

ORDINANCE NO.

**AN ORDINANCE ADOPTING THE FIFTH AMENDMENT TO THE
AGREEMENT CONCERNING THE CREATION AND OPERATION OF
MOORE'S CROSSING MUNICIPAL UTILITY DISTRICT RELATING TO
BOND REIMBURSEMENT, AFFORDABLE HOUSING REQUIREMENTS,
AND INVESTMENT IN PARK FACILITIES.**

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

PART 1. The Council finds that:

- (A) 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.
- (B) 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 and operation of the MUD.
- (C) The creation of the MUD was confirmed by an election held within the MUD on November 3, 1987.
- (D) The Developer and the District have proposed to amend the terms and conditions of the Consent Agreement relating to bond reimbursement, affordable housing requirements, and investment in the district's park facilities.
- (E) All relevant City departments have reviewed and approved the proposed amendment to the Consent Agreement.

PART 2. The Fifth Amendment to the Agreement Concerning Creation and Operation of Moore's Crossing Municipal Utility District (Fifth Amendment) relating to bond reimbursement, affordable housing requirements, and investment in park facilities, is approved. The Fifth Amendment is attached as **Exhibit "A"** and incorporated as part of this ordinance.

1 **PART 3.** The City Manager may execute the amendment and do all things necessary to
2 implement the Fifth Amendment.

3 This ordinance takes effect on _____, 2024.

4 **PASSED AND APPROVED**

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8 _____, 2024

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13 Kirk Watson
14 Mayor

15 **APPROVED:** _____

16 Anne L. Morgan
17 City Attorney

18 **ATTEST:** _____

Anne L. Morgan
City Attorney