

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING A REQUEST FOR THE VOLUNTARY EXPANSION OF THE CITY'S EXTRATERRITORIAL JURISDICTION AND THE ACCEPTANCE OF NON-ANNEXATION DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PFLUGERVILLE AND RRE AUSTIN SOLAR LLC, ITS SUCCESSORS AND ASSIGNS, AFFECTING REAL PROPERTY IN THE CITY'S EXISTING AND EXPANDED EXTRATERRITORIAL JURISDICTION**

**WHEREAS**, the City of Pflugerville received a request from RRE Austin Solar LLC (Owner) to expand the City's extraterritorial jurisdiction (ETJ) and a proposal to enter into a non-annexation development agreement (Agreement) under terms deemed appropriate and in accordance with Texas Local Government Code §§ 42.022(b) and 212.172; and

**WHEREAS**, in the interest of ensuring the orderly development of property located within the City's ETJ to provide for the protection of the public health, safety and welfare, the City has determined that such ETJ expansion under the terms of the proposed Agreement affecting the Owner's property, attached hereto and incorporated herein for all purposes as Exhibit A, effectuates such intent and purpose; and

**WHEREAS**, among other terms and purposes, said Agreement guarantees the non-annexation of the Owner's property in exchange for and in acceptance of the City's regulations governing the development of the property as indicated therein; and

**WHEREAS**, it is in the City's best interest to accept Owner's request to expand the City's ETJ and enter into the Agreement as provided at Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:**

1. The above recitals are hereby adopted verbatim as if recited herein.
2. The City hereby accepts such request to expand its ETJ in accordance with Texas Local Government Code § 42.022(b) and such proposal to enter into the Agreement attached hereto as Exhibit A with Owner in accordance with Texas Local Government Code § 212.172.
3. The City Manager is authorized to execute on the City's behalf any and all documents approved by the City Attorney to effectuate the City's acceptance of said request and proposed Agreement and this Resolution.

**PASSED AND APPROVED** this 14<sup>th</sup> day of February, 2017.

CITY OF PFLUGERVILLE, TEXAS

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Victor Gonzales, Mayor

**ATTEST:**

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Karen Thompson  
City Secretary

**APPROVED AS TO FORM:**

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George Hyde, City Attorney  
Denton Navarro Rocha Bernal Hyde & Zech, PC