



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Green Land Ventures for the reservation of water and other related matters, and authorizing the City Manager to execute the First Amendment

DATE: March 21, 2024

DEPARTMENT: Public Works

PRESENTED BY: Carole Vanzant, CPM, Asst City Manager, Community Services

INTRODUCTION/BACKGROUND:

On July 20, 2006, the City of Fair Oaks Ranch, under Ordinance 153 accepted the City of San Antonio's release of 3,258 acres of its extraterritorial jurisdiction adjacent to the north, east, and southwest of Fair Oaks Ranch city limits. To ensure water reservation to the property owners in this area as they develop, the City entered into water supply agreements with various property owners in September 2008.

Since the execution of the agreement, Green Land Ventures has been developing the Stone Creek subdivision located on Ammann Road. The Agreement anticipated 238 single family water connections of one acre or larger lots. In February 2022, Green Land Ventures notified the City that the final plat of the undeveloped portion of the subdivision will depict more lots than reserved in the Agreement.

The 2008 Agreement with Green Land Ventures, relative to term, states: *This Agreement shall become enforceable upon execution by the City and Owner. This Agreement shall terminate on the 15th anniversary of its execution unless extended by mutual agreement of the parties, or upon full build-out of the property.*

On August 17, 2023, City Council approved a resolution authorizing a six-month extension to review the current agreements, negotiate any changes, develop an agreement amendment, allow for legal review, and prepare for City Council approval.

On February 29, 2024, Green Land Ventures agreed to a 15-year term extension and requested an increase of lots from 138 to 147 to address the undeveloped portion of their subdivision. The additional lots will be one acre or larger for construction of single-family homes. This amendment becomes enforceable upon execution by the City and Owner and shall terminate on the 15th anniversary of its execution unless extended by mutual agreement of the parties, or upon full build-out of the property.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Furtheres Priority 3.1 of the Strategic Action Plan – Enhance and ensure continuity of reliable water resources in accordance with CCN obligations.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

1. Continued payments of reservation and water capacity fees by owner.
2. Payment of the second installment of the Contribution in Aid toward construction of an elevated water storage tank.

LEGAL ANALYSIS:

Agreed by Green Land Ventures and approved as to form by the city attorney's office.

RECOMMENDATION/PROPOSED MOTION:

I move to approve a resolution authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Green Land Ventures.