

RESOLUTION 2008-R-42

RESOLUTION IN OPPOSITION TO EFFORTS BY THE CITY OF ROUND ROCK, THE CITY OF CEDAR PARK, AND THE CITY OF LEANDER TO CONSTRUCT AND OPERATE INDUSTRIAL FACILITIES WITHIN THE VILLAGE OF VOLENTE

WHEREAS the City of Round Rock, the City of Cedar Park, and the City of Leander seek to source additional water supply for their respective municipalities from Lake Travis; and

WHEREAS the City of Round Rock, the City of Cedar Park, and the City of Leander formed a local government corporation, the Brushy Creek Regional Utility Authority (the "BCRUA"), as a joint venture to, among other things, source additional water supply for their respective municipalities from Lake Travis; and

WHEREAS the City of Round Rock, the City of Cedar Park, the City of Leander, and their joint venture, the BCRUA, currently plan to construct a permanent deep-water intake facility, a raw water pipeline, and related facilities to pump up to 142 million gallons of water per day out of Lake Travis; and

WHEREAS the City of Round Rock, the City of Cedar Park, the City of Leander, and their joint venture, the BCRUA, initially identified a site within a residential area of the separately incorporated Village of Volente as the "best choice" for their non-Village of Volente related industrial deep-water intake facility, raw water pipeline, and related facilities; and

WHEREAS the Village of Volente is a single family residential community with a limited number of commercial businesses, most of which are recreational businesses related to the use of Lake Travis for recreational purposes; and

WHEREAS, the Village of Volente council has not zoned any areas within its corporate limits as an industrial zone because such uses are incompatible with the existing residential and commercial land uses within the Village of Volente; and

WHEREAS, the Village of Volente is a Type B General Law municipality, which by Texas law is limited to two square miles within its corporate limits because of its current population; and

WHEREAS, because of the provisions of Texas law under which the Village was incorporated, the Village does not have an extra-territorial jurisdiction; and

WHEREAS, due to the foregoing factors, a majority of the citizens of the Village are opposed to construction and operation of industrial facilities within the corporate limits of the Village of Volente; and

WHEREAS, the Village of Volente council strongly believes that an incorporated municipality such as the Village of Volente should be entitled to control development within its own municipal boundaries and should not be forced by other municipalities against its will to have the construction and operation of industrial facilities within its corporate limits ; and

WHEREAS the Village of Volente council believes that the proposed industrial deep-water intake facility, raw water pipeline, and related facilities being designed and planned by the City of Round Rock, the City of Cedar Park, the City of Leander, and their joint venture, the BCRUA, would have a detrimental impact upon citizens of the Village of Volente if such facilities are located within the boundaries of the separately incorporated Village of Volente; therefore

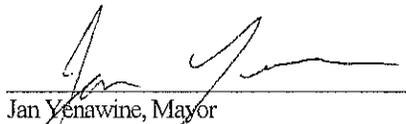
BE IT RESOLVED that the Village of Volente:

1. Opposes any efforts by the City of Round Rock, the City of Cedar Park, the City of Leander, or their joint venture, the BCRUA, to construct or operate a deep-water intake facility, raw water pipeline, or related facilities within the municipal boundaries of the Village of Volente; and

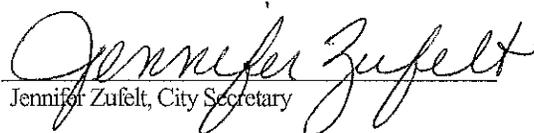
2. Urges the City of Round Rock, the City of Cedar Park, the City of Leander, and their joint venture, the BCRUA, to respect the Village of Volente's right and responsibility to control developments within its municipal boundaries to protect the health and welfare of its citizens; and

3. Requests the Texas Water Development Board not to participate in the financing of this project because it is inconsistent with the agency's mission "to provide leadership, planning financial assistance, information and education for the conservation and responsible development of Water for Texas".

PASSED AND APPROVED this 25 day of January 2008.


Jan Yenawine, Mayor

Attest:


Jennifer Zufelt, City Secretary