

**RESOLUTION NO. 20200521-010**

**WHEREAS**, the City of Austin and Shady Hollow Municipal Utility District (the “District”) entered into a Strategic Partnership Agreement (“SPA”), dated November 21, 2013, providing among other things for the City’s automatic annexation of the District’s territory on December 15, 2020; and

**WHEREAS**, pursuant to the SPA, the City acquired ownership and control of the District’s water and wastewater system on April 2, 2018, and has since made capital improvements to the system; and

**WHEREAS**, the Austin Fire Department leases and fully occupies a fire station funded and owned by the District, and currently provides the bulk of the District’s fire service; and

**WHEREAS**, upon annexation of the District, the fire station would be transferred to the City and the City would be able to assess taxes on property located in the former District for City services, including fire service; and

**WHEREAS**, Senate Bill 1468, adopted by the Texas Legislature in 2019 and codified as Local Government Code Section 43.083, now first requires an election of District residents in order for the City to proceed to annex the District under the SPA; and

**WHEREAS**, as a result of the enactment of SB 1468, the District has requested termination or modification of the SPA's automatic annexation provisions; and

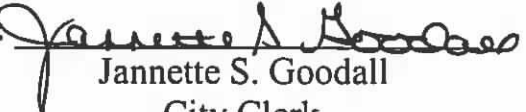
**WHEREAS**, the SPA requires the City and District, to the extent their ability to comply with the SPA has been frustrated by subsequent amendments to state law, to amend the SPA to the greatest degree practical to achieve the SPA's original purposes and objectives; **NOW, THEREFORE**,

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

The City Manager is directed to negotiate with representatives of the District to amend the SPA to accomplish to the greatest degree practical the purposes and objectives of the SPA with the exception of full-purpose annexation. Terms to be addressed in the negotiations shall at a minimum include the use and disposition of the District's fire station, compensation to the City for fire service to District residents, and the ownership of the District's former water and wastewater system.

**ADOPTED:** May 21, 2020

**ATTEST:**

  
Jannette S. Goodall  
City Clerk