



City of Austin

City Hall, 301 West 2nd Street, Austin, TX 78701

www.austintexas.gov

Financial Services

December 19, 2018

Peter Mullan
Waller Creek Conservancy
P.O. Box 12363
Austin, Texas 78711

Subject: Waterloo Park Construction Phase Plan Funding Letter

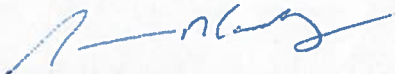
Dear Peter:

The City of Austin (City) will contribute an amount not to exceed \$29,198,624 toward the Waterloo Park Construction Phase Plan for the Parkland scope of work (Phase Plan). The funding sources for the total not to exceed amount includes Park and Recreation Department (PARC) 2012 Bond Program (\$1,553,610), PARC Waterloo Link TIF Funds (\$25,869,692), PARC Parkland Dedication Fund (\$575,756), Watershed Protection Department (WPD) Tree Mitigation Fund (\$350,048) and Texas Parks and Wildlife Department (TPWD) Grant (\$849,518). In accordance with Section 10.01 (Project Disbursement Fund Account) of the Joint Development Agreement between the City of Austin (City), Waller Creek Local Government Corporation, and Waller Creek Conservancy (Conservancy), based upon the review of invoices submitted to the City for completed work, the City will deposit its contribution to the Project Disbursement Fund in the amount necessary to support timely payments for the City's respective portion. Deposits to the Project Disbursement Fund will be made upon approval of each invoice. The Project Disbursement Fund Account will be managed by the Conservancy and payments to Michael Van Valkenburgh Associates, Inc. and associated sub-consultants will be the sole responsibility of the Conservancy. Any request for change will require an amendment to the approved project and require approval of the Proposing Party and the Responding Party.

Funding provided by PARC via the voter-approved 2012 Bond Program – Proposition 14 must be only for programs and projects included in the proposition language as well as for expenses allowed by accounting rules associated with long-term debt. Funding provided by WPD via the Waterloo Tree Mitigation Fund must be used only for new tree plantings and not for trees planted as a result of the tree mitigation calculation for the site development permit. Funding provided by PARC via the Waterloo Link TIF Fund (TIF) must only be used for project costs as authorized by Chapter 311 of the Texas Tax Code and the updated Tax Increment Financing Zone No. 17 Financing Plan as approved by Council on May 24, 2018. Funding provided by PARC via Parkland Dedication Fund must be only for new construction to enhance or expand the recreational value of the park system. Funding provided by the TPWD Grant must be used according to the terms of the grant application and the signed grant agreement. As such, all

invoices submitted for the Phase Plan must only be for services that maintain the City's compliance with these restrictions. Invoices submitted by the Conservancy will be reviewed to ensure alignment with both restrictions on uses of funds and the agreed upon scope of work for the Phase Plan.

Sincerely,



Greg Canally
Deputy Chief Financial Officer
City of Austin