



# City of Pflugerville

## Legislation Text

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**File #:** RES-0778, **Version:** 1

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Discuss and consider action to approve a resolution with the caption: Resolution of the City of Pflugerville authorizing the City Manager to execute a Post-Annexation Provision of Services Agreement with Ebensee LLC, providing that upon annexation the City will provide standard City services to a tract of land totaling approximately 4.724 acres situated in the Joseph Wiehl Survey No. 8, Abstract No. 802, Travis County, Texas, within the City's extraterritorial jurisdiction.

Chapter 43, Subchapter C-3 of the Texas Local Government Code (TLGC) 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.

The proposed annexation consists of approximately 4.724 acres located along east side of Weiss Lane at the intersection of Jesse Bohls Road, 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.

Pursuant to Section 43.106 of the TLGC, a municipality that proposes to annex territory that abuts a county road must also annex the entire width of the county road. The proposed annexation abuts Jesse Bohls Road, a Travis County road, and therefore, the City will be required annex the portion of Jesse Bohls Road abutting the subject property petitioned for annexation, but must receive authorization from Travis County Commissioner's Court to annex the roadway pursuant to Section 43.1055. The proposed annexation will incur long-term maintenance/operation expenses for Jesse Bohls Road.

City Attorney has approved the resolution as to form.

### **Deadline for City Council Action**

Action is requested on November 24, 2020.

### **Future City Council Action**

Conduct a public hearing regarding the proposed annexation of the 4.724-acre tract on January 5, 2021. (Special Meeting)

\*Approval of the annexation of the 4.724-acre tract of land must coincide with the annexation of Jesse Bohls Road which has a different set of statutory requirements regarding public hearings and the associated timelines pursuant to Chapter 43, Subchapter C-1 of the TLGC. The adoption of an ordinance on first and second readings will occur at the same time as the annexation approval of

Jesse Bohls Road. The following schedule is contingent upon Travis County authorization for the City to annex Jesse Bohls Road abutting the subject site.

\*Consider approval on first reading of the annexation ordinance on February 9, 2021

\*Consider approval on second reading of the annexation ordinance on February 23, 2021

**Staff Recommendation**

Approve the resolution.

**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:  11/12/2020

**Supporting documents attached:**

Resolution

Exhibit A - Post-Annexation Provision of Services Agreement

Locator Map

**Recommended Actions**

Approve resolution authorizing the City Manager to execute a Post-Annexation Provision of Services Agreement with Ebensee LLC.