



STAFF REPORT

MEETING DATE: February 28, 2023

TITLE:

Consider action to approve Resolution No. 2023-33 revising the agreement for subdivision plat regulation in the City of Bastrop's ETJ in Bastrop County also known as the (1445 agreement); providing for repeal; and providing an effective date

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

BACKGROUND/HISTORY:

In 2001, the Texas Legislature approved HB 1445 which required municipal and county governments to enter into an interlocal agreement regarding development regulations in the City's extra territorial jurisdiction (ETJ). The agreements are commonly referred to as 1445 agreements.

In 2018, the City and County approved and entered into such an interlocal agreement. The agreement divided the County into 4 areas, statutory ETJ, Area A, Area B, and Voluntary.

The City's statutory ETJ is 1 mile as defined by state statute in Sec. 42.021 of the Texas Local Government Code.

Attachment 3 in this document shows the prior boundaries of Area A, Area B, and Area V.

Attachment 4 in this document shows the proposed boundaries of the revised areas.

The revised areas include the following:

- 1) The City will continue to review and have jurisdiction over areas where the following exists:
 - a. The area is in the City's Water or Wastewater Certificate of Convenience and Necessity (CCN)
 - b. The area is covered by a development agreement between the City and the developer
 - c. Areas where the City has entered into or is currently negotiating a wholesale agreement for water and wastewater
- 2) The County will review all other areas of the county where the conditions above do not apply.
- 3) The County and City will enter into tri-party agreements in areas where City or County needs necessitate an agreement to cover the interests of either.

FISCAL IMPACT:

None

RECOMMENDATION:

City Manager Carrillo recommends approval of Resolution No. R-2023-33.

ATTACHMENTS:

1. Resolution R-2023-33
2. Proposed draft agreement.
3. 2018 Interlocal Agreement Map.
4. Proposed 2023 Interlocal Agreement Map.