



City of Pflugerville

Legislation Details (With Text)

File #: RES-0874 **Version:** 1 **Name:** 2022 Hutto ETJ Exchange
Type: Resolution **Status:** Consent Agenda
File created: 5/13/2021 **In control:** Planning Dept
On agenda: 5/10/2022 **Final action:** 5/10/2022
Title: Approving a resolution amending the boundaries of the City of Pflugerville's extraterritorial jurisdiction (ETJ) by releasing approximately 118.656 acres of extraterritorial jurisdiction and accepting 119.195 acres of extraterritorial jurisdiction; and providing for an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ETJ Release Resolution, 2. Locator Map, 3. Hutto ETJ Release Ordinance, 4. Hutto Resolution - Approving Agreement Lakeside MUD 9, 5. ETJ Release - Property Owner Consent

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 5/10/2022 | 1 | City Council | Approved | Pass |

Approving a resolution amending the boundaries of the City of Pflugerville's extraterritorial jurisdiction (ETJ) by releasing approximately 118.656 acres of extraterritorial jurisdiction and accepting 119.195 acres of extraterritorial jurisdiction; and providing for an effective date.

In 2004, the City entered into a Comprehensive Development and Consent Agreement for Lakeside Water Control Improvement District (WCID) No. 5, which was later amended in 2006 and then again in 2011. In 2017, the Developer for Lakeside WCID, now known as Municipal Utility District (MUD) No. 5, expressed interest in adding land to the area known as Lakeside MUD 5 and requested the City consider adding additional area, which occurred in 2019. 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. Lakeside MUD 9 is in the northern-most part of the development located immediately south of CR 198 and incorporates the extension of Rowe Lane along the southern border which also generally follows the boundary between Travis County and Williamson County and was approved as a single family residential development.

After receiving approval from the City, the developer of Lakeside MUD 9 then submitted their petition for Lakeside MUD 9 to TCEQ in September 2020. TCEQ approved the petition for Lakeside MUD 9 on May 4, 2021.

Additionally, the Amended and Restated Comprehensive Development Agreement included a provision that the City agreed that the Developer could seek to have Lakeside MUD 9 released from Pflugerville ETJ and annexed into the City of Hutto, in exchange for releasing a similar area of land from the City of Hutto. The agreement also included that the City would reasonably cooperate with an exchange of ETJ with the City of Hutto. This resolution is the action necessary for the City to consider this exchange. The City of Hutto, acted on this item on May 6, 2021, directing the Hutto City

Manager to move forward with consideration of a Comprehensive Development and Consent Agreement for Lakeside MUD 9, should Pflugerville agree to the exchange. Additionally, both Pflugerville and Hutto ISDs have discussed a similar exchange as well.

On April 21, 2022, in exchange for the land within Lakeside MUD 9, the City of Hutto adopted an ordinance releasing approximately 119.195 acres, which includes a 114.866 acre tract in Williamson and Travis County and approximately 4.329 acres of Melber Lane right-of-way west of the of the tract. Melber Lane, in it's east west configuration, would remain part of Hutto's ETJ. The property owners of the subject tracts have consented to the ETJ releases by the respective municipalities.

The land being exchanged is undeveloped and similar in size, and will remain in the ETJ at this time therefore, no fiscal impact is anticipated.

Prior City Council Action

May 28, 2019: Approved the Amended and Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5 (Resolution No. 1699-19-05-28-0622).

January 23, 2018: Passed resolution RES-0479 authorizing the City Manager to prepare and negotiate the documents required for the modification and creation of a municipal utility district for the area.

November 22, 2004: Rowe Lane Development, Ltd. and Robert M. Tiemann (collectively the "Developer") and the City of Pflugerville, Texas (the "City") have previously entered into that certain Comprehensive Development and Consent Agreement for Lakeside WCID No. 5

July 3, 2006: First Amendment to Comprehensive Development and Consent Agreement for Lakeside WCID No. 5

October 14, 2011: Second Amendment to the Comprehensive Development Agreement

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: May 13, 2021

Supporting documents attached:

ETJ Release Resolution (includes location maps)

Locator Map

Hutto ETJ Release Ordinance

Hutto Resolution - Approving Agreement Lakeside MUD 9

Hutto ETJ Release - Property Owner Consent

Recommended Action

Approve resolution as presented.