

ORDINANCE NO._____

AN ORDINANCE ADOPTING THE FOURTH AMENDMENT TO THE AGREEMENT CONCERNING THE CREATION AND OPERATION OF MOORE'S CROSSING MUNICIPAL UTILITY DISTRICT RELATING TO THE REQUIREMENTS OF THE WATER DISTRICT.

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

PART 1. The Council finds that:

- (1) Moore's Crossing Municipal Utility District (MUD) is a conservation and reclamation district, and a governmental agency of the State of Texas created under Article XVI, Sec. 59 of the Texas Constitution by an order of the Texas Commission on Environmental Quality (formerly Texas Water Commission). The MUD operates under Chapter 54 and 49 of the Texas Water Code.
- (2) The City previously granted its consent to the creation of the MUD and the City, the MUD and Moore's Crossing Joint Venture, original developer of the MUD, entered into an "Agreement Concerning Creation and Operation of Moore's Crossing Municipal Utility District" ("Consent Agreement"), which sets forth terms and conditions for creation an operation of the MUD.
- (3) The creation of the MUD was confirmed by an election held within the MUD on November 3, 1987.
- (4) On December 5, 2016, the MUD submitted an application to amend the Consent Agreement between the City and the MUD.
- (5) On January 11, 2017, the MUD submitted supplement to application to amend the Consent Agreement between the City and MUD.

PART 2. The Fourth Amendment to the Consent Agreement is attached as Exhibit A and incorporated as part of this ordinance.

1 **PART 3.** The City Manager may execute the amendment and do what is necessary
2 to implement the Fourth Amendment.

3 **PART 4.** This ordinance takes effect on _____, 2017.

4 **PASSED AND APPROVED**

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6 §
7 §
8 _____, 2017 § _____
9 Steve Adler
10 Mayor
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13 **APPROVED:** _____ **ATTEST:** _____
14 Anne L. Morgan Jannette S. Goodall
15 City Attorney City Clerk
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