

ORDINANCE NO.

**AN ORDINANCE ADOPTING A STRATEGIC PARTNERSHIP AGREEMENT
WITH THE SHADY HOLLOW MUNICIPAL UTILITY DISTRICT.**

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

PART 1. The City Council finds that:

- (A) The City of Austin and the Shady Hollow Municipal Utility District (“District”) negotiated a Strategic Partnership Agreement (“Agreement”), attached as Exhibit 1 to this ordinance, specifying the terms of full-purpose annexation of territory within the District, as described in Exhibit 2 to this ordinance.
- (B) The Agreement, and the Service Plan attached as Exhibit D to the Agreement, serve the interests of the current and future residents of the City of Austin.
- (C) Notices for two public hearings concerning adoption of the Agreement and the annexation of territory within the District for full purposes were published in a newspaper of general circulation in the District and in the City.
- (D) The City conducted public hearings regarding the Agreement and the annexation of territory within the District for full purposes at Austin City Hall on September 26, 2013, and on October 3, 2013.
- (E) The District conducted two public hearings regarding the Agreement on August 11, 2013, and on September 3, 2013.
- (F) The Agreement and the Service Plan were made available prior to the public hearings in accordance with the annexation requirements of the Local Government Code.
- (G) The Service Plan was explained at the public hearings regarding the Agreement.
- (H) The Agreement was adopted by the Board of Directors of the District on September 3, 2013, in accordance with Section 43.0751 of the Local Government Code.

(I) All procedural requirements imposed by state law have been met for the adoption of the Agreement and the Service Plan and for the full-purpose annexation.

PART 2. The Agreement is adopted by the Council and the City Manager is authorized to execute the Agreement on behalf of the City.

PART 3. The City Council declares that its purpose is to include within the City of Austin each part of the area described in Exhibit 2 as provided in this ordinance, regardless of whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit 2 are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to include within the City, then that area is excluded and excepted from the area covered by this ordinance.

PART 4. This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

_____, 2013 §
§
§ _____
§ Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk