



Cover Memo

To:	City Council
From:	Planning & Development Services
Date:	November 16, 2016
Re:	LaSalle Municipal Utility Districts #1-5

Michael Schroeder of LaSalle Holdings, LTD has requested an amendment to the approved Consent Agreements for LaSalle Municipal Utility Districts #1-5 to allow for a confirmation election to be held within six (6) years of the date of district creation by the legislature, rather than four (4) years as previously approved.

History:

On April 16, 2013 City Council approved a consent agreement for the creation of 4 Municipal Utility Districts (MUD) in accordance with Chapter 70 of the City's Code of Ordinances. LaSalle MUD #2-5.

At that time LaSalle MUD #1 was located in the City of Kyle Extraterritorial Jurisdiction (ETJ) and completed the City of Kyle process for approval.

Following an ETJ land swap in 2013, the land of LaSalle MUD #1 became part of the City of San Marcos ETJ and on March 4, 2014 City Council approved a consent agreement for this MUD in accordance with Chapter 70 of the City's Code of Ordinances.

On May 19, 2015 the City Council approved a request to amend the Consent Agreements to allow for a confirmation election to be held within four (4) years, rather than two (2) years, of the date of district creation by the Texas Legislature.

Staff Analysis & Recommendation:

Section 2.04 of the Consent Agreements discusses expiration of the City's consent for creation of Municipal Utility Districts. *"The City's consent shall be deemed withdrawn and the District(s) shall be dissolved if: (a) The District has not held a confirmation election within four (4) years from the date of its creation by the legislature..."* The Districts were created by the legislature on June 14, 2013, therefore the deadline for the confirmation election is currently June 14, 2017.

Staff finds this amendment request is consistent with Chapter 70 of the City's Code of Ordinances and **recommends approval of the request for an extension to six (6) years**, requiring a confirmation election prior to June 14, 2019.

Public Notification:

Published Notice appeared in the San Marcos Daily Record on November 20, 2016

Correspondence:

There has been no correspondence in favor or opposition of this request as of the date of this memo.

Public Hearing:

This item was not required to be presented to the Planning & Zoning Commission. A public hearing is being held by the City Council.