

AGENDA



Thursday, April 2, 2009

**Watershed Protection and Development Review
RECOMMENDATION FOR COUNCIL ACTION****Item No. 29**

Subject: Approve a resolution authorizing execution of an Interlocal Agreement with Hays County regarding subdivision regulations applicable in a portion of Austin's extraterritorial jurisdiction.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Patrick Murphy, 974-2821; David Wahlgren, 974-6455

Prior Council Action: January 11, 2003: Council authorized negotiation and execution of a City-County subdivision regulation agreement with Hays County.

In 2001, the State Legislature passed HB1445. The stated goal of the bill, later amended by HB1204 in 2003, was that cities and counties no longer individually regulate and approve subdivisions in the extra-territorial jurisdiction (ETJ).

The regulations, codified at Chapter 242 of the Local Government Code, require that all cities and counties enter into subdivision regulation agreements. The City of Austin's agreement with Hays County provides that the City is the regulatory authority for subdivisions that fall within our Hays County ETJ.

The terms of the original agreement have expired. This resolution authorizes execution of a revised and restated agreement with Hays County in substantially the form as attached. The proposed renewal agreement is similar to the previous agreement, with the exception that it will renew from year to year without a termination date, and it would require the City of Austin to enforce Hays County regulations in instances where those regulations are more stringent.