

ORDINANCE NO.

AN ORDINANCE AUTHORIZING NEGOTIATION AND EXECUTION OF A COST PARTICIPATION AGREEMENT RELATING TO A SERVICE EXTENSION REQUEST BY AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR CONSTRUCTION OF A WATER MAIN AND APPURTENANCES FOR OAK HILL ELEMENTARY SCHOOL LOCATED 6101 PATTON RANCH ROAD; WAIVING CERTAIN REQUIREMENTS OF SECTION 25-9-62 OF THE CODE RELATING TO THE AMOUNT OF COST REIMBURSEMENT AND SECTION 25-9-67 RELATING TO THE COST REIMBURSEMENT PAYMENT SCHEDULE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance authorizes the negotiation and execution of a cost participation agreement, relating to Service Extension Request No. 2620, with Austin Independent School District ("AISD"), that provides terms and conditions for construction of a 12-inch water main and appurtenances to provide additional water for fire protection at the Oak Hill Elementary School ("School") located at 6101 Patton Ranch Road.

PART 2. The City authorizes the reimbursement of AISD for the actual construction costs of the 12-inch water main and appurtenances constructed within public right-of-way or easements for a total not to exceed 33 percent of the actual construction costs or \$58,519.00, whichever is less, in one payment 90 days after final acceptance. AISD will bear all other costs for engineering, design, financing, interest, fiscal security, accounting, insurance, inspections, permitting, project management, easement acquisition, and legal services associated with this construction.

PART 3. The council waives the requirements of:

- (A) Section 25-9-62 (*Amount of Cost Participation*) of the City Code to allow the reimbursement of 33 percent of the actual costs of the 12-inch water main up to a maximum of \$58,519.00; and
- (B) Section 25-9-67 (*Cost Participation and Cost Reimbursement Payment*) to permit a modified payment schedule for the water improvements.

PART 4. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

_____, 2007 § _____
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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk