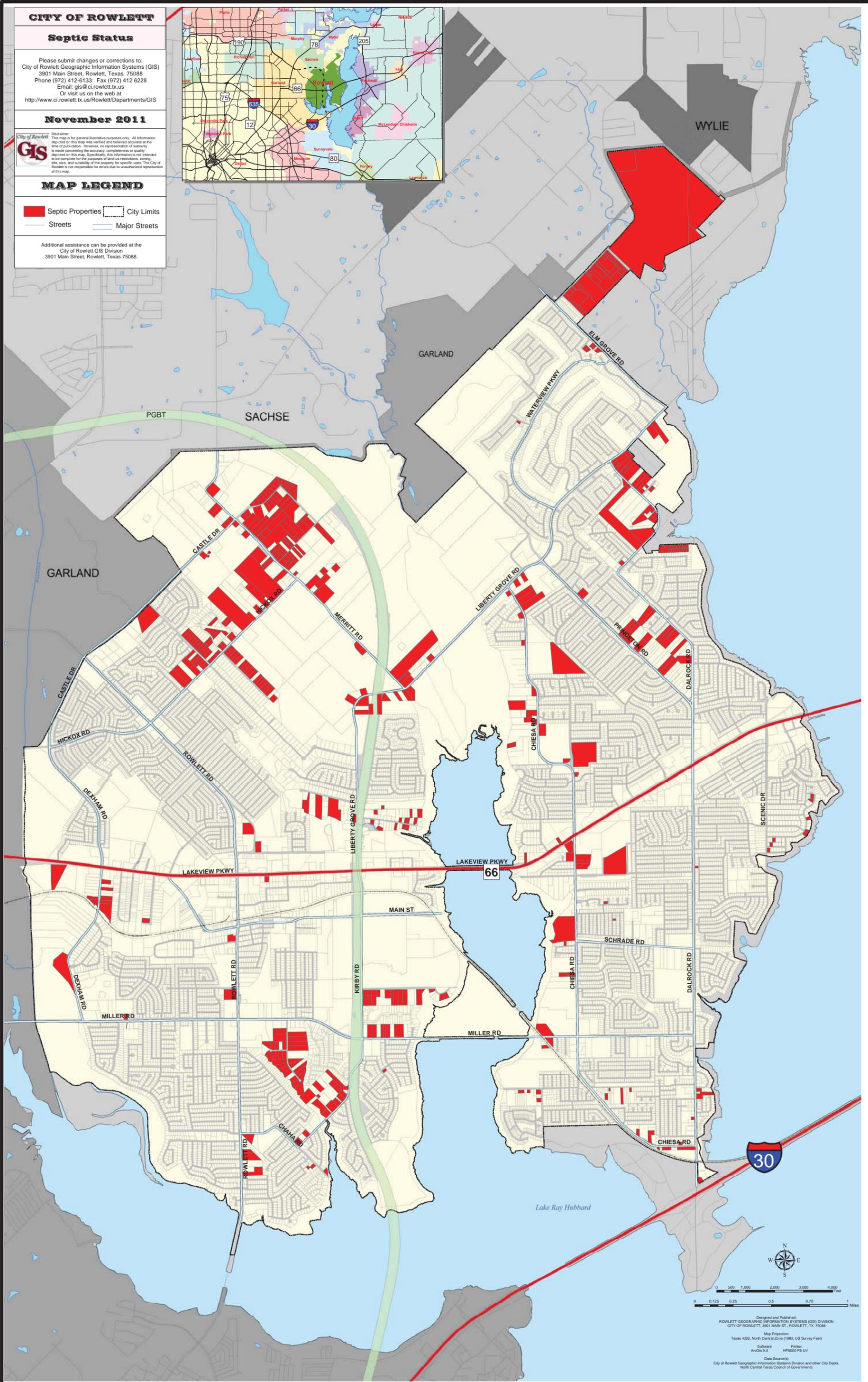
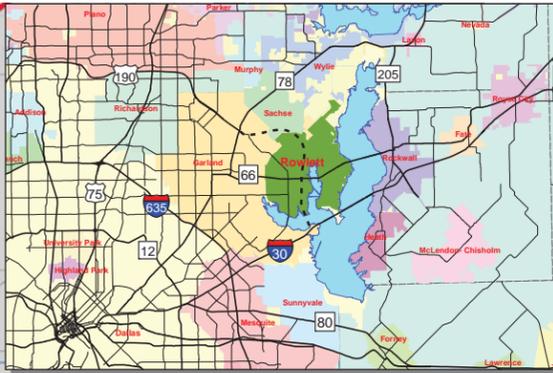
**November 2011**

**City of Rowlett GIS**  
Disclaimer: This map is for general illustrative purposes only. All information depicted on this map was verified and believed accurate at the time of publication. However, no representation or warranty is made concerning the accuracy, completeness or quality depicted on this map. Specifically, this information is not intended to be complete for the purposes of land use restrictions, zoning, site, size, and suitability of the property for specific uses. The City of Rowlett is not responsible for errors due to unauthorized reproduction of this map.

