

**AGENDA**



**Recommendation for Council Action**

**AUSTIN CITY COUNCIL**

**Regular Meeting: March 22, 2018**

Item Number: **002**

**Austin Water**

Authorize the negotiation and execution of a contract amendment to the wholesale water and wastewater agreements with Mid-Tex Utilities, Inc. for utility service in Southwest Travis County; removing references to the number of lots that will be developed in the wholesale service area and Capital Recovery Fee payments.

**District(s) Affected:** District 8

<b>Lead Department</b>	Austin Water
<b>Fiscal Note</b>	This item has no fiscal impact.
<b>Prior Council Action</b>	March 23, 2000 - Council approved a resolution executing the wholesale water and wastewater agreements with Mid-Tex Utilities. June 23, 2011 - Council approved the negotiation and execution of a contract amendment to the wholesale water and wastewater agreements with Mid-Tex Utilities, Inc.
<b>For More Information</b>	Bart Jennings, 512-972-0118; Denise Avery, 512-972-0104
<b>Council Committee, Boards and Commission Action</b>	March 7, 2018- Recommended by the Water and Wastewater Commission on a 10-0 vote with Commissioner Lee absent.

**Additional Backup Information:**

The City of Austin (“City”) provides wholesale water and wastewater service to Mid-Tex Utilities, Inc. (“Mid-Tex”) through agreements executed on April 14, 2000. Mid-Tex has water and wastewater certificates of convenience and necessity and provides service to an area in southwest Travis County, as shown on attached map. The area is located in the City’s Drinking Water Protection Zone, the City’s full-purpose annexation and limited-purpose annexation areas, and Austin Water’s service area. On June 23, 2011, City Council approved the an amendment to the agreements to allow Mid-Tex to provide retail water and wastewater service to an adjacent 87-acre tract (Rowell Tract), and allowed Mid-Tex to amend its water and wastewater CCNs to incorporate the Rowell Tract.

Under the amendment to the agreements for wholesale water and wastewater service executed on August 17, 2011, the exact number of lots was anticipated to be between 180 and 220. During the review of the Phase Two Preliminary Plan of the development, the City determined that the boundary of the recharge zone needed to be corrected which resulted in approximately 70 acres being transferred from the Contributing Zone (25% Net Site Area (“NSA”) allowable impervious cover) to the Recharge Zone (15% NSA allowable impervious cover). The overall reduction in acreage available for development was reduced thereby eliminating 61 proposed lots.

Because of this change to the total number of lots available within the Rowell Tract, only 153 total lots will be developed. This proposed amendment will remove the reference to the range in the total number of lots was previously anticipated, and remove the reference to the associated total anticipated ranges of Capital Recover Fee payments.

Capital Recovery Fees for the 153 lots are not being waived by this action.

The wholesale service area is located in District 8.