



**COMMUNITY ROUNDTABLE DISCUSSION:
OPEN TO THE PUBLIC
HOSTED BY:
JOHNSON COUNTY REPUBLICAN PARTY
EVERY 1ST TUESDAY**

MAY 2, 2023 @ 6:30 - 8:00 PM

**JOHNSON COUNTY REPUBLICAN PARTY HEADQUARTERS
210 S. MAIN ST., CLEBURNE, TX 76033**

MAY TOPIC: EXPENSIVE MUD/MMD ELECTIONS WHAT DOES THIS MEAN FOR CLEBURNE, GODLEY, AND CRESSON TAX PAYERS?

MORE INFORMATION & LINKS: <https://www.jcrvtx.com/MUDbonds.html>

CITY OF CLEBURNE: \$1.5 BILLION

Wright Farms Municipal Management District

HB 4744 created Wright Farms Municipal Management District (MMD) in September 2019 at a size of 366.96 acres. An analysis of HB 4744 which created Wright Farms MMD states that “The specific language of the legislation was negotiated between the landowner and the city.” As part of the legislation, the developer is required to enter into a development agreement before a confirmation election may be held of any improvements undertaken.

On March 22, 2022, the Cleburne City Council consented to creation of the MMD (a formality since the Legislature already approved the MMD) and approved the annexation of additional property into the MMD, increasing it to 552 acres in total. This action did NOT annex the property into the City of Cleburne. The property is in the extraterritorial jurisdiction (ETJ) of the City of Cleburne. The property is located south of CR 904 and approximately ¼ mile west of Chisholm Trail Parkway. That night, the City Council also approved a development agreement between the City and TCCI Wright Land, LLC for this property.

In general, Cleburne City Council approved the proposed development which would contain 1508 single-family residential lots ranging from a minimum of 4,800 to 7,000 square feet, 22 open space lots, and 35 acres designated for 575 multi-family residential units. Water for the development would be provided by the Johnson County Special Utility District and sewer service would be provided by the City of Cleburne. In July 2022, the Cleburne City Council approved a preliminary plat for this development (Lennar).

The ballot measure on May 6, 2023 seeks voter approval to confirm the District, approve multiple bond issuances and

bond refundings, and vote for directors of the District. Only “Duly Qualified Resident Voters of Wright Farms Municipal Management District” will be permitted to vote on this measure.

CITY OF GODLEY: \$963 MILLION

Belmont Municipal Utility District

HB 4723 created Belmont Municipal Utility District (MUD) in September 2019 at a size of 502.94 acres. The property is located within the extraterritorial jurisdiction (ETJ) of Godley, Texas. The legislation gives the district the authority to issue tax-exempt bonds and empowers it to impose a tax.

The developer of this property is known under several different names:

- Carrell Farms
- MAAK Enterprises, LLC
- TCCI Land Development
- K Carrell Ranch, LLC

The plat for the property contains about 1,700 lots.

09/28/2021: Preliminary Plat Submission. The preliminary plat was submitted electronically. There is no indication that the Plat failed to comply with the City’s subdivision regulations.

10/19/2021: First City Council Meeting. The City Council tabled approval of both the Plat and the Amendment because the city council said there was an unresolved issue with the amended development agreement. The Plat submission and the amended development agreement were listed as separate items on the agenda.

MORE...

GODLEY CON'T...

10/29/2021: Preliminary Plat Modified. TCCI modified the preliminary plat to enlarge lots, provide screening and a berm along the adjoining homes to satisfy some of the council and the Starlight Ranch residents' concerns.

11/02/2021: City Council Meeting. The meeting was canceled.

11/16/2021: City Council Meeting. The City Council tabled approval of both the preliminary plat and the amended development agreement because the city council said there was an unresolved issue with the Amendment. Once again, the preliminary plat submission and the amended development agreement were listed as separate items on the agenda.

12/07/2021: City Council Meeting. The city attorney suggested that the council enter into an executive session to discuss the approvals because thirty days had passed. The council returned from the executive session, and all five members voted to deny the Plat.

Despite the December 7 vote, the attorneys for Mr. Carrell argued that the Plat is deemed approved as a matter of law due to the City's inaction pursuant of § 212.009 of the Texas Local Government Code. More than 30 days had passed between the Plat submittal date and the December 7, 2021 meeting. Furthermore, the City did not provide written reasons for the disapproval vote as required by § 212.0091, Tex. Loc. Gov't Code. Mr. Carrell's attorney demanded the City certify for approval the Plat pursuant to Chapter 212, Tex. Loc. Gov't. Code.

The Godley City Council meeting of January 18, 2022 contained the following agenda items:

O. Discussion and possible action to terminate/end development agreement with MAAK Enterprises, L.P.'s Carrell Farms development, ceding authority to regulate the development to Johnson County. (City Attorney Cass Callaway and City Administrator David J. Wallis).

P. Discussion and possible action to approve the "First Amendment to Development Agreement" regarding MAAK Enterprises, L.P.'s Carrell Farms development. (City Engineer Glenn Breisch, City Administrator David J. Wallis, and Developers Kirk Carrell and Rich Alberque).

Q. Discussion and possible action on whether to certify the preliminary plat for the Carrell Farms development in light of demand letter and lawsuit threat of the developer. (City Administrator David J. Wallis, City Engineer Glenn Breisch, and Developers Kirk Carrell and Rich Alberque).

Per minutes from that meeting, Items O and P were tabled, and the Preliminary Plat which was the subject of Item Q was approved.

The ballot measure on the May 6, 2023 ballot seeks voter approval to Confirm the District, approve multiple bond issuances and bond refundings, and vote for directors of the District. Only "Duly Qualified Resident Voters of Belmont Municipal Utility District of Johnson County" will be permitted to vote on this measure.

CITY OF CRESSON: \$207 MILLION

Cresson Crossroads Municipal Utility District

The City of Cresson adopted an Ordinance in December 2016 that approved a petition requesting the creation of Cresson Crossroads Municipal Utility District #2, located entirely within the corporate limits of the City of Cresson.

Cresson Crossroads Municipal Utility District No. 2 was subsequently created by the Texas Legislature effective 6/9/17 (See TX Special District Local Laws Coder, Title 6, Subtitle F, Chapter 7968).

According to the website for Winstead public finance attorneys (who serve as general counsel and bond counsel to special districts providing water, sewer, drainage, roadway and transportation infrastructure for master-planned developments, commercial developments and mixed-use developments) it appears there could be two items on the ballot in May. One for Defined Area No. 1 and another for Defined Area No. 2.

The Public Utility Commission of Texas provides Water Utility information for Cresson Crossroads, LLC on their website.

Information available via the City of Cresson's website is limited, however a review of City Council minutes from a series of public hearings held from February-April of 2022 indicate one rezoning was approved in April of 2022. 427.29 acres of land owned by Mit-Mar (Joe Mitchell and Jim Martin of Granbury) was rezoned from Agriculture to Planned Development.

The City Council minutes of February 22, 2022 reflect that Mr. Jarred Reynolds of the Hood County and Upper Trinity Groundwater Conservation District assured residents that extensive water studies had been done and there is sufficient water supply for the proposed developments. He also stated that the development would not affect private wells.

Cresson incorporated 20 years ago but has never levied property taxes. Sales tax revenue has historically been sufficient to fund city services. Residents who spoke at the public hearings voiced concern about the future need for property tax if new development is allowed.

On January 10, 2023, it appears an additional 1080.74 acres was added to MUD2.