



# Disannexation

LCNA Presentation 1.31.21



# Roadmap

- Recent Timeline
- Recap of Benefits
- Moving Forward and Next Steps
- Legislation
- Answers to questions I've been asked

# Brief Recent Timeline

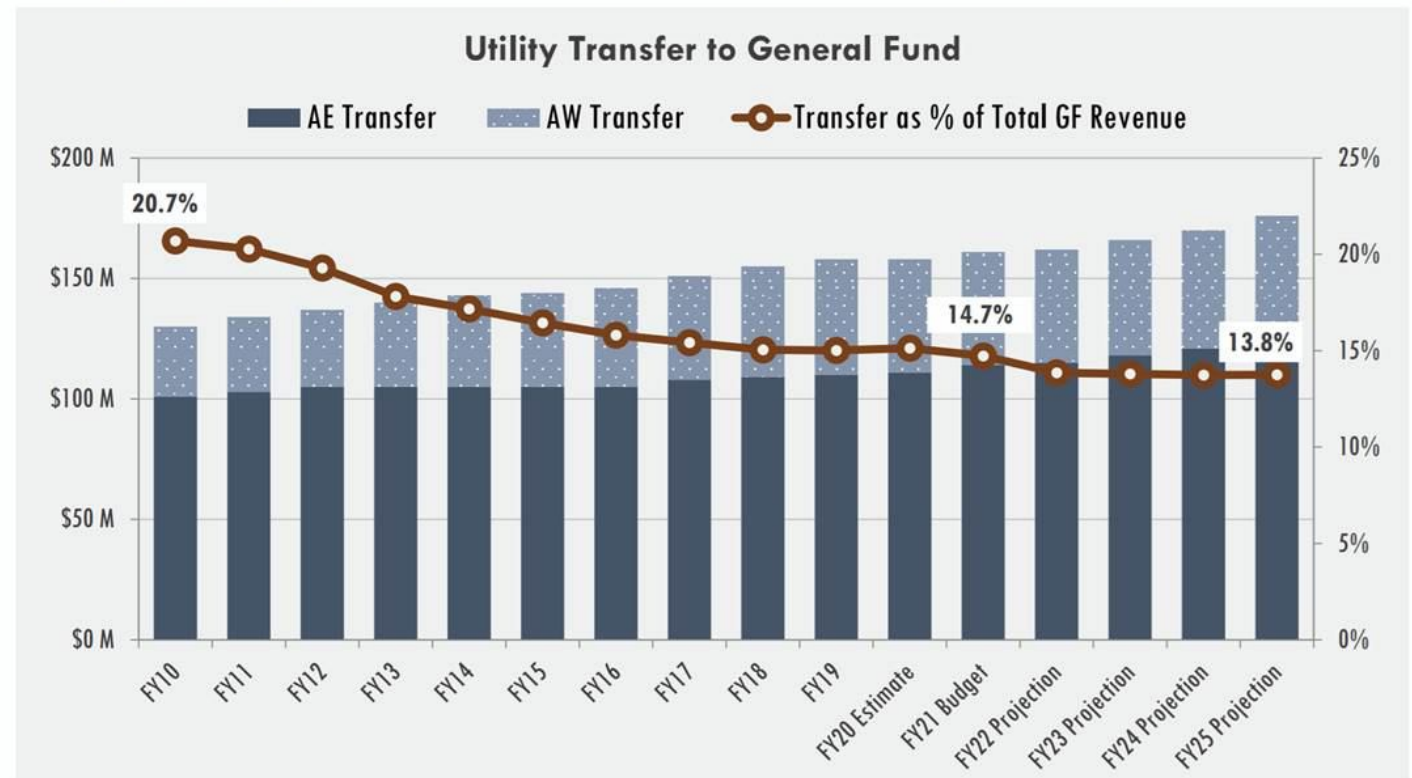
The logo for change.org, featuring the word "change" in white lowercase letters and ".org" in white lowercase letters, both set against a red rectangular background.