**MAP LEGEND**

- Septic Properties
- City Limits
- Streets
- Major Streets

Additional assistance can be provided at the  
City of Rowlett GIS Division  
3901 Main Street, Rowlett, Texas 75088.



Designed and Published:  
ROWLETT GEOGRAPHIC INFORMATION SYSTEMS (GIS) DIVISION  
CITY OF ROWLETT, 3901 MAIN ST., ROWLETT, TX 75088

Map Projection:  
Texas 4202, North Central Zone (1983, US Survey Feet)

Software: ArcGIS 9.0 Printer: HP5600 PS LV

Data Source(s):  
City of Rowlett Geographic Information Systems Division and other City Depts.  
North Central Texas Council of Governments



# City of Rowlett

## Official Copy

Resolution: 2005-194

City of Rowlett  
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**File Number: 2005-194**

**Enactment Number: RES-85-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AUTHORIZING A POLICY ESTABLISHING REQUIREMENTS FOR MANDATORY CONNECTION TO CITY SANITARY SEWER WITHIN THE CITY OF ROWLETT, TEXAS; PROVIDING TERMS AND CONDITIONS PROVIDING FOR DECOMMISSION OF SEPTIC SYSTEMS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rowlett, Texas is interested in improving the sanitary sewer system, and

**WHEREAS**, the most efficient way to accomplish this goal is through an established process that provides order, timing, and uniform treatment, and

**WHEREAS**, establishment of a policy will promote that process, and

**WHEREAS**, upon full review and consideration of the attached policy and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be implemented in the City of Rowlett, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS;**

**Section 1.** That the Policy attached hereto and incorporated herein as Exhibit A having been reviewed by the City Council of the City of Rowlett, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved and adopted.

**Section 2.** That the Policy is operational in nature and may be amended, changed or updated by staff as operational issues and priorities indicate in accordance with said policy.

**Section 3.** This Resolution shall become effective immediately upon its passage.

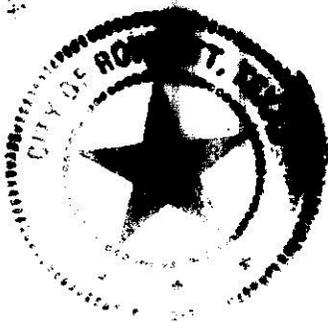
I, Susie Quinn, City Secretary certify that this is a true copy of Resolution No. 2005-194, passed by the City Council on 5/3/2005.

**Ayes:** 7 Mayor Johnson, Mayor Pro Tem Sebastian, Deputy Mayor Pro Tem Mahnken, Councilmember Alberts, Councilmember Bryan, Councilmember Maggiotto and Councilmember Rushing

Approved by Shane Johnson Date 5/3/05  
Mayor

Approved to Form by Robert Meyer Date 5/3/05  
City Attorney

Certified by Austin Lunn Date 5/3/05  
City Secretary





## **Mandatory Sewer Connection policy**

**EFFECTIVE DATE** \_\_\_\_\_

### **Goal:**

Establish a uniform and consistent manner to remove private on-site septic systems and connect house sewers to the City's sewer system as that system becomes available.

### **Definitions:**

- City – The City of Rowlett, Texas
- House sewer – Interior drain and waste piping of a dwelling extending to a point three feet outside of the dwelling exterior.
- On-site septic system – all components of private sewage treatment systems including holding tanks (primary, secondary, pumping and similar tanks containing raw or treated sewage), discharge piping, lateral line piping, leaching field lines, pumps, compressors and aeration devices (low dosing drip irrigation systems, sprinkler heads, irrigation piping)
- Property owner – The record owner of the private property containing the on-site septic system.
- Sewer lateral – the piping connecting the house sewer to the sewer main.
- Sewer main – The collection piping of the city owned sanitary sewer system
- Tap, tie-in, connection – The junction of a private sewer lateral to the sewer main.

### **Implementation:**

The City continues to improve and expand the service area of sanitary sewer main. As this expansion continues, system performance is relative to the amount of flow in gravity fall lines. In order to ensure adequate flow in the sewer main, mains extended into existing subdivisions heretofore without sewer mains shall trigger requirements to abandon on-site septic systems and connect to the sewer main. It is in the best interest of the community that all septic systems be abandoned as soon as practical after the completion of the sewer main, so this policy and fees should provide incentive for those tie-ins. All work in public Rights of way shall conform with Public Works General Construction Specifications. All work on private property shall conform with the International Plumbing Code.

### **Timing of connection:**

Connection to the City system shall be in accordance with the plumbing code.

**Connection costs:**

- All decommission and connection costs shall be the responsibility of the property owner.
- All costs shall be paid prior to time of connection.
- City financed cost:
  - Within twenty-four (24) months (a connection incentive) - Within twelve months of completion and acceptance of the sewer main, the property owner may request that the City pay the initial costs to connect to the sewer main and decommission the on-site septic system. Property owner shall repay the city for initial costs. Such agreement shall carry the following terms:
    - A standard agreement/contract shall be executed between the property owner and the City;
    - Payment shall be by the utility bill and failure to pay may result in the city exercising all remedy for non-payment;
    - Repayment terms shall be selected from thirty-six (36), sixty (60), one-hundred-twenty (120), or one-hundred-eighty (180) month schedules;
    - No payments shall be due the first twelve months of the agreement. Agreement term will begin after the twelve month deferment period.
    - No Interest shall be charged.
    - A lien shall be filed on the property and the shall bear interest. The annual interest rate shall be the prevailing rate on all similar agreements or liens at the time of agreement, but not less than five percent (5%);
    - Upon payment in full, the City shall release the lien and file same with the County Clerk's office.
  - After twenty-four months – No costs for connection will be financed by the City after two years of the sewer being placed in service.
- No impact fees will be charged unless the subdivision was assessed impact fees upon final platting.
- Tap Fees (an incentive to connect the first year after completion and acceptance)
  - \$0.00 - No tap fees shall be charged for connection within the first twenty-four (24) months after completion and acceptance of the sewer main.
  - Tap fees shall be charged according to the adopted fee schedule after that initial twenty-four (24) year period.

**Records:**

Identified land parcels not currently served by sewer mains shall be recorded within the City's Geographical Information System (GIS). Areas receiving new sewer main extensions shall be flagged in the GIS and Building Inspection Department records to track connections and decommissioning of on site septic systems. Plumbing permits issued for taps shall be copied to GIS, Utility Billing and the Public Works and Utilities Departments for their use.

The City Manager or designee shall make operational interpretations in order to protect the health, safety and welfare of the City of Rowlett.

## CHAPTER 70

## UTILITIES

## ARTICLE III. SANITARY SEWER SYSTEM

## DIVISION 4. RATES, CHARGES, BILLING PROCEDURE

**~~Sec. 70-241. -- Fee for connection to sewer system.~~**

~~Prior to making any connection to the sewer system of the city, the person desiring such service shall pay the city the sum established by resolution of the city council for each four-inch sewer tap. All sewer taps over six feet deep will be done at an extra cost to the customer of an amount per foot of depth beyond six feet as established by resolution of the city council. The city will not install longer sewer services under streets. A builder or contractor will have to be hired by the person desiring sewer service to do long sewer services at their expense under city supervision. Open cut of the street will not be allowed.~~

**Sec. 70-241. Mandatory connection to sewer system; fees for connection.**

- (a) All owners and occupants of property, where the property line is located within 300 feet of a sanitary sewer line, are required to connect to and use the city's sanitary sewer system for the protection of the public health and welfare of the inhabitants of the city. No building or structure receiving water from any source shall hereafter be constructed or occupied in the City unless the building or structure is connected to and serviced by the City's sanitary sewer system, unless there is no sanitary sewer line within 300 feet of the property line.
- (b) Existing structures utilizing an on-site sewage facility (OSSF) or septic tank shall connect to the City's sanitary sewer system if and when a city sewer line located within 300 feet of the property line becomes operational. Any OSSF or septic tank shall thereafter be decommissioned in accordance with state laws and regulations.
- (c) Prior to connection to the city's sewer system, the owner or occupant of the property shall pay the city the sum established by resolution of the city council for each four-inch (4") sewer tap. All sewer taps over six feet deep will be done at an extra cost to the customer of an amount per foot of depth beyond six feet as established by resolution of the city council. The city will not install longer sewer services under streets. A licensed professional must be hired by the owner or occupant to install long sewer services under city supervision at the expense of the owner or occupant. Open cut of the street is prohibited.
- (d) Connection to the city sewer system shall occur within ten (10) years after a city sewer line that is located within 300 feet of the property line becomes operational, unless:

- (1) An OSSF or septic tank serving the property is decommissioned prior to the expiration of the ten-year period, in which event connection to the city's sewer system shall be immediate.
  - (2) Connection shall occur simultaneously with the commencement of construction if a building permit is issued for a new structure or building located on the property.
  - (3) If the property is served by an OSSF or septic tank that is less than three (3) years old at the time that a proximate sewer line becomes operational, the ten-year period may be extended for no more than an additional five (5) years upon approval of the director of public works or his or her designee.
  - (4) Due to operational requirements or constraints, the director of public works or his or her designee determines that a longer or shorter period is necessary.
- (e) The director of public works or their designee is authorized to implement a policy to assist property owners and occupants in financing the cost of sewer connections under terms and conditions set forth in a policy adopted by resolution.

CHAPTER 77

DEVELOPMENT CODE

SUBCHAPTER 77-600

SUBDIVISION AND LAND DEVELOPMENT

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Section 77-604. Required Improvements

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G. *Water and Sanitary Sewer System Improvements.* All subdivisions shall be provided with an approved water and sanitary sewer system designed and constructed in accordance with the comprehensive plan and the city's standard construction details and construction specifications. In the corporate limits of the city, all subdivisions shall be connected with the city water supply distribution system and sanitary sewer systems in accordance with the utility requirements in Chapter 70 of the Code of Ordinances. The developer shall furnish and install all complete water systems including water mains, valves, water sampling stations, and fire hydrants. The developer shall furnish and install all complete sanitary sewer systems including sewer mains, manholes, and cleanouts.