
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Errick Thompson, Deputy Director of Public Works

MEETING: February 6, 2023

SUBJECT:

Consider approval of an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the City of Burleson's right-of-way of Lakewood Drive. (*Staff Contact: Errick Thompson, Deputy Director of Public Works*)

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.

Lakewood Drive is currently in construction and located within JCSUD's water CCN. As part of the construction, existing JCSUD water facilities will be relocated. In addition, as part of the Chisholm Summit development, the developer is required to construct new water facilities that will not only serve Chisholm Summit, but future development in the area.

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 Lakewood Drive right-of-way
- Burleson would be financially responsible for any future relocation of JCSUD water facilities if the City realigns Lakewood Drive in the future
- JCSUD will reimburse the City for the cost to restore grass, sidewalk, curbing, and pavement as a result of repair/replacement of water facilities. All repairs will be coordinated with the City

JCSUD recognizes the growth the City is experiencing which is more urban in nature 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 additional interlocal agreements will be presented to the City Council for consideration.

October 15, 2018 – City Council approved a similar interlocal agreement allowing placement of JCSUD's water facilities within the City of Burleson's right-of-way within the PF Farms Planned Development

OPTIONS:

- 1) Approve an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the City of Burleson's right-of-way of Lakewood Drive.
- 2) Deny an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the City of Burleson's right-of-way of Lakewood Drive.

RECOMMENDATION:

Approve an interlocal agreement with Johnson County Special Utility District (JCSUD) regarding placement of JCSUD water facilities within the City of Burleson's right-of-way of Lakewood Drive.

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

None

FISCAL IMPACT:

None

STAFF CONTACT:

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