



Legislation Details (With Text)

**File #:** SI16-0001a    **Version:** 1    **Name:**

**Type:** Ordinance

**File created:** 9/1/2016    **In control:** City Council

**On agenda:** 9/20/2016    **Final action:**

**Title:** Consider adoption of an ordinance of the City of Denton, Texas, on first reading, confirming and approving a Boundary Adjustment Agreement with the City of Corinth, Texas, adjusting a mutual boundary of the cities not exceeding 1,000 feet; providing for severability; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1- City of Corinth Letter, 2. Exhibit 2- Draft Boundary Adjustment Agreement, 3. Exhibit 3- Draft Ordinance

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Jon Fortune

**DATE:** September 20, 2016

**SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas, on first reading, confirming and approving a Boundary Adjustment Agreement with the City of Corinth, Texas, adjusting a mutual boundary of the cities not exceeding 1,000 feet; providing for severability; and providing an effective date.

**BACKGROUND**

In 2007 the City Council considered and adopted a Boundary Adjustment Agreement with the City of Corinth which resulted in the transfer of an approximately 0.961 acre tract of land from the City of Denton to the City of Corinth. The purpose of the adjustment was to realign the future extension of Lake Sharon Drive north to avoid an existing City of Corinth pump station and lake. The adjustment also put Lake Sharon Drive entirely within the City of Corinth allowing design and construction negotiations with the property owner, Pulte Homes, and the City of Corinth.

However, in January of this year the City of Corinth approached the City of Denton requesting another Boundary Adjustment Agreement. According to representatives of the City of Corinth, when the Lake Sharon Drive extension was being designed it required a reverse curve angle of approximately 90 degrees in order to line up with the future FM 2499 North project. As a result of this design feature, approximately 0.164 acre of land encroaches into Denton city limits, as illustrated in Exhibit B of the Draft Boundary Adjustment Agreement. Aligning the intersection towards the south was not an option because of sight distance visibility

concerns and the need to relocate existing overhead power lines and underground fiber optic cables.

The City of Corinth is currently in negotiations with the property owner, Endeavor Energy Resources, L.P. to purchase the 0.164 acre of land. To ensure that the City of Corinth is able to take possession of the property in a timely manner, the City of Corinth City Council passed a resolution authorizing their staff to proceed with condemnation if negotiations with the property owner fail.

The City of Denton Planning staff contacted Endeavor Energy Resources, L.P. to inform them of the proposed boundary adjustment. A member of Endeavor's Legal staff confirmed the company was aware of the boundary adjustment.

At build out, Lake Sharon Drive will be an 84-foot wide right-of-way, 4-lane divided roadway. The proposed boundary adjustment would put Lake Sharon Drive entirely within the City of Corinth. With Lake Sharon Drive entirely within the City of Corinth, they will be responsible for the construction and the maintenance of the roadway. The City of Corinth is in the process of completing their design and anticipate that all necessary property acquisition required for the project will be completed before the end of the year. According to the City of Corinth, extension of Lake Sharon Drive to FM 2499 is scheduled to be completed late 2017, in concert with the TxDOT FM 2499 North project scheduled completion.

Subsection 43.031 of the Texas Local Government Code provides authority to adjacent municipalities to change boundaries by agreement for areas that are less than 1,000 feet in width. The boundary adjustment in 2007 was approximately 54-feet wide. The current proposed boundary adjustment is approximately 30-feet wide.

The following departments were informed of the current proposed boundary adjustment: City Manager's Office, Development Services, DRC Engineering, Denton Municipal Electric, Real Estate and the City's Attorney's Office.

### **OPTIONS**

1. Move forward with the Boundary Adjustment Agreement.
2. Move forward with the Boundary Adjustment Agreement with conditions.
3. Direct staff to take a different approach.

### **RECOMMENDATION**

Staff recommends proceeding with the Boundary Adjustment Agreement request.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:** Economic Development  
**Related Goal:** 3.1 Develop targeted policies and incentives to achieve desired economic growth

### **EXHIBITS**

1. City of Corinth Letter

2. Draft Boundary Adjustment Agreement
3. Draft Ordinance

Respectfully submitted:  
Munal Mauladad  
Deputy Director of Development Services

Prepared by:  
Ron Menguita, AICP  
Long Range Planning Administrator