



23-0049

TITLE: Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute an Interlocal Cooperation Agreement with the Town of Fairview, Texas, to Modify the City of McKinney's Boundaries by Releasing Approximately 5.673 acres of Undeveloped Land from McKinney's Extraterritorial Jurisdiction (ETJ) and 1.423 acres of Undeveloped Land from McKinney's Corporate Limits to the Town of Fairview's ETJ to allow Fairview to Provide Governmental Functions and Services Including the Provision of Utility Services, Roadways and Related Public Improvements to said Undeveloped Land and also Authorizing the City Manager to Execute a Declaration of Restrictions in Favor of the City of McKinney with the Owners of said Land

COUNCIL GOAL: Operational Excellence
(2A: Balance available resources to accommodate the growth and maintenance needs of the city)

MEETING DATE: February 7, 2023

DEPARTMENT: Development Services
City Attorney

CONTACT: Michael Quint, Executive Director of Development Services
Mark S. Houser, City Attorney
Alan Lathrom, Assistant City Attorney

RECOMMENDED CITY COUNCIL ACTION:

- Approve the proposed resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement with the Town of Fairview, Texas and authorizing the City Manager to execute a Declaration of Restrictions between Ronald Pruitt and Christian Pruitt (the "Pruitts"), the Heard Natural Science Museum and Wildlife Sanctuary, Inc. (the "Heard Museum"), and the City of McKinney.

ITEM SUMMARY:

- The proposed Interlocal Cooperation Agreement between Fairview and

McKinney allows the City to release certain undeveloped land owned by the Pruitts and the Heard Museum from the City's extraterritorial jurisdiction and/or corporate limits as requested by the Pruitts that allows the Pruitts to: (a) access public water and sanitary sewer from a nearby Fairview neighborhood and construct a single-family residential home; and (b) exchange certain land with the Heard Museum which land exchange is beneficial to both the Pruitts and the Heard Museum.

- The proposed Declaration of Restrictions limits the uses that can be made of or placed upon those portions of the land being released from the City's ETJ and corporate limits that ultimately belong to the Pruitts and the Heard Museum, respectively. The resulting released land owned by the Pruitts can only be used for single-family residential purposes on minimum one-acre lots, while the released land ultimately owned by the Heard Museum may only be used for open space uses and activities related to the primary mission of the Heard Museum. The City of McKinney, the Pruitts and the Heard Museum have the right and ability to enforce the restrictions for a period of thirty (30) years.

BACKGROUND INFORMATION:

- The City of McKinney was approached by the Pruitts who requested the release of this area from the City of McKinney's corporate limits and ETJ because they want to construct a home on the property and there is no City of McKinney water or sanitary sewer in this area.

FINANCIAL SUMMARY:

- The City will not incur any costs in releasing the land from the City's corporate limits and ETJ.

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Resolution](#)

[Exhibit A - Boundary Agreement](#)

[Exhibit B - Declaration of Restrictions](#)