

**ORDINANCE NO. 2017- \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING ORDINANCE NOS. 2014-13 AND 2016-54 CONSENTING TO THE CREATION OF LASALLE MUNICIPAL UTILITY DISTRICT NUMBER 1 AND ORDINANCE NO. 2013-18 CONSENTING TO THE CREATION OF LASALLE MUNICIPAL UTILITY DISTRICTS NUMBERS 2, 3, 4, AND 5 TO PROVIDE FOR AN AMENDMENT TO THE CONSENT AGREEMENTS TO MODIFY AND CLARIFY THE EXPIRATION AND DISSOLUTION PROVISIONS RELATED TO THE MUNICIPAL UTILITY DISTRICTS AND TO MODIFY AND CLARIFY EXHIBIT D RELATING TO ASSIGNMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**RECITALS:**

1. The City of San Marcos, upon receiving a Petition for Consent to the Creation of one Municipal Utility District for 236.03 acres currently located in the City's extraterritorial jurisdiction, granted consent for the creation of the LaSalle Municipal Utility District Number 1 on March 4, 2014.

2. The City of San Marcos, upon receiving a Petition for Consent to the Creation of four Municipal Utility Districts for 1,437 acres currently located in the City's extraterritorial jurisdiction, granted consent for the creation of the LaSalle Municipal Utility Districts Numbers 2, 3, 4 and 5 on April 16, 2013.

3. The City of San Marcos previously amended these ordinances on May 19, 2015 and on December 20, 2016.

4. The Legislation authorizing the creation of LaSalle Municipal Utility Districts Numbers 1, 2, 3, 4, and 5 provides for a confirmation election within six years from the date of the legislation that was approved during the 83rd Legislative Session and became effective in June 2013.

5. The City of San Marcos currently has two Consent Agreements with LaSalle Holdings, Ltd. related to LaSalle Municipal Utility Districts Nos. 1, 2, 3, 4 and 5 and the City desires to combine these two identical agreements into one agreement.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**SECTION 1.** That the City Council of the City of San Marcos, Texas, hereby approves the Third Amendment to the Consent Agreements for the creation of LaSalle Municipal Utility District No. 1 to, among other matters, modify and clarify expiration and dissolution provisions related to LaSalle Municipal Utility District No. 1 as well as to

modify and clarify Exhibit D relating to assignment.

**SECTION 2.** That the City Council of the City of San Marcos, Texas hereby approves the Third Amendment to the Consent Agreements for the creation of LaSalle Municipal Utility Districts Numbers 2, 3, 4 and 5 to, among other matters, modify and clarify expiration and dissolution related to LaSalle Municipal Utility Districts Numbers 2, 3, 4 and 5 as well as modify and clarify Exhibit D relating to assignment.

**SECTION 3.** The City Manager is authorized to execute the Third Amendment to the Consent Agreements which combine the previously approved two separate, but identical, Consent Agreements into a single Consent Agreement.

**SECTION 4.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 5.** This ordinance shall be effective upon passage and adoption on second reading.

**PASSED AND APPROVED** on first reading on November 8, 2017.

**PASSED, APPROVED, AND ADOPTED** on second reading on November 21, 2017.

John Thomaides  
Mayor

Attest:

Approved:

Jamie Lee Case  
City Clerk

Michael J. Cosentino  
City Attorney