

# AROUND THE BEND

October, 2015 Vol. XXXII, Issue 1

## Hudson Bend Colony Neighborhood Association

*From Article II of our Bylaws: The purpose of the Association shall be to protect and promote the quality of life and the value of property in our neighborhood.*



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## President's Message

*Kyle Adams*

This is my first chance to write the message from the president column, and I'd like to take his opportunity to thank our out-going president, Kyle Kelly, for her efforts during her tenure as president. She did a great job, and I can only hope that my term will be as successful.

I especially want to thank our Vice President, Charles Gault, for hosting our annual meeting and also our trash disposal, scheduled for November 14<sup>th</sup>. This is free for members, and other property owners can participate by becoming members at that time. Our annual fee of \$40 is less than we would expect to pay as individuals for this opportunity. Finally, I'd like to thank Charlie for handling these details while I spend some time in the hospital.

We're pleased to welcome two long-time residents back to the Board as Directors. Gary Paisley, who served for years as an officer, has returned with his wife Marsha from several years of working in Dallas. Carole Sikes, a member of a pioneer family in this area, has written a book on the history of our neighborhood and was a featured speaker at our annual meeting.

As we all know, an effort is underway to incorporate Hudson Bend. Director Gary Paisley has written an article in this newsletter

setting forth the choices and asking for opinions from our members and neighbors. Director Carole Sikes has written about her own views on the matter, also presented below.

We are eager to hear the views of readers of this newsletter and to know whether we should, as an Association, take a position.

Again, thanks for the opportunity to serve as President, and give us feedback on any issues concerning our neighborhood.

## Hudson Bend Incorporation Issues

*Gary Paisley, Director*

### Annexation Issues

From the City of Austin (COA) web site: "The extraterritorial jurisdiction (ETJ) is the unincorporated land within five miles of Austin's full purpose city limit that is not within the city limits or ETJ of another city. It is the territory where Austin alone is authorized to annex land. The ETJ represents a city's future tax base and municipal service area and ensures a city's ability to capture its fair share of regional growth. The ETJ also enables the City to extend regulations to adjacent land where development can affect quality of life within the city. ETJ regulations help to ensure that subdivisions that may be annexed by Austin in the future meet certain minimum standards."

If a city annexes an area, they do not immediately have to annex the MUD or WCID that serves that area. If the MUD/WCID carries debt then the residents could pay not only a new city tax but also the existing MUD/WCID taxes in order to pay down that debt. MUD/WCID debt apparently is not a deterrent for area annexation.

River Place will be annexed in 2017, looking at a map one can see why many Steiner Ranch residents feel that they will be next. The annexation of Vaught Ranch at 2222 and City Park road hearings occurred in October 2015. Apache Shores is just west of Steiner Ranch across Lake Austin, and Hudson Bend is north across Lake Travis. Both Steiner Ranch and Apache Shores residents have on their own initiative suggested adding their areas (and their annexation woes) to the Hudson Bend Incorporation effort. Since Steiner Ranch adjoins River Place, their efforts are apparently doomed, as Hudson Bend will be when it adjoins an annexed area.

Hudson Bend has been specifically within Austin’s ETJ since at 1986 with the passage of the COA Comprehensive Watersheds Ordinance. Prior to that time, in 1974, COA began enforcing water shed protection by the passage of the first Waterway Ordinance, which implied jurisdiction over Hudson Bend. Currently, all of Hudson Bend is within the Austin 5 mile ETJ, and about half is within the Austin 2 mile ETJ. The closest Austin City Limit is at Mansfield Dam.

State Law, since 2007, requires sellers of property in Hudson Bend to disclose that the property is within the ETJ of Austin, Texas, and further can be annexed into the city of Austin. This form is found at the WCID 17 website or office. From that form “By law, property within a district located in the extraterritorial jurisdiction of a municipality may be annexed by the municipality without the consent of the district or the voters of the district.” Sellers and purchasers are required to acknowledge and sign the notification.

The COA watershed ordinances, updated in 2013, apply development limitations via amounts of impervious cover, land gradients, storm runoff, flood control, etc by type of watershed. The Hudson Bend peninsula is classified as Water

Supply Rural (water originating in Hudson Bend becomes part of the Austin water supply) .The intent of these ordinances is to protect water quality specifically, and quality of life in general and ensure growth in Austin, Texas. Land owners and property developers in COA ETJ have felt the mixed impact of these regulations.

### **Incorporation Issues**

Volente voters favored incorporation by a resident vote of 170 to 146 in 2003 and was released from COA ETJ. Development restrictions were initially more restrictive than COA, but since that time the composition of the voters and city council has changed and changes have occurred to zoning.

Volente is being used as an incorporation model and playbook for the effort to incorporate Hudson Bend. Volente population was 520 in 2010, and is 5 sq. miles. The Hudson Bend census-designated place has about 15% undeveloped land of the total 6.7 sq. miles (~4300 acres) and population of around 3000. Volente has a much higher percentage of potentially developable land. The 2014-2015 Volente budgets had \$328,600 total revenue and the biggest line item was compensation and benefits for \$120,000. Details of the Volente governmental affairs are readily available on line. Using publically available tax record data from Travis County, and a GIS system, independent efforts established a Hudson Bend property tax base of about \$580 million dollars, and using a tax rate 0.07 per hundred (COA is 0.48) would yield \$400,000 . Any Sales tax revenue has not been included

Volente in 2009 modified original and gradient development construction limitations of 15% to allow structures on land gradients as high as 35%, and driveways on gradients up to 40%, provided that “Best Management Practice” erosion controls are approved by the Village

engineer, the Village Council on a case by case basis and are used. The 2014 COA ETJ release of Lake Travis waterway and the subsequent Volente annexation of a portion of the Lime Creek arm of Lake Travis highlight an Interlocal Cooperation Agreement which specifies the development constraints on boat docks, marinas, etc. below the 681 ft. contour. The adjoining Lake Travis waterway including Starnes Island was released from Austin ETJ to Jonestown at the same time. Jonestown and Volente now have jurisdiction over their waterfront and waterways.

COA regulations and permit applications for development appear daunting, and one often hears claims that in the ETJ that they are not being enforced.

Incorporation of Hudson Bend, in a similar manner to Volente would give local control to Hudson Bend residents over zoning and development, which many would prefer. The document produced by the Hudson Bend Incorporation Committee, [http://www.hudsonbend.com/HB\\_meeting\\_4\\_handout.pdf](http://www.hudsonbend.com/HB_meeting_4_handout.pdf) goes into detail on taxes and city staffing which are supported by the Volente experience. Certainly oversight of our affairs should be much better than Austin because we are local and see our environment on a frequent basis. A recent COA regular council meeting minutes documented well over 100 items that were discussed. No wonder Hudson Bend has been ignored. After visiting all of COA’s Councilman Offices and speaking with their staff, a common reaction was “so where is Hudson Bend?”

The Hudson Bend Incorporation Committee asked the COA if they would release the Hudson Bend area from COA ETJ. As this was an informal request, their response was quick and to the point – Austin would not release Hudson Bend from their ETJ, and the reason was

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because of environmental regulations.

In that response COA also mentioned the option of a Limited Purpose Annexation (LPA), as Comanche Trail – Oasis area just across the lake was done as when COA annexed over 45,000 acres for limited purposes between 1980 and 1987. HBIC is opposed to that idea, because the area would then remain a zoning development orphan. A 99 year term LPA might work for some, but COA would likely not want that long of term, even though they've done it before on Lake Austin. The real odds of Austin releasing Hudson Bend from its ETJ continue to diminish with time. This is probably the last even remotely feasible opportunity we will have. If by an official election vote if Hudson Bend asks to be annexed then they have 6 months to review all the issues and decide our fate. Currently, COA is an organization that is frantically trying to cope with astounding population growth. Should they accept the financial and resource benefits given certain obligatory administrative and financial burdens?

From a 2009 COA planning document : "Annexation to the west is complicated by the difficulty of extending municipal services due to the hilly terrain, limited road network, environmental sensitivity, Lake Travis, and the presence of large habitat preserves. Austin occasionally releases ETJ on the city's north and west sides to the ETJs of other municipalities that have a greater capacity to annex and serve land isolated from Austin. Requests from other cities are evaluated according to the City's ETJ Release Policy". While the legislative effort to

allow residents of areas being annexed consent in the process is certainly a noble cause, the many historical efforts have always failed, and the changing demographics of Texas indicate that there will be less support in the future. Cities have a

lot more at stake and lobbyists than an individual area.

