



AGENDA MEMORANDUM

First Reading for the City Council Meeting of February 28, 2017
Second Reading for the City Council Meeting of March 21, 2017

DATE: February 22, 2017

TO: Margie C. Rose, City Manager

FROM: Julio Dimas, Interim Director, Development Service Department
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826-3276

Southside FM 2444 Disannexation
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CAPTION:

Ordinance disannexing Laureles Farm Tracts adjacent to the City limits located along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41, commonly referred to as a portion of the Chapman Ranch and a portion of the previously proposed Apex wind farm from the City of Corpus Christi, Texas; adjusting the City boundaries accordingly; providing for severance, publication, and an effective date.

PURPOSE:

The purpose of disannexation is to remove the areas previously annexed in 2014 pursuant to the Southside FM 2444 Annexation.

BACKGROUND AND FINDINGS:

On October 14, 2014, the City annexed Laureles Farm Tracts adjacent to the city limits located in Nueces County along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41. Texas Local Government Code §43-142 gives Home Rule Municipalities the authority to disannex pursuant to their City Charter. The City of Corpus Christi allows for disannexation.

The proposed disannexation area is an area of approximately 10,463 acres. There are no existing commercial wind farms in the area. The City has negotiated a disannexation agreement with Chapman Ranch Wind I, LLC, restrict wind turbines in the disannexed area.

ALTERNATIVES:

Not disannex area.

OTHER CONSIDERATIONS:

Texas Local Government Code §43.148:

- “(a) If an area is disannexed, the municipality disannexing the area shall refund to the landowners of the area the amount of money collected by the municipality in property taxes and fees from those landowners during the period that the area was a part of the municipality less the amount of money that the municipality spent for the direct benefit of the area during that period.
- (b) A municipality shall proportionately refund the amount under Subsection (a) to the landowners according to a method to be developed by the municipality that identifies each landowner’s approximate pro rata payment of the taxes and fees being refunded.
- (c) A municipality required to refund money under this section shall refund the money to current landowners in the area not later than the 180th day after the date the area is disannexed. Money that is not refunded within the period prescribed by this subsection accrues interest at the rate of:
 - (1) six percent each year after the 180th day and until the 210th day after the date the area is disannexed; and
 - (2) one percent each month after the 210th day after the date the area is disannexed.”

CONFORMITY TO CITY POLICY:

City Charter authorizes disannexation.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Not applicable

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☐ Not applicable

Fiscal Year: 2016-2017	Current Year	Future Years	TOTALS
Line Item Budget			
Encumbered / Expended Amount			
This item	50,104.14		50,104.14
BALANCE	50,104.14		50,104.14

Fund(s):

Comments:

RECOMMENDATION:

Approval of the Ordinance as presented.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Location Map