

Request for Voluntary Annexation

FY-22-3-ANX

103.24+/- acres, located on the north side of E. FM 93 approximately 2700 feet east of S. 31st Street

Property Owner: WBW Land Development

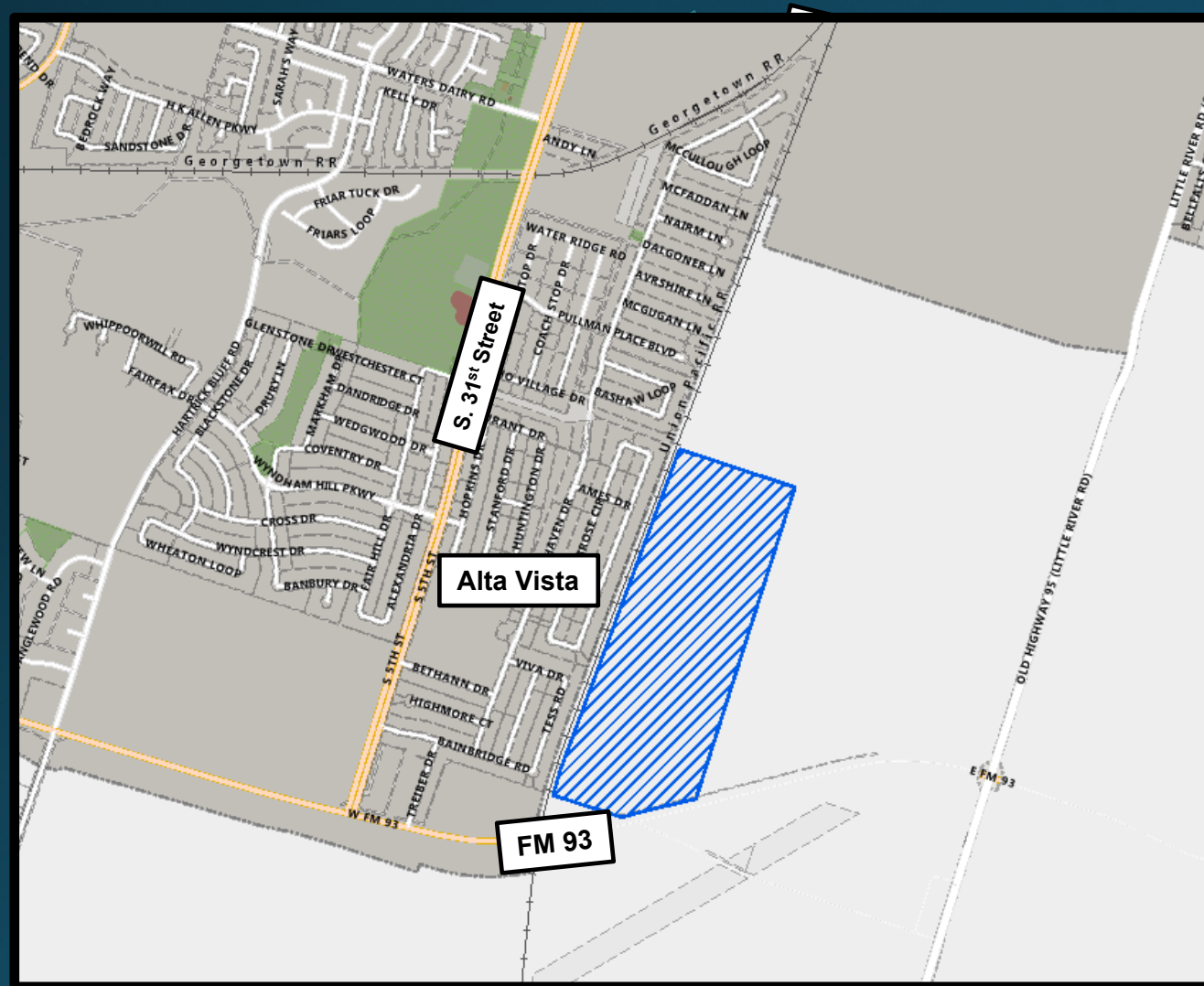
City Council – 1st Reading – Public Hearing

City Council – 2nd Reading

June 2, 2022

June 16, 2022

Vicinity of Proposed Annexation



Municipal Voluntary Annexation

- Texas Local Government Code (LGC) Chapter 43 governs the voluntary annexation process
 - Must be contiguous to the municipality
 - Allows voluntary annexation if petitioned by property owner (LGC Sec. 43.0671)
 - Requires City to hold one public hearing prior to adopting an ordinance for voluntary annexation (LGC Sec. 43.0673)
- LGC Sec 43.905 & 43.9051 requires a City to provide written notice regarding any fiscal impacts caused by the proposed voluntary annexation to:
 - Effected Entities
 - ✓ Temple Independent School District (TISD)
 - ✓ Bell County Commissioners Court
 - ✓ Little River/ Academy Volunteer Fire Department /EMS
 - ✓ Temple Fire Dept
 - Only fiscal impact identified would be to TISD (upon development)

