



**Service Extension Request  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 4  
AGENDA DATE: Thu 05/26/2005  
PAGE: 1 of 1**

**SUBJECT:** Approve an ordinance waiving the requirements of Section 25-9-41 of the City Code relating to the 100-foot rule, for the extension of water and wastewater improvements to serve 6410 and 6504 Wilcab Road.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$21,000 is available in the Fiscal Year 2004-2005 Operating Budget of the Austin Water Utility.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Austin Water Utility      **DIRECTOR'S**  
**DEPARTMENT:**                                      **AUTHORIZATION:** Chris Lippe

**FOR MORE INFORMATION CONTACT:** Seyed Miri, 972-0202; Laura Wiley, 972-0104

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by Water and Wastewater Commission

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The properties at 6410 and 6504 Wilcab Road are owned by Domingo Fabian, and Juanita and Alicia Deleo Morones respectively (the "Owners") and are within the corporate limits of Austin in the Desired Development Zone, and within the Walnut Creek Watershed.

In April of 2001, the then Austin/Travis County Health and Human Services Department issued letters to the Owners indicating the owners have on their property a significant health and safety hazard associated with the private utility service or other conditions that exist that can adversely affect public health, safety, or welfare. The property owned by Domingo Fabian has a failing, un-inspected on-site sewage facility in close proximity to a shallow hand-dug water well and the property owned by Juanita and Alicia Deleo Morones has an abandoned pit privy on-site sewage facility in close proximity to a shallow hand-dug water well. Because of their limited financial resources, the Owners are seeking assistance from the Austin Water Utility in the construction of off-site water and wastewater improvements. The proposed water and wastewater improvements, to be constructed by the Utility, will allow the Owners to construct the necessary on-site water and wastewater systems and abandon the existing private systems. Because the proposed water and wastewater improvements require the construction of over 100 feet of water and wastewater main, the Austin Water Utility is requesting a waiver from City Ordinance requirements of Section 25-9-41, relating to the 100-foot rule. Under this Section, the Austin Water Utility is limited to constructing up to a maximum distance of 100 feet of water or wastewater main to serve a legal tract within the full purpose municipal boundaries of the City.

The Utility will construct approximately 700 feet of appropriately sized force main and water main from the properties, west along Wilcab Road to an existing 8-inch gravity wastewater main and 12-inch water main. The estimated construction cost of the force main and water main is \$21,000.00.



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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 25-2-41 OF THE CITY CODE RELATING TO INSTALLATION OF WATER AND WASTEWATER IMPROVEMENTS TO SERVE PROPERTY LOCATED AT 6410 AND 6504 WILCAB ROAD.**

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

**PART 1.** This ordinance applies to the extension of water and wastewater improvements to serve existing houses at 6410 and 6504 Wilcab Road.

**PART 2.** The Council waives the requirements of Section 25-9-41 (*100 Foot Rule*) of the City Code to allow the City to extend appropriately sized water and wastewater lines to the property located at 6410 and 6504 Wilcab Road, for a distance greater than 100 feet at no installation cost to the residents requesting utility service.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_, 2005      §  
                                 §  
                                 § \_\_\_\_\_  
                                 Will Wynn  
                                 Mayor

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

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

No.050405-G

**WATER AND WASTEWATER COMMISSION RESOLUTION  
ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 25-9-41, OF THE CITY CODE  
RELATING TO THE 100-FOOT RULE, FOR THE EXTENSION OF WATER AND  
WASTEWATER IMPROVEMENTS TO SERVE 6410 AND 6504 WILCAB ROAD**

May 4, 2005

REGULAR MEETING

VOTE: 8-0-1-0

Motion made by:

Pool

Commissioners Consenting:

Friese, Raun, Lee, Chan, Coleman, Gonzalez, Warner

Commissioners Dissenting:

Commissioners Abstaining:

Scott-Ryan

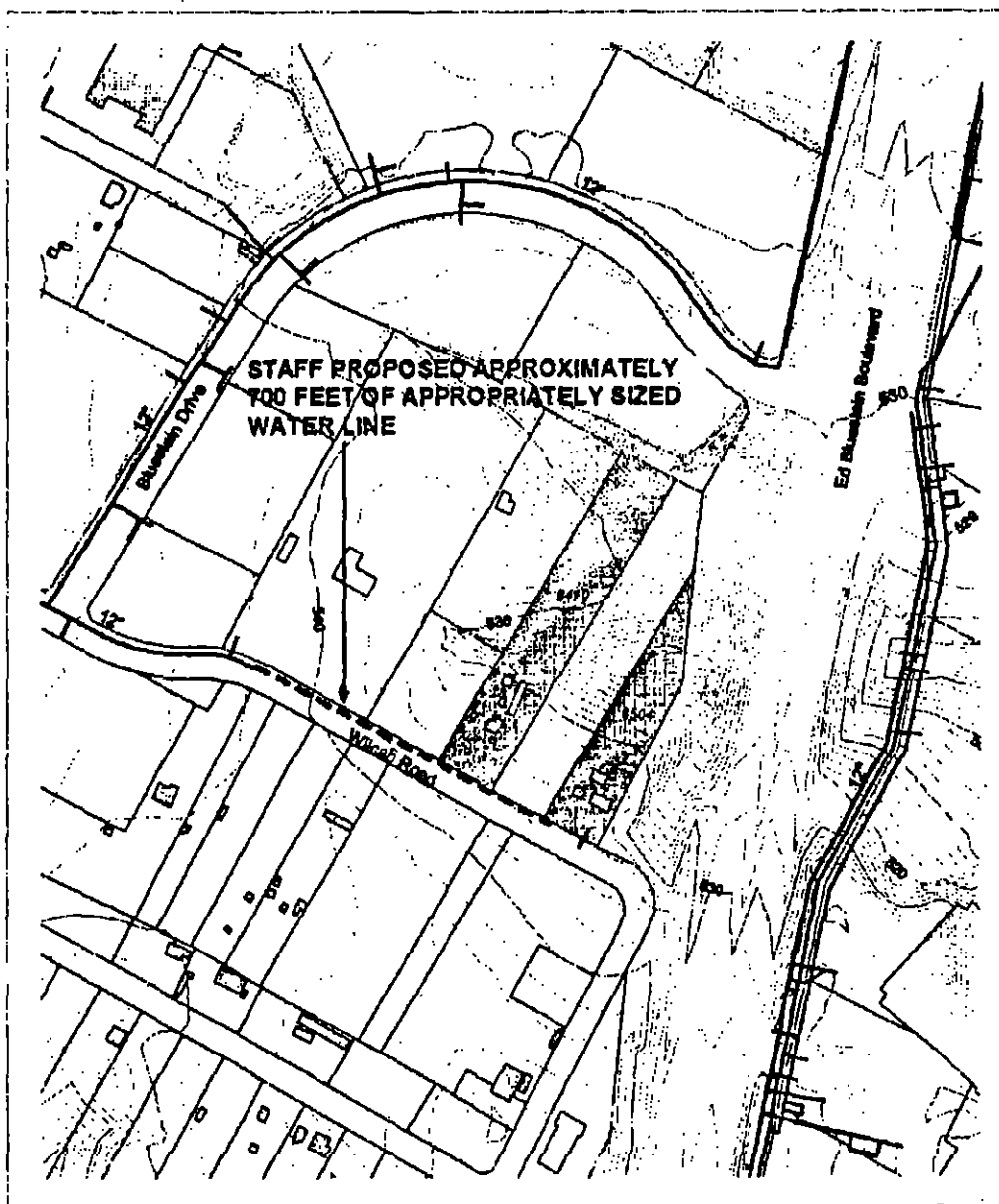
Commissioners Absent:

The Water and Wastewater Commission recommends the Council authorize negotiation and execution of an ordinance waiving the requirements of Section 25-9-41, of the City Code relating to the 100-foot rule, for the extension of water and wastewater improvements to serve 6410 and 6504 Wilcab Road.

Commissioner Scott-Ryan is abstaining on this item because she was not able to review all the material. She was appointed to the Commission one week ago.

