



## Recommendation for Action

**File #:** 21-1167, **Agenda Item #:** 8.

3/4/2021

### **Posting Language**

Authorize negotiation and execution of an agreement allowing for the formal transfer of a portion of the Forest Oaks Mobile Homes, LLC water certificate of convenience and necessity (CCN) No. 12086 to the City of Austin water CCN No. 11322 for the area that overlaps with the Professional Contract Services, Inc. tract, generally located approximately one-half mile east of the intersection of FM 1626 and Menchaca Road.

### **Lead Department**

Austin Water.

### **Fiscal Note**

This item has no fiscal impact.

### **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) <<mailto:AgendaOffice@austintexas.gov>>.

### **Council Committee, Boards and Commission Action:**

February 3, 2021 - Recommended by the Water and Wastewater Commission on a 9-0 vote on Commissioner Michel's motion and Commissioner Ho's second with Commissioner Williams off the dais.

### **Additional Backup Information:**

Professional Contract Services, Inc. is the owner of a tract of land containing approximately 13.198 acres, being more particularly described as Lots 1 and 2, Block A, FM 1626 OFFICE WAREHOUSE SUBDIVISION, a subdivision in Travis County, Texas, a portion of which is located in the City of Austin water CCN No. 11322 and the balance of the tract is located in the Forest Oaks Mobile Homes, LLC water CCN No. 12086.

The property owner has requested that the portion of the tract located within the Forest Oaks CCN be transferred to the City CCN, and Forest Oaks and the owner have reached an agreement to accommodate such a request. There are currently no customers or facilities located in the area to be transferred, and Forest Oaks has never provided service to the area.

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 Forest Oaks transfer area, notice will be sufficient if Council approves negotiation and execution of this agreement at a public meeting.

Austin Water will provide water service to future development contingent on completion of the CCN transfer and consistent with City codes and policies related to the provision of water utility service. Austin Water will provide wastewater for the entire tract consistent with City codes and policies related to the provision of

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wastewater utility services, as the entire tract is already within the City's wastewater CCN. A Service Extension Request ("SER") will be needed for Austin Water to evaluate water and wastewater service options.

The proposed project is located in zip code 78748, near City Council District 5.

**Strategic Outcome(s):**

Government That Works for All.