



## Recommendation for Action

**File #:** 20-2290, **Agenda Item #:** 6.

6/4/2020

### **Posting Language**

Approve an ordinance adopting the First Amendment to the Austin Green Improvement District No. 1 Consent Agreement relating to extending a June 12, 2020 deadline for approval of the Consent Agreement and Strategic Partnership Agreement (SPA) with the City. The recommended revised date is December 31, 2020.

### **Lead Department**

Planning and Zoning

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

Andrei Lubomudrov, Planning and Zoning Department, (512) 974-7659

### **Council Committee, Boards and Commission Action:**

MUD Consent Agreement

April 9, 2019 - a motion to recommend the creation of the District failed on a 4-1-2 vote by the Urban Transportation Commission

April 10, 2019 - approved on a 9-0 vote by the Water and Wastewater Commission

May 15, 2019 - approved on a 7-0 vote by the Environmental Commission

June 25, 2019 - a motion to take no action passed on a 7-0 vote by the Parks and Recreation Board

July 23, 2019 - recommended on a 9-0 vote by the Planning Commission

October 2, 2019 - recommended with conditions on a 7-0 vote by the Environmental Commission

January 23, 2020 - approved on 9-0 vote by City Council

### **Additional Backup Information:**

On January 23, 2020, Austin City Council voted to approve a negotiated consent agreement with Austin Green Improvement District No. 1. The adopted Consent Agreement required the District to convene and approve the Consent Agreement as well as a negotiated Strategic Partnership Agreement (SPA) by June 12, 2020. If no action is taken by the Austin Green District board by that date, the Consent Agreement is terminated.

Special legislation approved during the 2017 Legislative Session created the Austin Green Improvement District No. 1 (formerly Rio de Vida Municipal Utility District) and provided that the City would be required to take action consenting to the creation of the District before February 14, 2020, else the statutory authority would expire. GroundWork, representing Martin Marietta Materials, Inc., submitted a petition requesting the City's consent to the creation of the District and a concurrent PUD zoning application (C814-2018-0154) application is in progress.

### **Recommendation:**

Staff recommends City Council amend the Consent Agreement and extend the deadline for District approval of the Consent Agreement and Strategic Partnership Agreement to December 31, 2020. Challenges related to COVID-19 have affected the District's ability to convene and hold the necessary public hearings to approve the

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Consent Agreement and SPA. The District has made a request for additional time.

**Strategic Outcome(s):**

Economic Opportunity and Affordability