

Legislation Text

File #: 19-703, **Version:** 2

Presenter/Contact

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SUBJECT:

Discuss and consider approval of a resolution of the City Council of the City of New Braunfels, Texas, consenting to the creation of the Lake Dunlap Water Control and Improvement District.

BACKGROUND / RATIONALE:

On May 14, 2019, a catastrophic failure of one of the Lake Dunlap spillway gates occurred, causing the spillway gate to explosively detach from the dam and dewatering of the lake. The failure of the Lake Dunlap dam and dewatering of the lake will likely have a materially adverse effect on local property values, local businesses whose livelihood is related to the lake or lake recreation, and the ability of residents, tourists, and visitors to enjoy and use the lake. The decrease in property values may adversely affect tax collections by the local governments, including the City, local school districts, Guadalupe County and Comal County. GBRA has indicated that it is not financially feasible for the river authority to unilaterally fund repair or replacement of the dam and desires to work with affected property owners and local jurisdictions to identify solutions for funding repairs to, and future maintenance of, the Lake Dunlap Dam. As a possible funding solution for the repair of the dam at Lake Dunlap, the owners of real property with frontage along Lake Dunlap desire to create a conservation and reclamation district to work with GBRA to facilitate the repair or replacement of the dam and to provide financing for future maintenance and operation costs. Affected property owners desire that the City consent to the creation of water control and improvement district to be named "Lake Dunlap Water Control and Improvement District", a proposed conservation and reclamation district of the State of Texas that would be created and would operate pursuant to Chapters 49 and 51 of the Texas Water Code (the "District"). The general nature of the work proposed to be done by the District at the present time is to investigate, acquire, construct, own, maintain, and operate necessary improvements, works, and facilities, and all other properties, land, tenements, materials, easements, rights-of-way, and everything considered necessary, incident, or helpful to accomplish by any practicable means any one or more of the purposes of a water control and improvement district. Without limitation, it is contemplated that the District would work with GBRA to finance, build, construct, improve, reconstruct, repair and maintain dams, structures, facilities and equipment in aid thereof, in order to store and preserve the waters within Lake Dunlap. The territory proposed to be included in the District generally consists of all waterfront real property on Lake Dunlap from the spillway upstream of Faust Bridge to the dam with Lake McQueeney, on both sides of Lake Dunlap. Some real property that is contiguous to Lake Dunlap is located within the corporate boundaries of the City. The City Council of the City of New Braunfels adoption of this resolution will evidence the City's desire to facilitate the repair of the Lake Dunlap Dam, and specifically to grant its written consent to the creation of, and inclusion of real property within, the District.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

N/A