

RESOLUTION NO. 2020-0040-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, BEGINNING THE VOLUNTARY ANNEXATION PROCESS FOR PROPERTIES SUBJECT TO EXPIRING DEVELOPMENT AGREEMENTS EXECUTED PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, AND DIRECTING STAFF TO NEGOTIATE NEW NON-ANNEXATION DEVELOPMENT AGREEMENTS WITH THE PROPERTY OWNERS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in late 2007/early 2008, the City of Temple (“City”) initiated a large-scale annexation as part of its annexation plan;

Whereas, at that time, the law required that owners of property zoned or used for agricultural, timber, or wildlife management purposes be offered a development agreement that exempted their property from annexation as long as the property was not developed or platted, and extended the City’s planning, land use, and development authority over those areas;

Whereas, the City entered into development agreements pursuant to section 212.172 of the Texas Local Government Code, with property owners for 124 parcels, abating the annexation process for a period of twelve years, so long as the property owners did not pursue development of the land and the term of these agreements is set to expire on June 2, 2020, at which time, pursuant to the terms of the executed agreements, they will serve as petitions for voluntary annexation;

Whereas, entering into new development agreements with the owners of property used or zoned for agricultural purposes is an option, and negotiations for new agreements with those property owners can occur while the voluntary annexation process is underway;

Whereas, Staff recommends Council authorize the beginning of the voluntary annexation process for the expiring development agreements and authorize the execution of any new development agreements with applicable property owners pursuant to section 212.172 of the Local Government Code as may be necessary during this process;

Whereas, if the property is annexed, the City’s ad valorem tax base will increase and result in future property tax revenue for the City and if new development agreements are reached, the properties would continue to be exempt from annexation for the term of the new agreements; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the beginning of the voluntary annexation process for the expiring development agreements and authorizes the execution of any new development agreements with applicable property owners pursuant to section 212.172 of the Local Government Code as may be necessary during this process and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's office, to execute any documents that may be necessary for the annexation process or execution of new development agreements.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 7th day of **May, 2020.**

THE CITY OF TEMPLE, TEXAS

DocuSigned by:
Timothy A. Davis

DocuSigned by: **TIMOTHY A. DAVIS, Mayor**

ATTEST:



APPROVED AS TO FORM:

DocuSigned by:
Stephanie Hedrick, Interim City Secretary

Stephanie Hedrick
Interim City Secretary

DocuSigned by:
Kathryn H. Davis

Kathryn H. Davis
City Attorney