

RESOLUTION NO. 20071213-030

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

The City Manager or her designee is authorized to execute the First Amendment to the Interlocal Cooperation Agreement between the Cities of Austin and Bastrop, in substantially the form attached hereto as Exhibit A.

ADOPTED: December 13, 2007

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT A

First Amendment to Interlocal Cooperation Agreement Between Cities of Austin and Bastrop

Whereas, the Cities of Austin and Bastrop entered into an Interlocal Cooperation Agreement in 1985 (the “Interlocal”), under which the cities agreed to certain extraterritorial jurisdiction (“ETJ”) boundaries and agreed to cooperate regarding planning issues, and the regulation of subdivisions in their respective ETJ’s; and

Whereas, under the Agreement Bastrop regulates subdivisions within the ETJ assigned to it; and

Whereas, in 2006, the City of Bastrop and the County of Bastrop entered into a city-county subdivision regulation agreement, pursuant to Texas Local Government Code Chapter 242, under which the County of Bastrop would regulate subdivisions in the Bastrop ETJ area identified as Area C in Exhibit A to this Amendment, if agreed to by the City of Austin; and

Whereas, the City of Bastrop has requested this First Amendment to the Interlocal Agreement to acknowledge that the County of Bastrop will be regulating subdivisions in the Bastrop ETJ area referred to as Area C, shown on Exhibit A to this Amendment, and the City of Bastrop will retain authority over the creation and modification of special districts [including, but not limited to, political subdivisions such as municipal utility districts, and other governmental entities]; and

Whereas, Austin planning staff has reviewed Bastrop City and Bastrop County subdivision regulations and finds no significant difference between the two;

Now, Therefore, the Interlocal Agreement is amended as follows:

1. Subsections 2.A., 2.B and 2.C are deleted. Subsections 2.D and 2.E are renumbered as 2.A and 2.B, respectively.
2. A new subsection 2. C is adopted to read as follows:

“The City of Bastrop and County of Bastrop have adopted an agreement for regulation of subdivisions which assigns subdivision regulation in certain areas of the City of Bastrop’s ETJ to the County, in accordance with state law. For the regulation of subdivisions and related actions affecting property located within the area identified in Area C on Exhibit A attached to this First Amendment to the Interlocal Agreement, the Cities of Austin and Bastrop agree that Bastrop County shall assume such responsibilities as of the effective date of this First Amendment. From and after that date the City of Bastrop shall not be obligated to the City of Austin to perform those duties and obligations set out in the Interlocal Agreement regarding regulation of subdivisions and related actions affecting property located within Area C. If the Bastrop City and County subdivision regulation Agreement expires or is terminated, the parties agree that the City of Bastrop will resume responsibility for regulation of subdivisions in Area C. The City of Bastrop will retain authority over the creation and modification of special districts [including , but not limited to, political subdivisions such as municipal utility districts, and other governmental entities] in Area C. ”

All else shall remain the same.

[Remainder of page intentionally left blank]

In witness whereof, the following authorized representatives of the parties have executed this First Amendment as of the dates indicated below, to be effective as of the date of the last signature below.

For City of Austin

Name: _____

Date: _____

For City of Bastrop

Name: _____

Date: _____



CITY OF BASTROP
AND
BASTROP COUNTY
ETJ PARTITION AGREEMENT

OCTOBER 26, 2005

