

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS CONSENTING TO THE ADDITION OF ROAD POWERS FOR NEW SWEDEN MUNICIPAL UTILITY DISTRICT NO. 1

WHEREAS, New Sweden Municipal Utility District No. 1 (the “District”) is a municipal utility district created and operated pursuant to Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, the District is located within the extraterritorial jurisdiction of the City of Pflugerville the (“City”);

WHEREAS, Section 54.234 of the Texas Water Code authorizes any district to petition the Texas Commission on Environmental Quality (“TCEQ”) to acquire the power under the authority of Article III, Section 52, Texas Constitution, to design, acquire, construct, finance, issue bonds for, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road or any improvement in aid of the road (“Road Powers”);

WHEREAS, 30 Texas Administrative Code §293.202(a)(4) requires that an application of a district to TCEQ for the addition of Road Powers include evidence that the municipality in whose extraterritorial jurisdiction that any part of the district is located has consented the district having Road Powers; and

WHEREAS, the District has petitioned the City for its consent to the addition of Road Powers;

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

Section 1. That subject to the condition set forth below, the City hereby consents to the addition of road powers for New Sweden Municipal Utility District No. 1.

Section 2. It shall be a condition of the City’s consent that the District shall not issue bonds to finance any road improvements until the City and the owner of lands in the District enter into a development agreement pursuant to Section 212.172 of the Texas Local Government Code.

PASSED, APPROVED, AND ADOPTED the City Council of City of Pflugerville, Texas at a regular meeting on the ____ day of _____, 2020, at which a quorum was present, and for which due notice was given pursuant to Chapter 551, Texas Government Code.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.