

ORDINANCE NO. 20080117-004

AN ORDINANCE AUTHORIZING NEGOTIATION AND EXECUTION OF A COST REIMBURSEMENT AGREEMENT WITH BOYCE LANE, L.P., FOR CONSTRUCTION OF A WATER MAIN AND APPURTENANCES FOR THE BELLINGHAM MEADOWS SUBDIVISION; AND WAIVING CERTAIN REQUIREMENTS OF SECTIONS 25-9-61 AND 25-9-63 OF THE CITY CODE RELATING TO COST REIMBURSEMENT.

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

PART 1. This ordinance applies to an application for cost reimbursement under City Code Chapter 25-9, Article 1, Division 2, Subpart B (*Cost Reimbursement and Cost Participation*) by Boyce Lane, L.P., for construction of a 24-inch water main and appurtenances serving the Bellingham Meadows Subdivision located along East Parmer Lane at Boyce Lane and Farmhaven Road.

PART 2. The council authorizes the city manager to negotiate and execute a cost reimbursement agreement with Boyce Lane, L.P., in accordance with the following requirements:

- (A) Total cost reimbursement for the project may not exceed \$2,060,700.
- (B) Boyce Lane, L.P. will bear all costs for engineering, design, financing, interest, fiscal security, accounting, insurance, inspections, permitting, project management, easement acquisition and legal services associated with the construction of the 24-inch water main.

PART 3. The council waives:

- (A) the requirement of Section 25-9-61 (*Eligible Projects*) prescribing the amount of cost reimbursement; and
- (B) the requirement of Section 25-9-63 (*Amount of Cost Reimbursement*) of the City Code limiting cost reimbursement to the amount prescribed in Section 25-9-61 (*Eligible Projects*).

PART 4. This ordinance takes effect on January 28, 2008.

PASSED AND APPROVED

January 17_____, 2008

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk