

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING NEGOTIATION AND EXECUTION OF AMENDED COST REIMBURSEMENT AGREEMENTS WITH CLUB DEAL 120 WHISPER VALLEY, L.P. AND CLUB DEAL 116 INDIAN HILLS TX, L.P., FOR DESIGN OF WASTEWATER TREATMENT PLANTS AND AN INTERCEPTOR.**

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

**PART 1.** Council approved a cost reimbursement agreement, for an amount not to exceed \$2,000,000, with Club Deal 120 Whisper Valley, L.P. and Club Deal 116 Indian Hills Tx, L.P. ("Partnerships") in Ordinance No. 20100527-006 for design of water mains to serve the Whisper Valley and Indian Hills developments, generally located south of the city of Manor and north of FM 969, and for related matters.

**PART 2.** Council approved an amended and restated cost reimbursement agreement, for an additional amount not to exceed \$22,500,000, in Ordinance No. 20100826-004, for design and construction of water mains, and design of a wastewater treatment plant. The maximum sum of the two authorizations is limited to \$24,500,000 but the Partnerships may request funding to be moved from water construction costs to wastewater soft costs.

**PART 3.** Council authorizes the City Manager to negotiate and execute amended cost reimbursement agreements to increase the reimbursement amount for wastewater soft costs by \$100,000 to a total of \$2,500,000, and to decrease the reimbursement amount of water construction costs by \$100,000 to a total of \$22,000,000.

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

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
                                 §  
                                 §      Lee Leffingwell  
                                      Mayor

**APPROVED:** \_\_\_\_\_  
                         Karen M. Kennard  
                         City Attorney

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