



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Laura Mueller, City Attorney

Council Meeting Date: June 21, 2022

Agenda Item Wording: **Approval of an Amended Wastewater Agreement between the City of Dripping Springs and DS Joint Venture, LP related to changes to wastewater due dates.**

Agenda Item Requestor: Kim Nettles, AHC

Summary/Background: This wastewater agreement is for the multifamily project on Ranch Road 12. The amendment is a recognition that the project will have to start with OSSF and there is no current wastewater capacity for this project. The project is still working on its OSSF permit with City Staff. The only change is the timing to avoid losing their LUEs. It allows the developer additional time to design its plat and site plan to include the OSSF for its initial submission without the concern of losing its LUEs.

The changes include:

Section 5.2 (a): If Owner does not file an application that is deemed administratively complete for a Site Development Permit within 365 days from May 12, 2020, and **is approved by October 1, 2022**, then this Agreement expires, and the City will release the LUEs reserved for Owner under this Agreement and the City shall be relieved of its §2.1 wastewater service obligation for the released LUEs.

- Section 5.2.(c): If the final plat **is not approved by October 1, 2022**, then this Agreement expires, and the City will release the LUEs reserved for Owner under this Agreement and the City shall be relieved of its §2.1 wastewater service obligation for the released LUEs.

Commission Recommendations: N/A

Recommended Council Actions: Approval of the amendment.

Attachments: Amended agreement; Assignment; Ownership Letter requesting change.

Next Steps/Schedule: If approved, AHC will have until October 2022 to finalize their site plan and plat.