## A Personal Opinion On Incorporation

*Carole Sikes, Director*

Most do not want to be annexed by the city of Austin. The most informed person about when that might happen is City Planner Virginia Collier. When asked by the Hudson Bend Incorporation Committee (HBIC) desiring to create a city of Hudson Bend, Collier responded that it might be 30 to 40 years before Austin would move to annex Hudson Bend. There are many more densely populated neighborhoods with greater tax bases that Austin could annex before they take aim at our area.

Many think that incorporation is a foolish idea. The taxes saved by delaying another layer of government for as long as possible will compensate for future Austin city taxes when annexation actually occurs. I'm not at all convinced that a government run by local volunteers is practicable or efficient. There will be a need to hire professionals to help with legal matters, appraisals, tax collecting and record keeping. The cost of maintaining roads and places for a volunteer staff to meet and work has not been calculated. Volunteering is commendable, but governing takes long hours and compensation eventually would be expected. An expressed goal of those wishing for incorporation is to impose codes but without police or a judicial system there is no way to achieve compliance. I believe the Hudson Bend Incorporation Committee has underestimated the taxes necessary to be levied. Others neighbors in Hudson Bend choose to support those representatives who continue to

### HBCNA HUDSON BEND ANNEXATION OPINION SURVEY

**We would like to know the opinions of our members and neighbors on the annexation question, as separate from the other surveys being taken. Here are the options as outlined by Director Gary Paisley:**

1. Continue to do nothing, Austin will ultimately annex Hudson Bend (Leads to high taxes)
2. Attempt to be released from COA ETJ Incorporate as a City (Apply local zoning, Taxes go up some)
3. Attempt to create State legislature that will release Hudson Bend from Austin ETJ
4. Attempt to apply for a Limited Purpose Annexation (LPA) from COA (Fixed term, 30 - 99 years, ultimately Hudson Bend will be annexed. No city taxes during the term, do not receive full city services, Representation on City Council, MUDS can share sales tax revenue with the LPA area, COA Zoning)
5. Attempt to be annexed by Lakeway, Volente or Jonestown
6. Other

**If you are willing to express an opinion, please send an email to me at [scscorp@earthlink.net](mailto:scscorp@earthlink.net), giving your name, property address, your preference among the options above, and any comments for the Board members.**

*Tom Sciance, Treasurer*

sponsor legislation in our state house that might prevent cities from annexing areas against their wishes. Meanwhile let's keep cool heads while we study other neighborhoods around Austin. Some have successfully incorporated and others have experienced disasters when doing so. I would like urge you to participate in a poll conducted by a group called Hudson Bend Property Owners Alliance (HBPOA), Please leave a message at 512-266-1139 or 51436-9219 and you will be mailed the one page survey.

### **Favorite Recipes**

*Elizabeth Brunet, Director*

#### **Apple Chickpea Hash**

**Ingredients:**

- 1 large onion, sliced
- 2 small apples or one large apple, diced
- 1 can chickpeas
- 1 tablespoon maple syrup
- 1 handful kale

**Directions:**

1. In a large skillet, heat oil and sauté onions until they caramelize, about 7 minutes.
2. Add apple chunks to the onions and stir.
3. Add chickpeas to the pan and stir.
4. Pour maple syrup over the mixture and stir well. This would also be the time to add any extra spices (I recommend coriander and thyme – and salt and pepper of course).
5. Tear the kale into large chunks. Add the kale pieces to the pan and cover until the kale wilts, about 5 minutes.
6. Once the kale has wilted, remove from heat and serve immediately. For leftovers, cool

to room temperature and then store in an airtight container in the fridge for up to 5 days.

#### **Apple Bacon Stuffed Sweet Potato**

**Ingredients:**

- 1 sweet potato
- 1 slice (turkey) bacon, chopped
- 1 apple, diced
- 1/4 teaspoon nutmeg
- 1/4 teaspoon salt
- 1/4 teaspoon pepper
- 1/4 teaspoon cinnamon

**Directions:**

1. Poke holes in sweet potato with a fork and wrap tightly in aluminum foil.
2. Bake for 45 minutes at 350°F until potato is soft inside. Unwrap foil and cut a slit down the middle of each sweet potato. Let sit until cool enough to handle. (If you don't have an oven, you can microwave it in a microwave-safe plate for 6 minutes).
3. While potatoes are baking, heat a skillet over medium heat. Add bacon and cook until crispy and place on a paper towel to drain.
4. Add apple chunks to the skillet with nutmeg, cinnamon, salt and pepper and cook until soft. Toss bacon back into the skillet and set aside.
5. Spoon the apple bacon mixture on top and serve!

