

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE EXISTING COST REIMBURSEMENT AGREEMENT WITH LENNAR BUFFINGTON ZACHARY SCOTT, L.P. TO MODIFY THE SCHEDULE FOR COST REIMBURSEMENT PAYMENTS; AND WAIVING THE REQUIREMENTS OF SECTION 25-9-67 OF THE CITY CODE RELATING TO THE SCHEDULE FOR COST REIMBURSEMENT.

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

PART 1. Council authorizes the City Manager to negotiate and execute an amendment to the existing Cost Reimbursement Agreement (Agreement) in response to a request from Lennar Buffington Zachary Scott, L.P. (Lennar Buffington) to allow accelerated cost reimbursement payments for the approved ultimate wastewater infrastructure design, construction plans and specifications to serve the Zachary Scott Tract located on the south corner of the Old Lockhart Highway and Bradshaw Road intersection.

PART 2. Council waives the requirements of City Code Section 25-9-67 (*Cost Participation and Cost Reimbursement Payment*), allowing reimbursement of the approved ultimate wastewater infrastructure design, construction plans and specifications upon the execution of an amended Agreement and the dedication by Lennar Buffington of all required water and wastewater easements needed for the ultimate wastewater infrastructure and the South IH-35 Water and Wastewater Infrastructure Improvement Program.

PART 3. This ordinance takes effect on _____, 2008.

PASSED AND APPROVED

_____, 2008 § _____
§ _____
§ _____

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk