


A U S T I N C I T Y C O U N C I L				
AGENDA				
				
Recommendation for Council Action				
Austin City Council Work Session	Item ID	51618	Agenda Number	A.7
Meeting Date:	11/10/2015	Department:	Planning and Zoning	
Subject				
C7a-2015-0001 – Lost Creek MUD Remaining Property – Approve an ordinance to amend the City boundaries to include within the full purpose city limits approximately 738 acres referred to as the Lost Creek MUD Remaining Property, in accordance with the Strategic Partnership Agreement between the City of Austin and the Lost Creek Municipal Utility District (located in Travis County west of Capital of Texas Highway west of the intersection of Lost Creek Boulevard and Capital of Texas Highway; contiguous to Council District 8). (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 3, 2007 AND MAY 17, 2007).				
Amount and Source of Funding				
Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services.				
Fiscal Note				
Purchasing Language:				
Prior Council Action:	<p>February 14, 2008 – Council approved an Agreed Final Judgement in Lost Creek Municipal Utility District v. City of Austin, et al, Cause No. D-1-GN-001377, in the 126th Judicial District Court, Travis County, agreeing to Strategic Partnership Agreement and settling related matters.</p> <p>February 14, 2013 – Council approved an ordinance adopting the Amended and Restated Strategic Partnership Agreement.</p> <p>June 6, 2013 – Council approved an ordinance amending Ordinance 20130214-023 to correct Exhibit H to the Amended Strategic Partnership Agreement.</p>			
For More Information:	Virginia Collier, Planning and Zoning Department, (512) 974-2022			
Council Committee, Boards and Commission Action:				
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>The Lost Creek Municipal Utility District (“MUD”) was included in the City’s Municipal Annexation Plan (“MAP”) on December 15, 2005. In lieu of annexation under the MAP process, the City and the MUD Board negotiated the terms of a Strategic Partnership Agreement (“SPA”) and participated in arbitration proceedings concerning the SPA in accordance with the provisions of the Texas Local Government Code Chapter 43. The arbitrator’s decision approving the City’s offer as the SPA between the City and the MUD was appealed to state district court and Travis County District Judge Covington confirmed the Arbitration Award. In February 2008, the City and the MUD approved an Agreed Final Judgement agreeing to the SPA and settling related matters.</p> <p>The City and the MUD amended the SPA in 2013 to allow the MUD to automatically convert to a Limited District to:</p>				

(i) maintain, operate, control, and assume responsibility for the Limited District Facilities located within the District Boundaries; (ii) develop and maintain park and recreational facilities and services for the residents of the Limited District; (iii) enforce deed restrictions within the District Boundaries; and (iv) collect residential landscape debris and greenbelt ladder fuel for wildland urban interface mitigation.

At this point all of the steps in the process have been completed and full purpose annexation of the Lost Creek MUD Remaining Property and conversion of the MUD to a Limited District will occur concurrently with an effective date of December 15, 2015.