



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0576	<b>Version:</b>	2	<b>Name:</b>	Hagn Timmerman 2021 Annexation
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	3/30/2021	<b>In control:</b>		<b>In control:</b>	Planning Dept
<b>On agenda:</b>	4/27/2021	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 1.416 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, of the Real Property Records of Travis County, generally located south of E. Pecan Street and west of SH 130 and Biltmore Avenue; extending the boundaries of the City to include land; and to be zoned Agriculture / Development Reserve (A); to be known as the Hagn Timmerman 2021 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date.				

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### Code sections:

**Attachments:** 1. Ordinance, 2. Exhibit B - Post Annexation Provision of Services Agreement, 3. Locator Map

Date	Ver.	Action By	Action	Result
4/27/2021	2	City Council	Approved on Second Reading	Pass
4/13/2021	1	City Council	Action taken to close the Public Hearing	Pass
4/13/2021	1	City Council	Approved on First Reading	Pass

Approving an annexation ordinance on second reading with the caption: An ordinance of the City of Pflugerville, Texas, annexing, for full purposes, a tract of land totaling approximately 1.416 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, in Travis County, Texas, of the Real Property Records of Travis County, generally located south of E. Pecan Street and west of SH 130 and Biltmore Avenue; extending the boundaries of the City to include land; and to be zoned Agriculture / Development Reserve (A); to be known as the Hagn Timmerman 2021 Annexation; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a service plan; providing for severability; and providing an effective date.

Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex property on the request of all property owners in an area. However, pursuant to Texas Local Government Code Section 43.0672, the City must first negotiate and enter into a written agreement with the owners of land in the area for the provision of City services. The attached agreement satisfies this requirement and includes a list of each service the City will provide on the effective date of the annexation and a schedule that includes the period within which the City will provide each service that is not provided on the effective date of the annexation. The attached agreement will be effective upon the City's adoption of an ordinance annexing the area.

Initially, the property owner petitioned for annexation of the parent tract, totaling 126.952 acres in the fall of 2020; however, the property owner requested a postponement after the 1st reading of the annexation ordinance in November. Recently, the property owner formally withdrew the initial petition for annexation and submitted a petition for annexation only to include a sliver of land anticipated for

the extension of Helios Way immediately north of property owned by RNDC.

The proposed annexation consists of approximately 1.416 acres located south of E. Pecan Street and west of Biltmore Avenue, within the City's extraterritorial jurisdiction. The subject property is contiguous to properties within the City limits and therefore is eligible for voluntary annexation in accordance with state law. The area is unimproved and therefore does not incur maintenance/operations expenses.

City Attorney has approved the ordinance as to form.

**Prior City Council Action**

On March 23, 2021, City Council approved the post-annexation provision of services agreement. On April 13, 2021, City Council conducted a public hearing and approved the annexation ordinance on first reading with a vote of 6 -1.

**Deadline for City Council Action**

Consider approval on second reading of the annexation ordinance on April 27, 2021.

**Funding Expected:** Revenue ☐ Expenditure ☐ N/A ☒

**Budgeted Item:** Yes ☐ No ☐ N/A ☒

**Amount:** ☐ N/A ☐

**1295 Form Required?** Yes ☐ No ☒

**Legal Review Required:** N/A ☐ Required ☒ Date Completed: March 16, 2021

**Supporting documents attached:**

Ordinance

Exhibit B - Post-Annexation Provision of Services Agreement

Locator Map

**Recommended Actions**

Motion to approve the Hagn Timmerman 2021 Annexation ordinance on second reading.