

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

| | |
|--|--|
| AGENDA OF: September 19, 2016 | ITEM NO.: Resolution No. R2016-165 |
| DATE SUBMITTED: September 13, 2016 | DEPARTMENT OF ORIGIN: City Secretary |
| PREPARED BY: Young Lorfing | PRESENTOR: Clay Pearson |
| REVIEWED BY: Clay Pearson | REVIEW DATE: September 8, 2016 |
| SUBJECT: Resolution No. R2016-165 - A Resolution of The City Council of the City of Pearland, requesting positive consideration, by the trustees of Fort Bend Independent School District (FBISD) and the Alvin Independent School District (AISD), of a petition submitted by the residents located in the FBISD portion of Shadow Creek Ranch requesting to be disannexed from the FBISD boundaries and annexed into the AISD boundaries. | |
| EXHIBITS: Resolution No. R2016-165 | |
| EXPENDITURE REQUIRED: N/A AMOUNT AVAILABLE: N/A ACCOUNT NO.: N/A | AMOUNT BUDGETED: N/A PROJECT NO.: N/A |
| ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A | |
| To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution | |

EXECUTIVE SUMMARY

City Council requested drafting of a resolution for consideration to support the efforts of Pearland residents seeking to detach from Ft. Bend Independent School District and instead to be annexed to the Alvin Independent School District, which is contiguous. A majority of property owners in the affected area have signed a petition for such an action. The adjustment of school district lines in this fashion is allowed by Title 2 of the Texas Education Code, Subtitle C, Chapter 13, Subchapter B, Section 13.051 "Detachment and Annexation."

The subject area is all part of the Shadow Creek Ranch Planned Development, a large cohesive mixed-use master plan community. The vast majority of the master plan community is within the Alvin Independent School District, except for the small western-most portion which is in the Ft. Bend Independent School District.

The attached resolution for the City Council's policy consideration has been drafted and is subject to any modifications that the City Council may wish to amend as part of its deliberation. If approved, the Pearland City Council policy resolution would be shared to the Alvin ISD and the Ft Bend County ISD school districts for use in their evaluation of the resident request. As required by the law, the Ft. Bend School District has a public hearing scheduled on the matter and AISD will do the same.

The resolution has been amended as discussed at the September 12, 2016 Council Meeting by removing the word positive from the caption and under Section 1.

RECOMMENDED ACTION

Consider and approve Resolution R2016-165.

RESOLUTION NO. R2016-165

A Resolution of The City Council of the City of Pearland, requesting consideration, by the trustees of Fort Bend Independent School District (FBISD) and the Alvin Independent School District (AISD), of a petition submitted by the residents located in the FBISD portion of Shadow Creek Ranch requesting to be disannexed from the FBISD boundaries and annexed into the AISD boundaries.

WHEREAS, the City of Pearland has interest and responsibility now, and into the future, for the orderly, sustainable, and quality development and maintenance of all property within its city limits and extraterritorial jurisdiction; and

WHEREAS, Shadow Creek Ranch is a large cohesive mixed-use master planned community that has consistently and successfully grown; and

WHEREAS, schools and public education are the foundation of neighborhoods and quality of life, and Shadow Creek Ranch is predominantly located within the boundaries of AISD; and,

WHEREAS, a very small portion of Shadow Creek Ranch, located on the western edge of the development just east of FM 521 (Almeda Road), is located within the boundaries of FBISD; and

WHEREAS, but FM 521 creates an accepted clear delineation between properties located further to the west and outside the boundaries of Shadow Creek Ranch; and

Whereas, the area within Shadow Creek Ranch currently zoned to FBISD is a considerable distance from FBISD schools, thereby making schools difficult to access due to challenges of the existing road network, making pedestrian and/or bike access to school and events unsafe; and

WHEREAS, AISD already has several school campuses located within the Shadow Creek that are safely accessible; and

WHEREAS, residents of Shadow Creek Ranch seeking the transition from FBISD to AISD have considered the matter, and believe they meet the allowable statutory guidelines for the trustees of both school districts to duly consider, in the best interest of the students and parents, meet the statutory requirements for contiguity, size of area affected, and size of tax base involved that would be transferred; and

RESOLUTION NO. R2016-165

WHEREAS, the City of Pearland has an interest in the public safety, mobility, and quality of neighborhoods where residents have a greater opportunity to meet and congregate with one another by engaging in school activities with their children together within Shadow Creek Ranch and the City acknowledges that this specific case represents a limited and unique set of circumstances not found elsewhere that would lead to additional future changes to the school district boundaries, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That the City Council of the City of Pearland requests consideration, by the trustees of FBISD and AISD, of the petition submitted by the residents in the FBISD portion of Shadow Creek Ranch to be disannexed from the FBISD boundaries and annexed into the AISD boundaries at the earliest opportunity.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ A.D.,
2016.

