



## AGENDA MEMORANDUM

Action Item for the City Council Meeting of 5/14/2019

**DATE:** May 3, 2019

**TO:** Keith Selman, Interim City Manager

**FROM:** Daniel McGinn, AICP, Director of Planning & Environmental  
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Agricultural Development Agreements In lieu of Annexation in San Patricio County

### **CAPTION:**

Resolution authorizing an Agricultural Development Agreement with owners of property within the City's proposed annexation of 1,500 acres of land and proposed annexation of 5,700 acres of land.

### **PURPOSE:**

The purpose of this item is to authorize the City Manager to enter into development agreements with agricultural land owners in the annexation areas north of Corpus Christi Bay and in the La Quinta Corridor as required by State law.

### **BACKGROUND AND FINDINGS:**

On March 19, and March 26, 2019, City Council approved resolutions that directed the City Manager to proceed with the annexation process for up to 1,500 acres of land in the La Quinta Corridor area and up to 5,700 acres of land located between the cities of Gregory and Ingleside. The annexation process included public hearings conducted on April 23, and April 30, 2019; the creation of a Municipal Service Plan; and will include the consideration of an emergency ordinance on May 21, 2019, to approve the annexations. Agricultural landowners who execute a Development Agreement with the City will not be annexed, as authorized by State law.

Texas Local Government Code, Section 43.016 requires cities to offer each property owner in an annexation area with an agricultural or wildlife management or timber land exemption on their property a Development Agreement to be excluded from the annexation. The agreement provides that the property will not be annexed by the City of Corpus Christi so long as 1) the property continues to receive an agricultural exemption and 2) no action is taken by the Owner or his assigns to file a subdivision plat or any related development document regarding the property. If one or more of the above circumstances occur, the City is authorized to commence proceedings to annex all or some of the property.

**ALTERNATIVES:**

None

**OTHER CONSIDERATIONS:**

None

**CONFORMITY TO CITY POLICY:**

The proposed Development Agreement is consistent with Texas Local Government Code, Section 43.016. Additionally, the proposed annexations are consistent with City policy and Plan CC Comprehensive Plan as follows:

- Plan CC’s Vision Statements identifies that “Our broadly diversified economy provides opportunity for all.”
- Plan CC’s Future Land Use Plan indicates this area for industrial development.
- Plan CC Element 7, Goal 6 states “Annexation plans provide for orderly growth and industrial agreements in the ETJ.”
- Plan CC Element 7, Goal 6, Strategy 6 states, “Support the evaluation of the use of industrial district agreements in lieu of annexation for industrial area of the city and ETJ.”

**EMERGENCY / NON-EMERGENCY:**

Non-emergency

**DEPARTMENTAL CLEARANCES:**

Legal, Planning, and the City Manager’s Office

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not Applicable

Fiscal Year: 2018-2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

**Comments:** None

**RECOMMENDATION:**

Approval of the resolution to authorize the City Manager to enter into Development Agreements with agricultural landowners.

**LIST OF SUPPORTING DOCUMENTS:**

Resolution  
Sample Development Agreement  
Presentation