



STAFF REPORT

MEETING DATE: December 17, 2024

TITLE:

Consider and act on Resolution R-2024-186, providing direction to the City Manager to combine the public hearing and 15-day notice for a single joint meeting with the Planning and Zoning Commission and City Council to be held on January 16, 2025, for the consent of Wildwood Municipal Utility District and Bastrop County Municipal Utility District No. 5 (Ironwood); providing for a repealing clause; and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Submitted by: Andres Rosales, Assistant City Manager

BACKGROUND/HISTORY:

The City's local ordinances on review of water and Municipal Utility District (MUD) creations does require following a review process that includes public hearings and notices before Planning & Zoning and City Council. See [City Code Article 13.05](#). Generally, it lays out the process in Sec. 13.05.003 for review of creation of a MUD initially:

- Staff level review.
- Planning & Zoning - public hearing and recommendation to Council (with 15-day prior notice in the newspaper and mailed to a list of affected property owners that MUD should provide).
- Council - public hearing and action (with 15-day prior notice in newspaper and mailed).

List of property owners for notice, per Code Sec. 13.05.003(c)(2)(vii): Names and mailing addresses of owners of property within two hundred (200) feet of the proposed district as well as names and mailing addresses of owners of property within two hundred (200) feet of the receiving stream for a distance of five (5) miles downstream from the discharge point, according to the most recent tax rolls.

Under the City's local code, Council has discretion to shorten the time periods set out for consideration for a particular petition. City Code Sec. 13.05.003(g). Staff has completed the review of the request for consent of the addition to the Wildwood Municipal Utility District. Staff has also reviewed the request for the creation of Bastrop County Municipal Utility District No. 5 or known as Ironwood Development.

The City's local code also requires a separate Planning & Zoning hearing and a Council hearing, with prior notices of the hearing. The recommendation would be that the City Council would allow staff to schedule a single combined Planning & Zoning and Council hearing for the public hearing, so only one 15-day notice period & public hearing is needed to be able to proceed with consideration and action on whether to consent.

State law does not outline a process or notification requirement for consenting to Water and Municipal Utility Districts. The City's local code as adopted is more restrictive and has a requirement for separate meetings for Planning and Zoning Commission and City Council public hearings. Staff will notify the property owners within 200 feet of the proposed district as required. Additionally, Staff will include in the mailed notice to the public notification that

there will be a single public hearing that will occur for the MUD on the proposed date of January 16, 2025.

The Wildwood MUD is located in the Statutory V Extra-Territorial Jurisdiction (ETJ) and along the Travis County line. Whereas the Bastrop County MUD No. 5 (Ironwood MUD) is located along south SH 304. The BCMUD No.5 will be annexed into the City later.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Consider and act on Resolution R-2024-186, providing direction to the City Manager to combine the public hearing and 15-day notice for a single joint meeting with the Planning and Zoning Commission and City Council to be held on January 16, 2025, for the consent of Wildwood Municipal Utility District and Bastrop County Municipal Utility District No. 5 (Ironwood); providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

N/A