



## **ENVIRONMENTAL COMMISSION MOTION 20181205 007a**

**Date:** December 5, 2018

**Subject:** Proposed annexation of approximately 124 acres in Lazy Nine Municipal Utility District 1A (C12M-2018-0004)

**Motion by:** Hank Smith

**Seconded by:** Wendy Gordon

### **RATIONALE:**

**WHEREAS**, the existing Lazy Nine Municipal Utility District 1A (MUD) is located in the City of Bee Cave's extraterritorial jurisdiction (ETJ) and the MUD desires to annex an additional 124 acres into the MUD that is currently in the City of Austin's ETJ; and

**WHEREAS**, this existing MUD 1A is considered a "noncity service district" and if the City fails to release this area from their ETJ, per state law, the owner may petition the City to provide those services to be provided by the MUD; and

**WHEREAS**, the City consented to a similar tract in 2011 for land located to the north and east of this 124-acre tract; and

**WHEREAS**, staff recommends consent to the proposed annexation into the Lazy Nine MUD 1A. Staff has determined that Austin Water cannot provide service to this tract and therefore annexation by the MUD without the express consent of the City is likely to occur in any case. Annexation into the MUD will not affect the City of Austin's annexation plans as this MUD is located in the City of Bee Cave's jurisdiction. Further, staff does not anticipate any negative land use impacts on adjacent property or significant adverse environmental impacts if the MUD annexes the tract.

**THEREFORE**, the Environmental Commission recommends support of the petition requesting City consent to annex territory into the MUD.

### **VOTE 7-0**

For: Creel, C. Smith, Coyne, Smith, Guerrero, Gordon, B. Smith

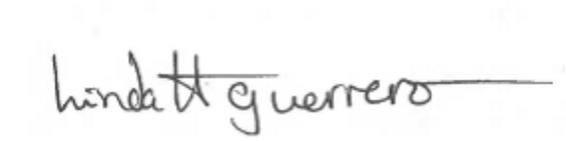
Against: None

Abstain: None

Recuse: None

Absent: Thompson, Neely, Maceo

Approved By:

A handwritten signature in black ink that reads "Linda Guerrero". The signature is written in a cursive style with a horizontal line extending to the right from the end of the name.

Linda Guerrero, Environmental Commission Chair