



Recommendation for Action

File #: 20-1439, **Agenda Item #:** 78.

2/20/2020

Posting Language

Authorize negotiation and execution of the Fourth Amendment to the Brackenridge Development Agreement regarding property located near the intersection of Lake Austin Boulevard and Exposition Boulevard with the Board of Regents of the University of Texas System to extend the term of the Agreement beyond the current May 25, 2020 termination date on a month to month basis.

Lead Department

Development Services Department

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

May 16, 1989 - Council approved resolution 890516-06 directing staff to execute the Brackenridge Development Agreement (BDA) on Mayor Pro Tem Shipman's motion and Council Member Barnstone's second on a 4-0 vote with Council Member Humphrey out of the room and Council Members Urdy and Nofziger absent.

November 1, 2018 - Negotiation and execution of the first amendment to the BDA approved on Council Member Alter's motion and Mayor Pro Tem Tovo's second on a 10-0 vote with Council Member Pool off the dais.

February 7, 2019 - Negotiation and execution of the second amendment to the BDA unanimously approved on Council Member Tovo's motion and Council Member Alter's second.

June 19, 2019 - Negotiation and execution of the third amendment to the BDA approved on consent on Mayor Pro Tem Garza's motion and Council Member Alter's second on a 9-1 vote with Council Member Garza voting nay and Council Member Harper-Madison absent.

For More Information:

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Additional Backup Information:

The City of Austin and the Board of Regents of the University of Texas System entered into an intergovernmental agreement in May 1989 known as the Brackenridge Development Agreement (BDA) that sets forth regulations for development of portions of the Brackenridge tract for non-university purposes during the term of the BDA. The expiration of the BDA has been modified with prior amendments to the BDA, and the BDA is currently set to expire May 25, 2020. The Third Amendment of the BDA was limited to the modifying the development terms of the BDA concerning the Safeway Tract at the intersection of Lake Austin Boulevard and Exposition Boulevard. Approval of this request would allow for an amendment which extends the term of the BDA on a month to month basis starting May 25, 2020, and which allows either party to terminate the BDA

by providing written notice to the other party five months prior to termination.

Staff recommends approval of the requested amendment to the BDA to provide an opportunity for continued discussion with the University concerning the BDA prior to expiration of the BDA.