

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY OF MCKINNEY, TEXAS REAFFIRMING
AND CONSENTING TO THE DECERTIFICATION OF PORTIONS OF
ITS WATER CERTIFICATE OF CONVENIENCE AND NECESSITY NO.
10194 AND SEWER CERTIFICATE OF CONVENIENCE AND
NECESSITY NO. 20071.**

WHEREAS, the City of McKinney (“City”) has Water Certificate of Convenience and Necessity No. (“CCN”) 10194 and Sewer Certificate of Convenience and Necessity No. 20071 (the “CCNs”) that include areas inside and outside the city limits; and

WHEREAS, at the time the City acquired its CCNs outside of its city limits, the City had the legal ability to facilitate and promote orderly growth and utility planning in areas that were anticipated to become annexed into of the City through involuntary annexation; and

WHEREAS, in 2017 the Texas State Legislature limited a Home Rule city's ability to involuntarily annex property, and through its passage of SB 2038 in 2023, allows landowners within a city's extraterritorial jurisdiction (“ETJ”) to be removed from the City's ETJ; and

WHEREAS, under current law, landowners have the ability to develop their property with private utility systems or public utility systems, or they can request service from the City or from other utility providers, leaving the City with no ability to plan with any certainty what facilities and infrastructure the City might need in the future to serve in the requested areas within its CCN; and

WHEREAS, on October 9, 2023, at the direction of the City Council of the City, the City filed an application with the Public Utility Commission of Texas to amend its CCNs to decertify those portions of the City’s CCNs outside its city limits that are not currently being served by the City; and

WHEREAS, it is in the best interest of the City to reaffirm and consent to the decertification of those portions of the City’s CCNs lying outside its city limits that are not currently being served by the City to better enable the City to focus its land use and utility planning on its city limits and within those areas where the City currently serves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS THAT:

Section 1. The City Council does hereby reaffirm and consent to the decertification of those portions of the City’s CCNs as shown on Attachment 1 of this Resolution.

Section 2. This Resolution shall take effect and be in full force immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 6TH DAY OF MAY, 2025.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER, Mayor
GERÉ FELTUS, Mayor Pro Tem

CORRECTLY ENROLLED:

EMPRESS DRANE, City Secretary
TENITRUS PARCHMAN, Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney
ALAN LATHROM, Assistant City Attorney