#### **Winter Visitors**

*Tom Struppeck, Director*

It has started to get cooler recently and with the change in temperature, comes a change in the birds that we see. This week a new bird showed up in our backyard, a yellow-bellied sapsucker.



These birds look a lot like woodpeckers, but you can always tell it's a sapsucker if the bird has a white stripe on the wing. Sapsuckers are also not as noisy as woodpeckers; they do however drum and drill small shallow holes in the bark of trees. The tree sap slowly oozes out of the holes and attracts insects. Later, the sapsucker will return to eat the insects and drink the sap. These birds winter over in the Central Texas region. In the spring, April or so, they will return up north, breeding and summering in Canada and parts of northern US. Woodpeckers, like the Red-bellied and Golden-fronted, remain here in Central Texas year round. As the northern birds are making their way south to Hudson Bend, other migratory birds that winter in South Texas or Mexico, such as Hummingbirds and the Golden-Cheeked Warbler, have left our area. They'll return in the spring. Our area always has birds coming and going. So, don't be surprised if you see or hear an unfamiliar bird, because the birds that we have locally are always changing.

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## George Zentichko

*Marsha Paisley*



We are saddened by the loss of our long time neighbor and friend, George Zentichko on October 11, 2015 at Lakeway Regional Hospital of a massive heart attack. He was 59. George was the son of the late George and Amelia Zentichko of Ambridge, Pa. He was the brother of Donna Bennett, brother-in-law of Gary Bennett and uncle to Scott Bennett and Cody Morales. George also leaves behind his fiancé Kathy Kotton and his dog Pilot. George was the owner of By George Carpets and had done carpets in the Austin area since the late 70's. He worked for many neighbors and friends as well. George took pride in his yard and loved his arrowhead collection, in addition to enjoying fishing. We will really miss him.

## A Recent Scam Warning

*Tom Sciance, Treasurer*

I received a warning from UTA this week about several reports of IRS scam phone calls. These callers may demand money or may say you have a refund due and try to trick you into sharing private information. These con artists can sound convincing when they call. They may know a lot about you, and they usually alter the caller ID to make it look like the IRS is calling. They use fake names and bogus IRS identification badge numbers. If you don't answer, they often leave an "urgent" callback request.

The IRS reminds people that they can know pretty easily when a supposed IRS caller is a fake. Here are five things the scammers often do but the **IRS will not do**. Any one of these five things is a tell-tale sign of a scam.

The IRS will never:

- Call to demand immediate payment or about taxes owed without first sending a bill.
- Demand for payment without giving you the opportunity to question or appeal.
- Require a specific method for payment, such as a prepaid debit card.
- Ask for credit or debit numbers over the phone.
- Threaten to bring in local police or other law-enforcement groups to have you arrested for not paying.

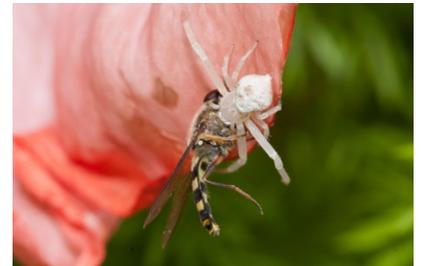
## Local Spiders

*Tom Struppeck, Director*

As it gets colder, we'll see fewer and fewer insects and spiders, but when they are active they can be very impressive. Here are two spiders that we recently had on our property.



First we have a cat-faced orb weaver. This spider's body is about two inches across. Its coloration pattern looks like a cat's face. This illusion presumably keeps birds from attacking it. This spider is an orb weaver, meaning that it hunts by catching prey in its web.



The second spider is a crab spider. In this photo you can see that the spider has caught its prey and is eating it. Crab spiders are ambush hunters, hiding inside of flowers and grabbing their prey when the victim comes to the flower to feed.

[See our website at www.hbcna.com](http://www.hbcna.com)

HUDSON BEND COLONY  
NEIGHBORHOOD ASSOCIATION  
16658 FOREST WAY  
AUSTIN, TX 78734



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