

**ORDINANCE NO. 2009\_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 20090806-016 TO WAIVE APPLICABLE SITE PLAN REVIEW AND INSPECTION FEES.**

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

**PART 1.** The Council finds that:

- (A) On August 6, 2009, Council approved Ordinance No. 20090806-016, authorizing the negotiation and execution of a Community Facilities Agreement with Austin BC, L.P., ("ABC") for cost participation in the construction of street improvements to a portion of 44<sup>th</sup> Street between Mo-PAC Boulevard (Loop One) and Bull Creek in an amount not to exceed \$50,595.50.
- (B) Participating in the improvements will serve the public interest by providing for the expedited repair and improvement of a section of City maintained right-of-way at a significant saving of City funds and resources.
- (C) Waiving site plan review and inspection fees will allow the improvements to be constructed within the anticipated budget.
- (D) The Public Works Department will provide the necessary review and inspection services as a part of its overall street maintenance program.

**PART 2.** The Council amends Ordinance No. 20090806-016 to provide for the waiver of fees for site plan review and inspection otherwise required under Ordinance Nos. 20060911-004, 20070910-008, 20080908-006, and 20090914-004, as applicable, based upon the premises and representations set forth above.

**PART 3.** This Ordinance takes effect on \_\_\_\_\_, 2009.

**PASSED AND APPROVED**

\_\_\_\_\_, 2009

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Lee Leffingwell  
Mayor

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

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

*Draft*