

RESOLUTION NO. 3128

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, ESTABLISHING CRITERIA TO BE USED TO PROVIDE GUIDANCE ON THE ANNEXATION OF AREAS WITHIN BRYAN'S EXTRATERRITORIAL JURISDICTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by Texas State law and the City Charter to annex territory lying adjacent and contiguous to its corporate limits;

WHEREAS, the City of Bryan may from time to time consider the annexation of territory within its extraterritorial jurisdiction to promote orderly growth by facilitating long-range planning for the provision of municipal services and by applying appropriate land use regulations, development standards, fire codes, construction codes and environmental regulations; and

WHEREAS, it is the expressed desire of the City Council of the City of Bryan to establish criteria which are to be used to provide guidance on annexing such territory;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN:

1.

That the City will consider annexation of any area within its extraterritorial jurisdiction if and only if the area meets one or more of the following five criteria:

- A. Enclave: The area is surrounded by the corporate limits of the City of Bryan and/or the corporate limits or extraterritorial jurisdiction of other municipalities and its citizens would benefit from a logical city limit boundary that provides for the orderly and efficient provision of services.
- B. Urban Development: The City is aware of or anticipates development activity of an urban nature in the area.
- C. Revenue Source: The area (1.) has desirable ad valorem values; or (2.) is an area with commercial activities that produce sales tax revenues; or (3.) is an area that produces current or future utility revenues.
- D. Adverse Impact: Without annexation, potential development activity is likely to have an adverse fiscal or environmental impact on the City due to unregulated land uses and the City's inability to enforce development standards, building codes and environmental regulations.
- E. Option to Expand: Without annexation, interested parties may incorporate one or more separate municipalities or take other legal action that might be detrimental to the City's orderly growth.

2.

That the City will consider annexation of any area within its extraterritorial jurisdiction if and only if the City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city.

3.

That an area to be annexed should be contiguous to current city limits, should have regular, logical boundaries, and should include all, not just part, of a subdivision, recognized neighborhood or community area.

4.

That public health and welfare of an area to be annexed and the City as a whole should be enhanced through annexation and provision of city services.

5.

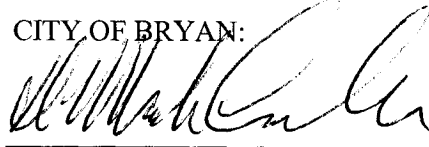
That this resolution shall be effective immediately upon adoption.

PRESENTED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, at a regular meeting on the 13th day of November, 2007.

ATTEST:


Mary Lynne Stratta, City Secretary

CITY OF BRYAN:


D. Mark Conlee, Mayor

APPROVED AS TO FORM:


Janis Hampton, Interim City Attorney