

CITIZENS ALLIANCE FOR RESPONSIBLE DEVELOPMENT (CARD)
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April 26, 2013

To: Citizens of Wimberley Valley and Hays County

From: CARD Steering Committee

Re: Report on Town Hall Meeting held Thursday, 4/25/2013 at Wimberley Community Center

More than 400 concerned Hays County citizens gathered at the Wimberley Community Center Thursday evening, April 25, to speak their mind on legislation affecting the future of our area. Citizens Alliance for Responsible Development (CARD) hosted the meeting about plans to turn the 5,000 acre Needmore Ranch – the former O’Quinn Ranch – into a Municipal Utility District (MUD) adjacent to Wimberley. Attendees filled 300 chairs, fully lined back and side walls and over-flowed into the building’s lobby. Brookshire Brothers lot was filled; attendees parked as far away as The Leaning Pear restaurant.

Also invited and attending were State Rep. Jason Isaac (R-Dist. 45) and Hays County Commissioner Will Conley (R-Pct. 3), Wimberley Mayor Bob Flocke and several members of the city council. State Senator Donna Campbell (R-Dist. 25) was represented by her communications director John Oliver. All attendees were welcomed to speak; more than 25 signed up to do so.

Needmore Ranch is owned by McAllen businessman Greg LaMantia. At his request, Sen. Campbell and Rep. Isaac recently filed companion bills, SB 1868 and HB 3918, in the State Legislature to create the Needmore Ranch Municipal Utilities District #1, to include all of the ranch property except the estimated 980 acres within the city of Wimberley’s planning jurisdiction (ETJ). A MUD gives owners rights far beyond standard property rights. Like a municipality it has power to levy taxes, effect eminent domain, get tax exempt bond financing, and other powers listed in the statute. The bills are being routed through the “local and consent” state legislative process which almost assures their passage unless challenged by another legislator. Currently the bills are pending near final action in the Senate and House.

Alarmed by the potential impact a 4,000+ acre MUD-empowered development could have on our area’s limited aquifer water supply, roads, schools, and the Blanco River, CARD called the meeting to allow citizen input and ask the legislators to explain their actions and seek withdrawal of the bills.

Invited to speak first, Rep. Isaac framed the MUD as a simple property rights bill. Isaac contended that Mr. LaMantia has a private property right to obtain government approval of a MUD, which Isaac called a “traditional right”. Oliver, speaking for Sen. Campbell, criticized CARD for calling the meeting. He also argued Mr. LaMantia’s basic private property right to get the added governmental powers. He claimed the bills were not fast-tracked, though they were filed April 3-4 without support of local government.

The MUD bills are opposed by Hays County and by a resolution from the city of Wimberley. Lila McCall read Com. Conley’s letter of opposition. CARD’s moderator, Jim McMeans read the City of Wimberley’s resolution of opposition. McMeans then began calling speakers from the audience to the podium.

Among the first was an attorney who quietly broke down the details of the MUD. He indicated Rep. Isaac's representation was misleading, and pointed out that all of the protections for other local property owners that Isaac said were in the legislation were not actually in the bill, but were only oral agreements not valid in court. Isaac eventually conceded this was correct.

- One speaker noted that Hays County regulations allow development to a variety of residential densities within the ranch – ranging from 1,500 lots with individual wells and septic, and up to 6,900 lots with full piped water and sewer utilities, for a population of up to 16,000 persons. This development is possible with or without a MUD, but a MUD would give the developer very favorable financing for the project. Many others pointed out the tax breaks of a MUD.
- Several challenged the premise that LaMantia has a basic property right to a MUD created by governmental action. One explained that MUDs have been used in Texas to stimulate development where there is a direct benefit to an area and the area desires that development. He added, as did others, that every property owner has a basic property right to use and develop his/her property following established policies that are available to everyone.
- Another speaker explained the use of MUDs within Texas and shared some of the problems that occur with them. A speaker from a local home owners association spoke of his concern for traffic that might exit the large development into his subdivision and also problems he had encountered in working with LaMantia on an emergency access easement.
- A speaker noted the importance of the spring flows from the Fern Bank Springs on the Blanco adjacent to the ranch and the presence of a federally endangered species at that site. She explained that flows along the Blanco River would be threatened by excessive Needmore pumping and noted that Blanco River flows contribute to the flows into Barton Springs during drought.
- Several speakers questioned Isaac's and Campbell's motivation to seek a MUD for Mr. LaMantia. One detailed the LaMantia family's high political campaign contributions. Other speakers expressed their concern for the environment and for the well flows of other property owners from over pumping of groundwater likely with the potential dense development of the ranch property.

After questions from the audience to Conley, Isaac, and Oliver, Rep. Isaac agreed that based on the concerns of the community, certain changes could be made in the bill. He said he would work with Conley the following day (Friday) to make the bill more acceptable. Conley stated that both bills would likely be approved by the House and Senate and the best option was to try to revise the bills to achieve a compromise. Isaac said he will not withdraw the bills, but will work on a compromise.

An estimated 200 people stayed until meeting end at 9:30 p.m., after which many lingered past 10 p.m. to engage in discussions with Isaac, Conley, Oliver and CARD members.

CARD Chair Louis Parks expresses CARD's gratitude to all the elected officials and citizens who participated. "We are immensely proud of our community for speaking out," Parks says.

Respectfully, Louis Parks, CARD Chair, and Jim McMeans, Moderator/CARD member.