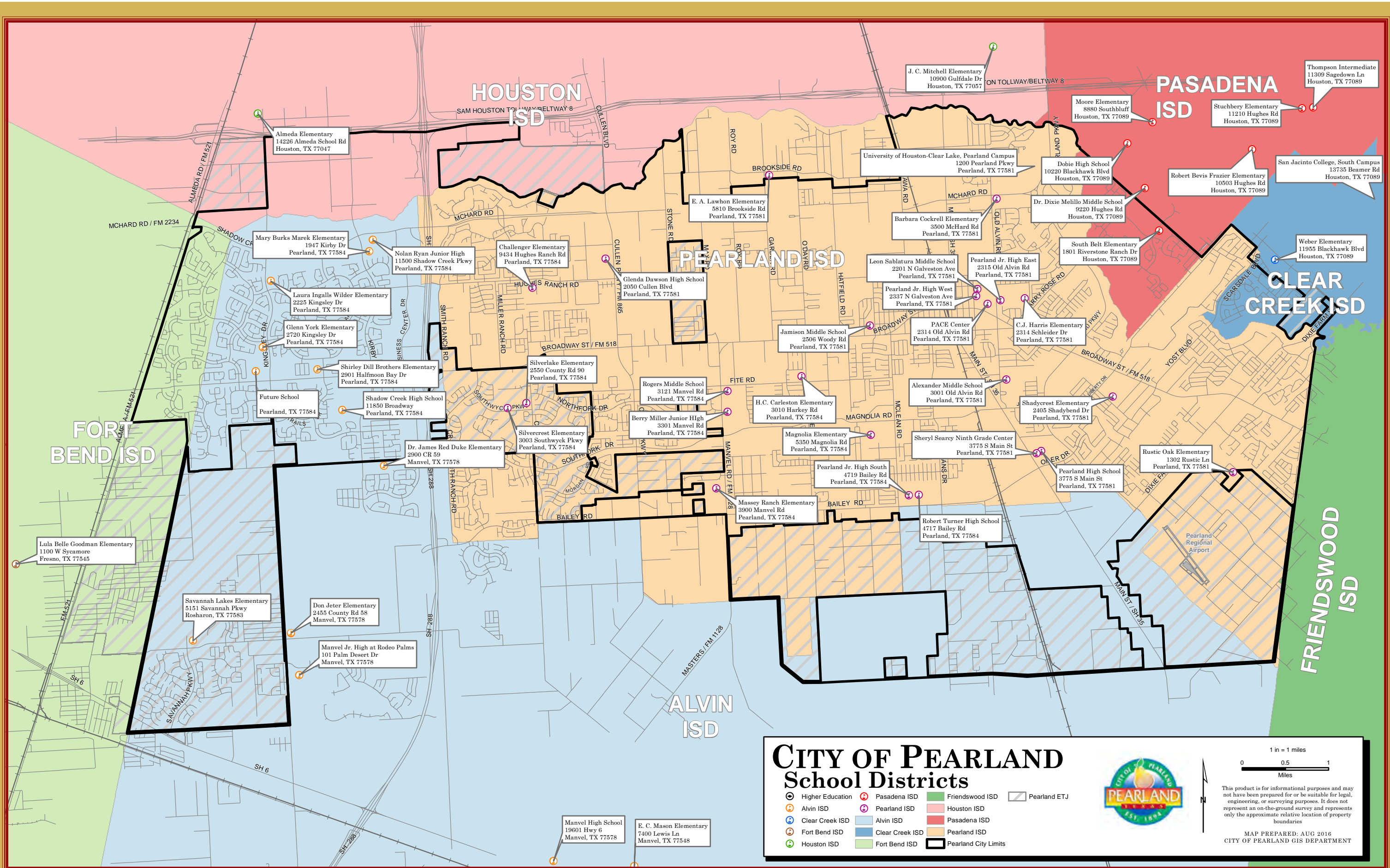
TOM REID
MAYOR

ATTEST:

YOUNGLORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:

DARRIN M. COKER
CITY ATTORNEY



CITY OF PEARLAND School Districts

- ⊙ Higher Education
- ⊙ Alvin ISD
- ⊙ Clear Creek ISD
- ⊙ Fort Bend ISD
- ⊙ Houston ISD
- ⊙ Pasadena ISD
- ⊙ Pearland ISD
- ⊙ Pearland ETJ
- ⊙ Friendswood ISD
- ⊙ Houston ISD
- ⊙ Pasadena ISD
- ⊙ Pearland ISD
- ⊙ Pearland City Limits



1 in = 1 miles
 0 0.5 1
 Miles

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

MAP PREPARED: AUG 2016
 CITY OF PEARLAND GIS DEPARTMENT

Manvel High School
 19601 Hwy 6
 Manvel, TX 77578

E. C. Mason Elementary
 7400 Lewis Ln
 Manvel, TX 77548