ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE THIRD AMENDMENT TO THE FIRST AMENDED AND RESTATED AGREEMENT CONCERNING THE CREATION AND OPERATION OF THE SENNA HILLS MUNICIPAL UTILITY DISTRICT AND REVISING THE LAND PLAN.

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

PART 1. The City Council finds that:

(1) Senna Hills Municipal Utility District (the "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. The MUD operates under Chapters 54 and 49 of the Texas Water Code.

(2) In 1987, the City adopted Ordinance No. 870115-E granting its consent to the creation of the MUD. The City, the MUD, and Senna Hills, Ltd., a Texas limited partnership (the "Developer"), entered into the Agreement Concerning Creation and Operation of the Senna Hills Municipal District, which set forth terms and conditions for creation and operation of the MUD.

(3) In 1993, the City, the MUD, and the Developer entered into the First Amended and Restated Agreement Concerning Creation and Operation of Senna Hills Municipal Utility District (the "First Amended Consent Agreement") to modify the terms and conditions under which the property in the MUD would be developed and the MUD would operate.

(4) In 2003, the City, the MUD, and the Developer entered into the Second Amendment to the First Amended and Restated Agreement Concerning Creation and Operation of Senna Hills Municipal Utility District to correct an error in the description of the MUD boundary.

PART 2. The Developer has requested that the City approve an amendment of the First Amended Consent Agreement to revise the Land Plan as follows:

a. Change school and irrigation use to office use;
b. Update the land use allocation table to reflect the actual built-out conditions;

c. Further restrict development on the Irrigation Lands to permit only recreational uses such as open areas, hike and bike trails, green belt, sports fields, tennis courts, basketball courts, and other recreational facilities;
d. Provide that development of the office property totaling 11.73 acres may not exceed impervious coverage of 35%; and
e. Provide that current Code requirements related to Save Our Springs water quality standards apply at the time of site plan application.

PART 3. The Third Amendment to the First Amended and Restated Agreement Concerning Creation and Operation of Senna Hills Municipal Utility District (The "Third Amendment") amending the First Amended Consent Agreement and changing the Land Plan of the MUD is approved. The Third Amendment is attached as **Exhibit "A"** and incorporated as part of this ordinance.

PART 3. This ordinance takes effect _____, 2020.

PASSED AND APPROVED

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§
_____, 2020 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk