

AGENDA



Thursday, March 26, 2009

**Austin Water Utility
RECOMMENDATION FOR COUNCIL ACTION****Item No. 9**

Subject: Authorize the negotiation and execution of an amendment to the Interlocal Agreement regarding the Provision of Retail Water and Wastewater Service to the Lake at Tech Ridge Development between Northtown Municipal Utility District , NWC Howard & I-35 GP, LLC, and the City to allow the City to provide permanent retail water service to land previously identified to be provided water service by the District.

Amount and Source of Funding: No current City funding is required for this agreement.

Fiscal Note: A fiscal note is not required.

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

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

Prior Council Action: January 26, 2006: Authorize the City Manager to execute an agreement with Northtown Municipal Utility District (District) and NWC Howard & I-35, Ltd., to provide permanent retail water and wastewater service to a portion of the District and to provide interim retail water and wastewater to certain areas outside of the District's boundary.

The District was created on August 14, 1985, by order of the Texas Water Commission, predecessor to the Texas Commission on Environmental Quality. The District contains approximately 1,224 acres, is located northeast of the City of Austin, in Travis County, and is generally bounded by the I-35 East Service Road to its west and Howard Lane to its south, and abuts portions of Dessau Road along its eastern boundary. The District has approximately 2,563 water and wastewater connections. The City provides wholesale water and wastewater service to the District.

The District, Developer, and the City entered into an agreement on February 13, 2006, in which certain land within the City was to be provided water and wastewater service by the District and visa versa. However, the District has requested the City to provide permanent retail water service to 14125 ½ The Lakes Boulevard, as identified on Exhibit A, which is located within the City's jurisdiction ("Development") but under the original agreement was to be provided service by the District. The Development contains multi-family units. The City's permanent water service to the Development will provide irrigation water for the multi-family complex, which is projected to use approximately 1,000,000 gallons per month. The City will provide permanent retail water service in accordance with City ordinances and regulations, including water conservation ordinances.