  
Michael Warner Chairperson  
Water and Wastewater Commission

5/4/05  
Date

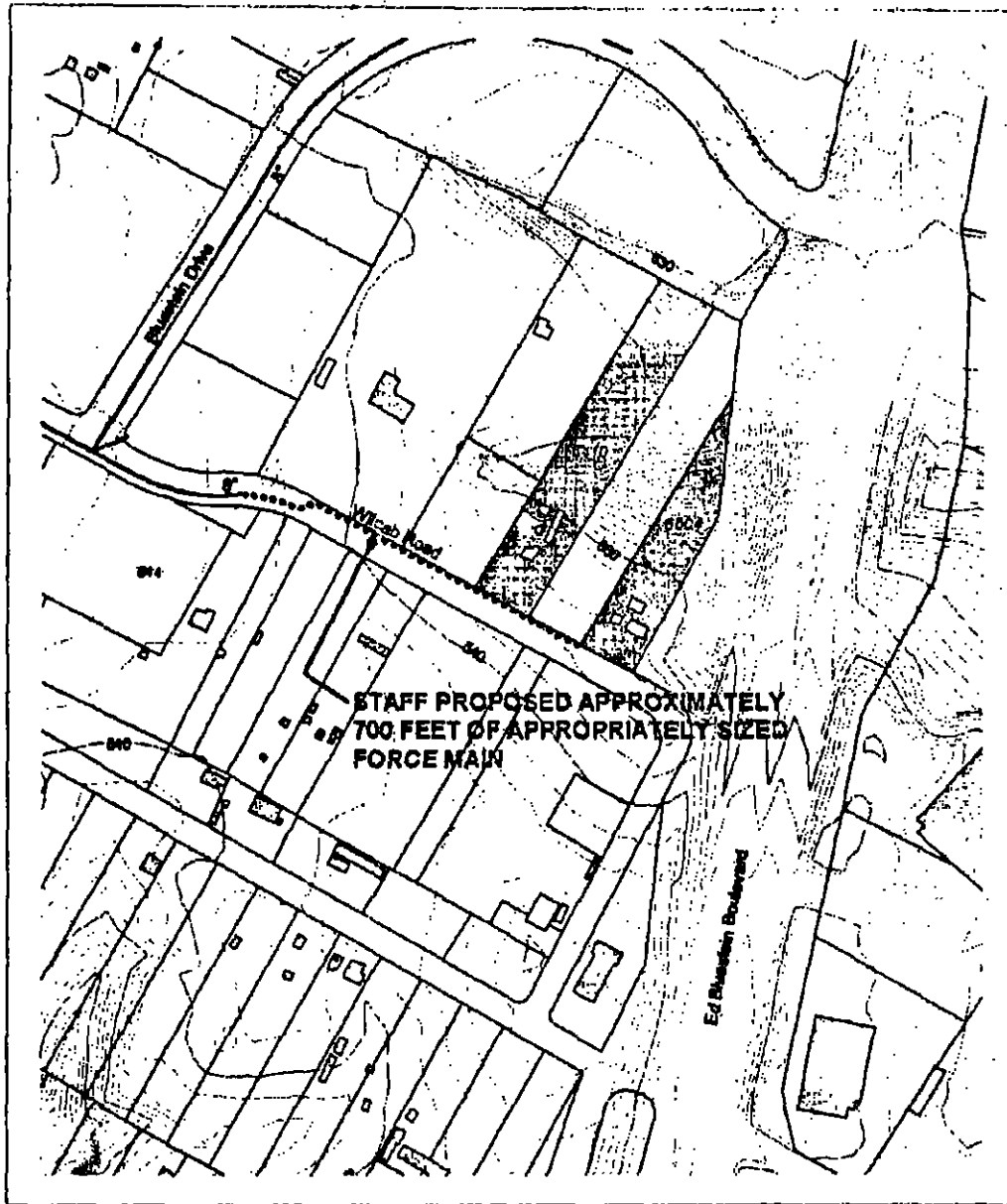


200 0 200 Feet

 Subject Tract

6410 and 6504 Wilcab Road  
Water Service

Utility Development Services Plotted 4/15/2005



200 0 200 Feet

 Subject Tract

6410 and 6504 Wilcab Road  
Wastewater Service