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## City Council Regular Meeting

**DEPARTMENT:** Development Services

**FROM:** Michelle McCullough, P.E., CFM, Deputy Director/City Engineer

**MEETING:** June 2, 2025

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**SUBJECT:**

Consider and take possible action on an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the Chisholm Summit Master Planned Community, Phases 1-3. (*Staff Contact: Michelle McCullough, Development Services Deputy Director/City Engineer*)

**SUMMARY:**

Johnson County Special Utility District is one provider of water service to property owners within the City limits and the City's extraterritorial jurisdiction (ETJ) as allowed by their Certificate of Convenience and Necessity (CCN). A CCN authorizes and requires utilities to provide continuous and adequate service to every customer who requests service within a certified area. The CCN boundary defines the area within which a water provider holds the exclusive right to provide retail water and/or sewer.

Typically, JCSUD requires a separate 20-foot-wide water line easement adjacent to the property line on private property. This standard is appropriate for rural development, but as urban growth moves into JCSUD's CCN area the easement becomes a challenge for smaller lots. The interlocal agreement will allow JCSUD's water facilities to be located within the City's right-of-way.

Staff has worked with JCSUD on the terms of the interlocal agreement which allows for the following:

- JCSUD's water facilities may be located within the public right-of-way within the subdivision
- Burleson would be financially responsible for any future relocation of JCSUD water facilities if the city realigns any public roadway within the development in the future
- JCSUD will reimburse the city for the cost to restore grass, sidewalk, curbing, and pavement as a result of the repair/replacement of water facilities. All repairs will be coordinated with the city

The civil construction plans for the Chisholm Summit Master Planned Community, Phases 1-3, are currently in review. Construction is expected to begin on Phase 1 within the next 90 days. JCSUD requires the interlocal agreement to be executed before releasing the water line for construction.

JCSUD recognizes the growth the city is experiencing, which is more urban, with larger homes on smaller lots. Staff will continue to work with JCSUD, and as development continues within the JCSUD's CCN boundary, staff anticipates that additional interlocal agreements will be presented to the City Council for consideration.

The City Council has approved similar interlocal agreements for water facilities within the PF Farms Development and for water facilities located along Lakewood Drive recently constructed as part of the Lakewood Drive roadway improvements.

**RECOMMENDATION:**

Approve an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the Chisholm Summit Master Planned Community, Phases 1-3.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

None

**REFERENCE:**

N/A

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

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