

EXHIBIT A

AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT ESTABLISHING SITE DEVELOPMENT STANDARDS FOR REDEVELOPMENT OF BOWIE HIGH SCHOOL

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

**KNOW ALL
BY THESE PRESENTS:**

This agreement establishing site development standards for redevelopment of Bowie High School ("Agreement") is made and entered into by and between the City of Austin, Texas, a home-rule city and Municipal Corporation in Travis County, Texas ("City"), and the Austin Independent School District ("AISD") under the provisions of the Local Government Code, Section 212.902.

RECITALS

WHEREAS, the City and AISD entered into that certain School District Land Development Standards Agreement dated September 22, 1994, under the provisions of the Local Government Code, Section 212.902 and have amended that agreement from time to time; and

WHEREAS, AISD has a critical need to increase its capacity to serve students in southwest Austin; and

WHEREAS, AISD intends to increase capacity at the existing site of Bowie High School located at 4103 W. Slaughter Lane (the "Bowie Site"), rather than build a new high school campus in the environmentally sensitive Barton Springs Zone; and

WHEREAS, the City has an interest in assisting AISD in serving students at the existing Bowie High School while enhancing water quality protections on the Bowie Site; and

WHEREAS, the City Council approved Resolution No. 20170420-028, directing City staff to facilitate AISD's expansion of Bowie High School; and

WHEREAS, a team of City staff and AISD staff have reviewed the potential for redevelopment of the Bowie Site and have recommended that the site be subject to the site development standards set forth in this Agreement;

WHEREAS, the City Council approved the redevelopment of Bowie High School as required by City Code Subsection 25-8-26(F);

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and AISD agree as follows:

ARTICLE I - REGULATIONS, GENERALLY

Redevelopment of the Bowie Site is subject to the site development standards established in Article II of this Agreement, the School District Land Development Standards Agreement, as amended from time to time, ordinances specifically applicable to the Bowie Site, and the City of Austin Land Development Code (“City Code”) to the extent applicable in accordance with the School District Land Development Standards Agreement. Except as provided in Article II of this Agreement and the School District Land Development Standards Agreement, development of the Bowie Site shall comply with the requirements of the City Code. If a conflict exists between this Agreement and the School District Land Development Standards Agreement, ordinances specifically applicable to the Bowie Site, or the City Code, this Agreement controls. AISD may seek variances to City Code requirements for development of the Bowie Site as provided under City Code.

ARTICLE II - SITE SPECIFIC REGULATIONS

Redevelopment of the Bowie Site shall comply with the following:

1. AISD will comply with City Code Chapter 25-8 (*Environment*) and that chapter’s related technical criteria in effect as of the date of this Agreement, or, at AISD’s election, in effect as of the date of the site plan application.
2. Regardless of the requirements of City Code Chapter 25-8 (*Environment*), AISD will provide water quality treatment complying with City Code Section 25-8-514 (*Pollution Prevention Required*) for all existing and redeveloped impervious cover on the Bowie Site.
3. AISD will implement beneficial reuse of stormwater to the maximum extent feasible as determined by mutual agreement of the parties. Beneficial reuse of stormwater may include rainwater harvesting, internal non-potable use, landscape and athletic field irrigation, and other measures to reuse stormwater on-site, maximize infiltration, and reduce potable water usage for non-potable needs.
4. Notwithstanding any requirement of City Code Chapter 25-8 (*Environment*) to the contrary, Section 2.8 (*Fiscal Surety*) of the School District Land Development Standards Agreement shall apply to the redevelopment of the Bowie Site.

ARTICLE III - GENERAL PROVISIONS

Resolution of any issue or dispute relating to this Agreement shall be governed by the Dispute Resolution provision in the School District Land Development Standards Agreement.

IN WITNESS WHEREOF, this Agreement is made and executed to be effective upon execution by the authorized representatives of AISD and the City.

CITY OF AUSTIN:

By: _____ Date: _____
Elaine Hart
Interim City Manager

AUSTIN INDEPENDENT SCHOOL DISTRICT:

By: _____ Date: _____
Kendall Pace
President, Board of Trustees

APPROVED AS TO FORM:

Chad Shaw
Assistant City Attorney