Background

- Petition for voluntary annexation of approximately 103.24 +/- acres in Temple's South east ETJ
 - ❖ Complete petition received on October 19, 2021
 - ❖ Initially presented to City Council on March 17, 2022 but needed to be re-noticed to include the 7.97 +/- acre ROW into the annexation
- Acreage is adjacent and east of Union Pacific Railroad line – UP was re-noticed on March 30, 2022, per Texas LGC Sec. 43.1056(a)
 - ❖ 7.97 +/- Acres of railroad ROW is included in annexation
 - ❖ To date, no formal response has been received
- Counterpart Rezoning of 95.27 +/- acres to SF-2 has been requested & forthcoming – Same developer as the adjacent Alta Vista to be developed in same manner - Anticipated for P&Z Commission (June 20, 2022)
- Pursuant to Section 43.0672 LGC, the property owner was offered & accepted the Municipal Services Agreement on January 7, 2022

Municipal Services Agreement

- In accordance with Chapter 43, Local Government Code - The Municipal Services Agreement is a “Negotiated Written Agreement”
- The City is not required to provide a service that is not included in the agreement
- The agreement was circulated to all relevant departments - No issues were identified
- The following municipal services would be available at time of annexation:
 - Fire Protection
 - Police
 - Emergency Medical Services / EMS
 - Planning, permitting and inspections
 - Public Parks and facilities
 - Streets
 - Water & Wastewater (owner may request a connection once services are available)
 - Solid Waste Services
 - Code Compliance (Transform Temple)
 - Animal Services

Staff Recommendation

Staff recommends **approval** of this voluntary annexation

Questions / Discussion



City of Temple

Municipal Services Agreement

Services to be provided on the effective date of annexation:

I. Fire

The City,s Fire Department will provide emergency and fire protection services

II. Police Protection

The City,s Police Department will provide protection and law enforcement services

III. Emergency Medical Services

The City,s Fire Department and the City,s contracted emergency medical transport franchisee will provide emergency medical services. At the time of this agreement, the contracted emergency medical transport franchisee is American Medical Response operating as Temple EMS

IV. PLANNING, ZONING & BUILDING

The City,s Planning & Development Department will provide comprehensive planning, land development, land use and building review & inspection services in accordance with all applicable laws, rules and regulations

Municipal Services Agreement (Cont)

V. PUBLICLY OWNED PARKS, FACILITIES AND BUILDINGS

1. Residents of the Property will be permitted to utilize all existing publicly-owned and available parks, facilities (including, community service facilities, libraries, swimming pools, etc.) and buildings throughout the City. Any private parks, facilities, and buildings will be unaffected by the annexation; provided, however, that the City will provide maintenance and operation of the same upon acceptance of legal title thereto by the City and appropriations thereafter
2. In the event the City acquires any other parks, facilities, or buildings necessary for City services within the property, the appropriate City department will provide maintenance and operations of the same

VI. STREETS

The City's Public Works Department will maintain the public streets over which the City has jurisdiction. The City will provide regulatory signage services in accordance with the City policies and procedures and applicable laws

Municipal Services Agreement (Cont)

VII. WATER & WASTEWATER

1. Existing occupied homes that are using water-well and on-site sewer facilities on the effective date of annexation may continue to use the same. If a property owner desires to connect to the City water and sewer system, then the owner may request a connection once those services are available. The connection will be at the owner,s expense in accordance with existing City ordinances and policies, Texas Commission on Environmental Quality (TCEQ) Rules and Regulations, and any applicable laws. Once connected to the City,s water and sanitary sewer mains, the water and sanitary sewage service will be provided by the City at rates established by City ordinances for such service
2. New homes will be required to connect to the City,s water and sewer system at the owner,s expense in accordance with existing City ordinances and policies, Texas Commission on Environmental Quality (TCEQ) Rules and Regulations and any applicable laws.

VIII. SOLID WASTE SERVICES

The City will provide solid waste collection services in accordance with existing City ordinances and policies, except where prohibited by law

Municipal Services Agreement (Cont)

IX. CODE COMPLIANCE

The City,s Code Compliance Department will provide education, enforcement, and abatement relating to code violations within the property

X. ANIMAL SERVICES

The City,s Animal Services Department will provide services for animal cruelty, animal bites, stray animals, loose livestock or wildlife, animal pickup, and animal disturbances in accordance with the City policies and procedures and applicable laws

Vicinity

Hartrick Bluff Road

FM 93

PD-SF-2

Annexation (Baker)
Ord. 2020-5021

AG

Union Pacific RR

State Highway 95

PD-SF-2