



Recommendation for Action

File #: 20-2797, **Agenda Item #:** 4.

9/17/2020

Posting Language

Authorize negotiation and execution of an agreement allowing for the formal transfer of a portion of the Aqua Texas, Inc., water certificate of convenience and necessity ("CCN") No. 13254 to the City of Austin water CCN No. 11322 for the area that overlaps with the Porter Tract, generally located approximately one tenth of a mile south of the intersection of Black Bear Drive and Ben Johnson Road.

Lead Department

Austin Water.

Fiscal Note

No City funds are required for the transfer of the balance of this tract to the City's CCN.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or AgendaOffice@austintexas.gov <<mailto:AgendaOffice@austintexas.gov>>.

Council Committee, Boards and Commission Action:

To be reviewed by the Water and Wastewater Commission on September 9, 2020.

Additional Backup Information:

The Porter Tract is located in southern Travis County approximately one tenth of a mile south of the intersection of Black Bear Drive and Ben Johnson Road. A portion of the property is currently in the City of Austin certificate of convenience and necessity ("CCN") No. 11322 and the balance of the tract is located in the Aqua Texas, Inc., water CCN No. 13254.

There are currently no customers located in the area and a Service Extension Request ("SER") is currently in review. Austin Water will provide water service to the proposed development contingent on completion of the CCN transfer, which requires approval by the Public Utility Commission of Texas. Austin Water will provide wastewater for the entire tract, as the entire tract is already within the City's wastewater CCN.

Under 16 Texas Administrative Code § 24.253, public notice of a water service area transfer agreement is sufficient if the decision to enter into the agreement is discussed at a meeting of a city council, provided there are no affected customers in the transfer area. Since there are no affected customers located in the Porter Tract, notice will be sufficient if Council approves negotiation and execution of this agreement at a public meeting.

The proposed project is located in zip code 78652, near City Districts 5 and 8.

Strategic Outcome(s):

Government That Works For All.