

1 AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTIONS 25-9-61
2 AND 25-9-63 OF THE CITY CODE RELATING TO COST REIMBURSEMENT,
3 FOR CONSTRUCTION OF AN APPROPRIATELY SIZED WASTEWATER
4 LIFT STATION, FORCE MAIN, 12-INCH GRAVITY WASTEWATER MAIN
5 AND APPURTENANCES BY AUSTIN BLUE SKY INVESTMENTS, INC.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
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9 **PART 1.** This ordinance applies to the construction by Austin Blue Sky Investments,
10 Inc., of an appropriately sized wastewater lift station, force main, 12-inch gravity
11 wastewater main and appurtenances to provide wastewater service to the Nelson 155
12 Acre Tract located in the 9000 block of F.M. 969, approximately 500 feet east of the
13 F.M. 969 and Decker Lane intersection.

14 **PART 2.** The City may reimburse Austin Blue Sky Investments, Inc. for construction
15 costs in an amount not to exceed \$795,732, equal to:

- 16 (1) 56.0% of the actual "hard" construction costs in an amount not to exceed
17 \$673,680;
- 18 (2) cost participation for an oversized wastewater line in an amount not to
19 exceed \$21,000; and
- 20 (3) "soft" costs for engineering, design and project management in an
21 amount not to exceed the lesser of 15% of the City's actual cost
22 reimbursement for "hard" construction costs or \$101,052.

23 **PART 3.** The Council waives the requirements of Section 25-9-61 (*Eligible Projects*) of
24 the Code relating to eligible facilities and the maximum cost reimbursement of a facility.

25 **PART 4.** The Council waives the requirements of Section 25-9-63 (*Amount of Cost*
26 *Reimbursement*) of the Code relating to amount of cost reimbursement.

27 **PART 5.** This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk