



Recommendation for Action

File #: 20-2327, **Agenda Item #:** 44.

6/4/2020

Posting Language

Approve an ordinance amending deadlines related to the Austin Green Improvement District No. 1 Consent Agreement (Ordinance No. 20200123-68).

Lead Department

Planning and Zoning

Fiscal Note

This item will have no fiscal impact.

For More Information:

Andrei Lubomudrov, Planning and Zoning Department, 512-974-7659

Council Committee, Boards and Commission Action:

MUD Consent Agreement

April 9, 2019 - a motion to recommend the creation of the District failed on a 4-1-2 vote by the Urban Transportation Commission

April 10, 2019 - approved on a 9-0 vote by the Water and Wastewater Commission

May 15, 2019 - approved on a 7-0 vote by the Environmental Commission

June 25, 2019 - a motion to take no action passed on a 7-0 vote by the Parks and Recreation Board

July 23, 2019 - recommended on a 9-0 vote by the Planning Commission

October 2, 2019 - recommended with conditions on a 7-0 vote by the Environmental Commission

January 23, 2020 - approved on 9-0 vote by City Council

Additional Backup Information:

Special legislation approved during the 2017 Legislative Session created the Austin Green Improvement District No. 1 (formerly Rio de Vida Municipal Utility District) and provided that the City would be required to take action consenting to the creation of the District before February 14, 2020; otherwise, the statutory authority would expire. GroundWork, representing Martin Marietta Materials, Inc., submitted a petition requesting the City's consent to the creation of the District and a concurrent PUD zoning application (C814-2018-0154) application is in progress.

On January 23, 2020, Austin City Council adopted Ordinance No. 20200123-68, consenting to the creation of Austin Green Improvement District No. 1 and authorizing execution of a Consent Agreement, attached to the Ordinance as Exhibit A. The Consent Agreement required the District to convene and approve the Consent Agreement by March 1, 2020, and approve a negotiated Strategic Partnership Agreement (SPA) by June 12, 2020. Challenges related to COVID-19 have affected the District's ability to convene and hold the necessary public hearings to approve the Consent Agreement and SPA. The District has made a request for additional time.

Recommendation:

Staff recommends City Council amend Ordinance No. 20200123-68 to delete Exhibit "A" and replace with a

new Exhibit "A" to amend the deadlines in Sections 2.01 and 4.01 of the Consent Agreement to December 31, 2020.

Strategic Outcome(s):

Government That Works For All