

AGENDA



Thursday, August 23, 2007

**Austin Water Utility
RECOMMENDATION FOR COUNCIL ACTION****Item No. 2**

Subject: Authorize the City Manager to negotiate and execute an agreement with Brushy Creek Municipal Utility District ("Brushy Creek") for the provision of out-of-district water and wastewater service to approximately 10 acres located adjacent to Brushy Creek's southern boundary.

Amount and Source of Funding: Brushy Creek and the landowners will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement.

Fiscal Note: No fiscal note is required.

For More Information: Bart Jennings, 972-0118; Denise Avery, 972-0104

Boards and Commission Action: Recommended by the Water and Wastewater Commission.

Brushy Creek consists of approximately 725 acres entirely located outside the City's extraterritorial jurisdiction and within the City of Round Rock's extraterritorial jurisdiction. Brushy Creek is generally located north of RM 620, east of Parmer Road, west of Wyoming Springs, and south of FM 1431. Brushy Creek owns and operates its own water and wastewater treatment plants and the City of Austin does not provide it wholesale water and wastewater service. Brushy Creek currently serves approximately 5,200 connections.

Several landowners requested that Brushy Creek provide out-of-district water and wastewater service to their properties ("Mesa Rosa Project") located adjacent to Brushy Creek's southern boundary, but within the City of Austin's service area, Desired Development Zone, and extraterritorial jurisdiction. Brushy Creek water and wastewater infrastructure is located adjacent to the tracts. The nearest City of Austin water and wastewater mains are located approximately seven miles away. The Mesa Rosa Project consists of 11 commercial properties (approximately 10 acres) located along RM 620, which currently use wells and septic systems for utility service. The landowners wish to further develop (to a currently undefined level but in accordance with City ordinances) their properties using centralized water and sewer service. A map of the area is attached.

Major points of the proposed agreement include:

- Landowners will request annexation by the City of Austin.
- Water and wastewater capital recovery fees will be collected and held in escrow until the City of Austin provides retail water and wastewater service.
- Infrastructure will be built to City of Austin standards.
- Construction plans will be reviewed and approved by the City of Austin and Brushy Creek.
- Developers will pay City of Austin inspection fees.