



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services

**CM/DCM/ACM:** Cassey Ogden

**DATE:** January 13, 2026

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the submission of public comment and request for a contested case hearing regarding the petition by AGF Denton Ranch, Ltd. for the creation of Hickory Creek Municipal Utility District of Denton County (TCEQ Internal Control No. D-11042025-009); authorizing the City Manager or their designee to submit public comments and hearing requests to the Texas Commission on Environmental Quality ("TCEQ"); and providing an effective date.

### **STRATEGIC ALIGNMENT**

This action supports Key Focus Area: Enhance Infrastructure and Mobility.

### **BACKGROUND**

On October 3, 2025, AGF Denton Ranch, Ltd. filed a petition with the TCEQ to create the Hickory Creek Municipal Utility District (the "District"). The proposed District consists of approximately 1,018.429 acres located entirely within the City of Denton's water and sewer Certificates of Convenience and Necessity (CCN) Nos. 10195 and 20072.

As the sole CCN holder, the City of Denton has the exclusive right and the legal obligation to provide retail water and wastewater service to this area. The City has already integrated service to this property into its 2025 Water Master Plan and 2023 Wastewater Master Plan. Furthermore, the City has made significant infrastructure investments to serve this specific area.

City staff is seeking to formally protest this petition for the following reasons:

- Infrastructure Investment Protection: The creation of a separate utility system would jeopardize existing regional infrastructure investments.
- Service Integrity: A separate system would create unnecessary duplication of infrastructure.
- Financial Impact: Allowing a separate district would adversely affect the City's anticipated customer base and the revenue required to meet debt service obligations.
- Legal Standing: The City qualifies as an "affected person" under 30 TAC § 55.256 because it has a personal justiciable interest negatively impacted by this petition.

To protect these interests, the City must file a formal protest and request for a contested case hearing with the TCEQ by the deadline of January 19, 2026.

### **OPTIONS**

1. Approve
2. Approve with changes
3. Deny

### **RECOMMENDATION**

Staff recommends approval of this ordinance.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

None

### **EXHIBITS**

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance

Respectfully submitted:  
Charlie Rosendahl  
Interim Director of Development Services