

RESOLUTION NO._____

WHEREAS, Momark Development (“Momark”) has filed special legislation that would create a municipal management district (“District”) partly in the City’s full purpose jurisdiction and partly in the City’s limited purpose jurisdiction; and

WHEREAS, the proposed District encompasses approximately 700 acres of land that is located east of IH 35 south of Nuckols Crossing Road; and

WHEREAS, the proposed legislation would provide for the District to be enabled only if the City and Momark successfully negotiate and execute a Consent Agreement that is approved by the City Council within a specified time; and

WHEREAS, the proposed District is intended to provide improvements and services funded through the District, to provide additional sources of revenue for the City of Austin to operate and maintain the Onion Creek Metro Park ; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council consents to special legislation that would create Onion Creek Metro Park District in the City’s preferred growth area, such consent being conditioned on inclusion of the following terms in the legislation creating the District:

1. Execution of an agreement (“Consent Agreement”) consenting to the creation of the district and the inclusion of land within the district before permanent board directors are appointed;
2. The Consent Agreement is deemed valid and enforceable;
3. The District will dissolve automatically on September 1, 2014, if a Consent Agreement is not executed between the District and the City;

This City Council resolution consents only to the legislation and is not authorization for the district to become operational, exercise powers, or hold elections for permanent directors of the district.

APPROVED: _____, 2013

ATTEST: _____

Janette S. Goodall
City Clerk