

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING THE BOUNDARIES OF ITS EXTRATERRITORIAL JURISDICTION BY RELEASING APPROXIMATELY 119.195 ACRES OF EXTRATERRITORIAL JURISDICTION AND ACCEPTING 118.656 ACRES OF EXTRATERRITORIAL JURISDICTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hutto, Texas, (the “City”), is a home rule city operating pursuant to the laws of its Charter and of the State and Texas, by and through its duly elected City Council members; and

WHEREAS, it is in the interests of sound planning and regional cooperation that the City of Pflugerville and the City of Hutto coordinate amendments to the extraterritorial jurisdiction (ETJ) boundaries between the two municipalities; and

WHEREAS, Section 42.023 of the Local Government Code authorizes cities to adjust their boundaries; and

WHEREAS, Section 43.003(c) of the Local Government Code authorizes a home-rule municipality to exchange area with other municipalities; and

WHEREAS, the City of Hutto adopted Resolution No. R-2021-069 approving the creation of Lakeside Municipal Utility District No. 9 on May 6, 2021, which contemplated inclusion of approximately 456.753 acres of land in Lakeside MUD No. 9; and

WHEREAS, the City of Pflugerville adopted Resolution No. 1699-19-05-28-0622 approving the Amended and Restated Comprehensive Development Agreement (Lakeside MUD No. 5) on May 28, 2019, which contemplated an exclusion of a 109.021-acre tract of land to be included within Lakeside MUD No. 9; and

WHEREAS, pursuant to the Amended and Restated Comprehensive Development Agreement (Lakeside MUD No. 5), which authorized the City Manager to consider any exclusions of land from the district, on July 23, 2020, the City Manager authorized the exclusion of a 109.021-acre tract of land and the inclusion of 107.743 acres of the excluded land within the boundaries of a new district proposed to be created and named Lakeside MUD No. 9; and

WHEREAS, at the request of the property owners, the City of Hutto and City of Pflugerville have proposed a mutual release and acceptance of extraterritorial jurisdiction (ETJ); and

WHEREAS, the City of Hutto now finds it appropriate to amend its extraterritorial jurisdiction boundaries and accept approximately 118.656 acres which includes approximately 10.17 acres of the abutting County Road 198 described and depicted in **Exhibit A** and release a total of approximately 119.195 acres which includes approximately 4.329 acres of the abutting

western and southern portions of Melber Lane of extraterritorial jurisdiction further described and depicted in **Exhibit B**.

WHEREAS, the City finds that this ordinance was passed and approved at a meeting of the City Council of the City of Hutto held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members were present and voting; and

WHEREAS, the City Council has determined that all prerequisites to the adoption of this Ordinance have been met.

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

Section 1. Findings of Fact: The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2. Enactment: The City of Hutto hereby agrees to amend the boundaries of its extraterritorial jurisdiction and hereby accepts a total of approximately 118.656 acres which includes approximately 10.17 acres of the abutting County Road 198 depicted in **Exhibit A**, and hereby releases a total of approximately 119.195 acres which includes approximately 4.329 acres of the abutting western and southern portions of Melber Lane of extraterritorial jurisdiction, depicted in **Exhibit B**.

The release of the extraterritorial jurisdiction will be considered effective as of the date approved below. The acceptance of extraterritorial jurisdiction still within the extraterritorial jurisdiction of another municipality will be effective the same date as the date of release from the other municipality.

Section 3. Repealer: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

Section 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 5. Codification: The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6. Passage: Pursuant to Section 3.13 of the Hutto City Charter, the Council determined that the first reading of this ordinance is sufficient for adequate consideration by an affirmative vote of four or more members of the City Council during the first reading and the requirement for reading this Ordinance on two separate dates with was dispensed with by the affirmative vote of four or more members of the City council; therefore, this Ordinance is adopted and enacted without

further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon second reading.

Section 7. Effective Date: This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Hutto and the laws of the State of Texas.

Section 8. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

READ and APPROVED on the first reading this the _____ day of _____ **2022**.

READ, PASSED, and ADOPTED on the second reading of this ___ day of _____, **2022** at a regular meeting of the City Council of Hutto, there being a quorum present.

THE CITY OF HUTTO, TEXAS

By: _____
Mike Snyder, Mayor

ATTEST:

By: _____
Angela Walton, City Secretary

(SEAL)

APPROVED AS TO FORM:

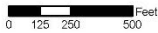
By: _____
Cristian Rosas-Grillet, Assistant City Attorney

EXHIBIT A
City of Pflugerville ETJ Release to Hutto

Total of approximately 118.656 acres of land which includes approximately 10.17 acres of the abutting County Road 198 right-of-way. County Road 198 shall be situated within Hutto's ETJ, starting at and incorporating the intersection of County Road 139 and terminating at the southern extent of the intersection of County Road 198 and Melber Lane. With the exception of the right-of-way, the southern boundary of the ETJ release is the boundary between Travis and Williamson Counties. (Includes Williamson County Parcels: R544585, R590510, R590511, R020396, R502986.)



When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax rate information that is certified annually.

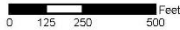


Legend

-  Pflugerville ETJ Release
-  Hutto ETJ
-  Pflugerville ETJ
-  TCAD and WCAD parcels

EXHIBIT B
City of Hutto ETJ Release to Pflugerville

Total of approximately 119.195 acres, which includes a 114.866-acre tract of land situated in the John Duval Survey, Abstract No. 194, in Williamson County, Texas and Abstract No. 235, in Travis County, Texas, and the J.W. Copes Survey, Abstract No. 137, in Williamson County, Texas, and Abstract No. 137, in Travis County, Texas (Travis County Parcel ID# 281983), and approximately 4.329 acres of the abutting western and southern portions of Melber Lane. (The abutting Melber Lane along the northside of the 114.866-acre tract of land shall remain situated within Hutto's ETJ.)



Legend

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