



21-0780

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation and Settlement Agreement Establishing the Location of the Extraterritorial Jurisdiction (ETJ) between the City of McKinney and the Town of New Hope

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

**MEETING DATE:** September 7, 2021

**DEPARTMENT:** Development Services

**CONTACT:** Michael Quint, Executive Director of Development Services

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve the resolution authorizing the City Manager to execute the proposed interlocal cooperation and settlement agreement with the Town of New Hope.

**ITEM SUMMARY:**

- City Staff has been coordinating with representatives from the Town of New Hope to draft an interlocal agreement which clarifies the boundaries between New Hope's extraterritorial jurisdiction (ETJ) and McKinney's ETJ.
- Approximately a year ago, representatives from Collin County reached out to McKinney's staff requesting documentation to support the corporate and ETJ boundaries identified on the city's master plans. There was some confusion as to where McKinney's ETJ boundaries met the Town of New Hope's corporate limits and ETJ.
- After speaking with Collin County staff, McKinney staff began working with the Town of New Hope to share information and to establish a new, clear boundary between our two communities. As a result of these discussions, an interlocal agreement establishing new ETJ boundaries has been drafted.
- Per the proposed agreement, McKinney will be incorporating approximately 405

acres of land into our ETJ (Area A) that was previously subject to New Hope's authority and the Town of New Hope will be incorporating approximately 506 acres of land into their ETJ (Areas B and C) that was previously subject to McKinney's authority.

- Areas A, B, and C are more fully depicted by the attached ETJ Boundary Exhibit.
- The Town of New Hope's Town Council considered and approved the proposed interlocal cooperation and settlement agreement on Tuesday, August 3, 2021.

#### **BACKGROUND INFORMATION:**

- Chapter 42 of the Texas Local Government Code establishes the concept of extraterritorial jurisdictions (ETJ) and lays out provisions which apply to said areas including, but not limited to how big a community's ETJ may be.
- For the most part, a community's ETJ size is based on its population. For example, municipalities with fewer than 5,000 inhabitants have an ETJ which radiates 0.5 mile from its corporate limits. Cities with 100,000 or more inhabitants have an ETJ which extends 5 miles from its corporate limits. The majority of McKinney's corporate and ETJ boundaries are actually set by interlocal boundary agreements with our sister cities including, but not limited to Frisco, Allen, Prosper, Fairview and Melissa.
- McKinney has clear records of regarding the annexation of land into our corporate limits. However, records pertaining to our ETJ and the ETJ's of our neighbors during these periods is inconsistent. As such, we could not formally identify if the ETJ shown by our current master plans is 100% accurate or not.
- To resolve the lack of clarity provided by accessible historical records and documentation, Staff is recommending approval of the proposed resolution authorizing the City Manager to execute an interlocal cooperation and settlement agreement with the Town of New Hope.

#### **FINANCIAL SUMMARY:**

- None.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- N/A

#### **SUPPORTING MATERIALS:**

[ETJ Boundary Exhibit](#)  
[Proposed Resolution including Agreement](#)  
[Agreement Exhibit A - Overall Map](#)  
[Agreement Exhibit B - Area A](#)  
[Agreement Exhibit C - Area B](#)

[Agreement Exhibit D - Area C](#)

[Agreement Exhibit E - Development Authority Map](#)