

SUBJECT: Granting road authority to the Ranch at Cypress Creek MUD No. 1

COMMITTEE: Land and Resource Management — favorable, without amendment

VOTE: 6 ayes — Craddick, Muñoz, C. Bell, Biedermann, Minjarez, Thierry
1 nay — Stickland
2 absent — Canales, Leman

WITNESSES: For — Troy Fielding, Ranch at Cypress Creek MUD No. 1; (*Registered, but did not testify*: Morgan Johnson, Ranch at Cypress Creek MUD No. 1; Arthur Simon)
Against — None

DIGEST: HB 4671 would modify the purpose, powers, and duties of the Ranch at Cypress Creek Municipal Utility District No. 1 and give the district the authority to engage in road projects and the ability to spend money collected through taxation on roads.

The bill would define the district’s purpose as a municipal utility district and a water control and improvement district. HB 4671 also would specify that the district was created to accomplish purposes related to the construction, acquisition, improvement, operation or maintenance of roads, as laid out in the Texas Constitution.

Under the bill, the district would have the authority to design, acquire, construct, finance, or otherwise improve or maintain certain road projects. Any road project would have to meet all applicable construction standards, zoning and subdivision requirements, and the regulations of each municipality or county in whose limits or jurisdiction the project was located, as applicable.

The bill would allow the district to convey a road to the state, a county, or a city for operation and maintenance. The Texas Transportation

Commission would have to approve the plans and specifications of any road project that the state would maintain and operate.

In order to enforce certain property restrictions as specified in the bill, the district could appoint an architectural committee for a subdivision located wholly inside the district that did not have an architectural committee or for an area of the district not located in a subdivision, unless the governing provisions of the subdivision prohibited the appointment of an architectural committee.

The bill would take effect September 1, 2019.

**SUPPORTERS
SAY:**

HB 4671 would give the Ranch at Cypress Creek Municipal Utility District No. 1 the ability to repair its own roads and to make appointments to architectural committees that have gone dormant, addressing two significant problems faced by the district's residents.

The district sits in Travis and Williamson counties, both of which are growing rapidly. This population growth has strained the local roads and the counties' ability to tend to them. Additionally, the chipseal method the counties use to repair the roads often leads to chips migrating into the storm drains, which causes the district to spend more resources on cleaning up the drains. In response to this growing problem, the district's board approved the use of operating and maintenance funds to assist the counties in maintaining roads. HB 4671 would allow the board to implement this new arrangement.

Many of the subdivisions within the boundaries of the district have legally binding restrictions stating that homeowners cannot modify the original construction of their homes without the approval of an architectural committee. Yet several of the subdivisions have not maintained their committees, and homeowners who wish to modify their homes are unable to do so. HB 4671 would address this issue by empowering the district to appoint architectural committees for these subdivisions.

OPPONENTS

HB 4671 would deviate from the template used by the Legislature to grant

SAY: road authority to municipal utility districts by including provisions regarding architectural committees. The standard template represents a consensus regarding best practices that legislators have developed over time. Because the provisions of the bill related to architectural committees have not been vetted in the same fashion as the other sections of the bill, their inclusion in HB 4671 could undermine the purpose of the standard template.