- November Limited District discussion on disannexation
- Save Lost Creek launches change.org petition – neighborhood interest? [1,200+ signatures]
- December LCNA member meeting presentation
- January LCNA board meeting discussion
- Save Lost Creek launches savelostcreek.com and a FB page
- January LCNA member meeting discussion



# Recap of Disannexation Benefits

**Immediate  
property  
tax savings  
[Berend]**



# Recap of Disannexation Benefits

- **Private trash service**
  - trash costs have tripled
  - Recycling now only every other week
  - [Howry]
- **Return to Weslake FD fire plan**



# Recap of Disannexation Benefits

- **Would not be affected by CodeNEXT – and its multi-family housing**
- **Current plans for 360 overpass could create a homeless camp in front of our neighborhood.** Current 360 project plans recommend an overpass in front of Lost Creek. Austin's overpasses have created "tent cities." Disannexation would allow Lost Creek to control the right of way at the neighborhood entrance.
  - **Officer Visi – cannot prevent if still in the City of Austin**

# Recap of Disannexation Benefits

- **Return to Travis County Sheriff for public safety**
- **Crime is Going Up**
  - [stories from neighbors]
- **Just Anecdotal? No**
  - Currently paying for off-duty Sheriff patrols
  - Empty parked police cruiser at front of neighborhood
  - Open records request
- **These reductions in services are a violation of state law, and the City's forcible annexation of Lost Creek would not be legal if they tried to do it today**



# So What are We Doing About it?

## Since December Meeting:

- Senator Dawn Buckingham
  - Has agreed to champion legislation
  - “I am looking forward to fighting the good with you”
  - Grew up in Lost Creek (may get it in redistricting)
- Governor Greg Abbott
  - “We’re on board” – Deputy Chief of Staff
  - Already going after the City
- Senate Committee Assignments
  - Local Government Committee
    - chaired by Senator Paul Bettencourt





# Since December Meeting

- Travis County Sheriff
  - Remembers filling out reports in MUD buildings
  - Asked to meet with LCCCC
  - Willing to give favorable written testimony
  - Automatically pick up services
- Westlake FD Chief
  - Offered up language on bracketing
  - May not be automatic
- Lost Creek Country Club
  - Will run language past their GC
- Attorney General and TPPF General Counsel (more on this later)





# The Bill Draft

- Currently being drafted by Legislative Council – constant contact:
- Needs to be bracketed to Lost Creek
- Needs to require the City of Austin to retain ownership of the water facilities and also require the City to continue servicing Lost Creek for water and wastewater at “same or substantially the same” as currently servicing levels and costs
- Requires the City of Westlake to resume fire service as they did before annexation.
- Requires Travis County to resume services as they did before annexation, including police, emergency, and road maintenance
- Prevents the City of Austin from retaliating against the neighborhood



# Next Steps

- LCNA membership approval – shows institutional support
- LCNA funding discussion (next discussion)
- Receive bill draft language and get approval from key stakeholders
- Have Bill Filed
- Savelostcreek.com alerts for action – re: calls and letters, testimony, etc.
- Pass the bill and disannex from the city
  - Unclear at this point if can be done with Governor's signature or need a vote
    - Waiting on lege council draft, part of funding is for a drafter with local experience



# Chances of Success at the Legislature

- State leadership is “on board” with our proposed legislation
  - This is the best shot we’re going to get
- We have a Champion, a select committee for this purpose, the Governor’s support
- Travis County legislator told me “the votes are there for your bill.”
- Team of experienced lobbyists working on this pro-bono
- City of Austin will have so many fights, this is not even close to the biggest thing on their list



# Chances of Success at the Legislature

- For example, Governor's priorities this session include:
  - Overturning Austin's homeless camping ban
  - Punishing cities that "defund the police"
  - Banning taxpayer funded lobbying
- And those are just the ones he will mention in the State of the State speech tomorrow night



## A2: City Retaliation

- Will the City of Austin sue us if we're successful?
  - Perhaps, I have spoken with the general council at TPPF, an organization that fights government overreach, and he said:
    - The City won't have standing, who would they sue? What entity? The LD didn't violate the SPA
    - Added, even if they find a trial court to take them in Austin, the Third Court of Appeals and the Texas Supreme Court would side with you
  - I have spoken with staff at the Attorney General's office as well who had similar comments
  - Both groups indicated they would represent us if Austin did sue
    - Both groups would be free representation



## A2: The City Might Take the Limited District

- The City likes having the LD, and even if they wanted to punish us, they wouldn't want to harm themselves in the process
- There is a separate bill being worked on to protect the LD away from this fight
- This argument presumes that we should voluntarily give up on our chance at lower taxes, sheriff protection, etc. for something the city might do 5 years from now, with no assurances they won't do it anyway



# Any Questions?

We have a once in a lifetime chance to get our neighborhood back.

With the threat of multi-family housing from Code NEXT, runaway utility costs to fund the City's pet projects, serious crime, and a homeless camp under our new overpass on 360, don't you think it's worth it to try?

[Savelostcreek.com](http://Savelostcreek.com)