

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO A COST REIMBURSEMENT AGREEMENT WITH SCA 101 UNION CREEK HOLDINGS, L.P. TO INCREASE CITY COST REIMBURSEMENT FOR CONSTRUCTION OF A 24 AND 36-INCH WATER MAIN AND APPURTENANCES TO SERVE THE ALEXAN CREEK DEVELOPMENT; 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 amendment to an existing Cost Reimbursement Agreement with SCA 101 Onion Creek Holdings, L.P. approved by council in Ordinance No. 20051215-003, and amended in Ordinance No. 20080410-007, to increase the amount of City cost reimbursement for construction of a 24 and 36-inch water main and appurtenances to serve the Alexan Onion Creek development located at 10701 Interstate Highway 35 South.

**PART 2.** The council authorizes the city manager to negotiate and execute an amendment to the existing cost reimbursement agreement with SCA 101 Onion Creek Holdings L.P. to increase cost reimbursement related to actual construction costs for the 24 and 36-inch water mains from \$759,302 to \$774,302.

**PART 3.** The council waives:

- (A) the requirements of Section 25-9-61 (*Eligible Projects*) of the City Code relating to the maximum amount of cost reimbursement; and
- (B) the requirements of Section 25-9-63 (*Amount of Cost Participation*) of the City Code that cost reimbursement be limited to actual construction costs and not exceed maximum reimbursement provided in Section 25-9-61.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2008.

**PASSED AND APPROVED**

\_\_\_\_\_, 2008      §  
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Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk